



# Rural Advisory Committee Terms of Reference

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Version:	2
Adopted by Council:	
Responsible Officer:	Executive Officer for the RAC: Economic Development and Investment Project Lead
Department:	Economic Development and Investment
Contact Officer:	Economic Development and Investment Project Lead

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## **1. Introduction**

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- 1.1 Yarra Ranges Council recognises the benefit from networks and connections with business groups and advisory committees. Advisory committees and groups allow for the provision of technical advice, local knowledge, and support in specialised issues.
- 1.2 Rural areas are integral parts of the Yarra Ranges municipality. Those that live and do business in these regions are aimed to be represented in this committee.

## **2. Purpose**

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- 2.1 The Rural Advisory Committee (the Committee) has been established by Council for the purpose of:
  - (a) Providing the Yarra Ranges Council with informed and constructive advice, input and support on issues and initiatives relevant to the management and development of the rural sector within the municipality.
  - (b) Being a voice to Council for rural communities and industries in the rural sector.
  - (c) Providing technical advice, local knowledge, and support in rural issues – as outlined in section 2.3.
  - (d) Assisting Council in the consultative process and providing feedback on Council processes and policies as they relate to the rural sector and regions and to support Council's decision making.
- 2.2 The scope of concern for the Committee will be matters that directly relate to the protection and enhancement of the rural sector.
- 2.3 The Committee will:
  - Represent a range of business interests and opinions directly relating to the protection and enhancement of the rural sector, including community, agency, industry, etc.
  - Provide local knowledge and expertise about the Yarra Ranges rural sector and impacts on it.
  - Provide informed and constructive advice regarding a wide range of rural issues and the management of the local rural sector.
  - Identify emerging issues of concern to the health of the Yarra Ranges rural sector.
  - Provide specific and targeted feedback on a range of Council policies, strategies, and key rural initiatives.
  - Assist in determining Council priorities regarding management of the rural sector – industry best practice.
  - Support and assist the Council's efforts to consult with and advocate to the broader Yarra Ranges community on rural issues.
  - Advocacy support for the rural sector in the region.
  - Support the Council's efforts to maintain strong and close networks between individuals, groups, organisations, businesses, and government agencies in pursuit of proactive outcomes for the rural sector.

- 2.4 The Committee must recognise that the primary responsibility for management of Council's operations is controlled by the Chief Executive Officer and that the Committee is an advisory committee to Council.
- 2.5 The Committee does not have authority to make decisions on behalf of Council, nor does it have delegated authority to act or to incur expenditure on behalf of Council.
- 2.6 While comprising diverse interests and representatives, the Committee will not be seen as the only means for the Council to engage and consult its community on rural issues. Council will continue to consult with the broader Yarra Ranges community (beyond the Committee) on important matters warranting consultation. The Council will seek informed and broadly representative input through the community in line with the Yarra Ranges Council Community Consultation Policy.

### **3. Mission Statement – to be decided upon and updated in the future.**

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The Committee will provide advice on technical and industry issues, local knowledge, and support on behalf of the rural sector and those that live, do business in, and recreationally enjoy those regions of the municipality.

### **4. Committee Structure**

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- 4.1 The Committee will comprise up to fourteen permanent members, two councillors and two Council staff.
- 4.2 The fourteen permanent rural sector and agency representatives will be appointed by Council in conjunction with the selection criteria included at paragraphs 5.4 and 5.5.
- 4.3 Members will be appointed as individuals based on their qualifications and experience to be part of the Committee to undertake the role.
- 4.4 Members participation is voluntary and unpaid.
- 4.5 The Committee will comprise:
- Two Councillors nominated by Council:
    - One as Chair
    - One as a delegate
  - A rural sector representative from each of the following:
    - Stone Fruit Growing
    - Pome Fruit Growing (e.g., apples, pears, and quinces)
    - Berry Fruit Growing (strawberries)
    - Nursery/Floriculture Production (cut flowers)
    - Grape growing (wine grapes)
    - Beef Cattle Farming (grazing)
    - Horse Farming (equine)

- Forestry
  - Rural Service Provider
  - An agency representative from:
    - Department of Energy, Environment and Climate Action (DEDJTR)
    - Melbourne Water
    - Education and Research
    - Landcare
    - Allied Trades / secondary members of target industries (optional addition at discretion)
  - Two Council Officers including:
    - Yarra Ranges Council Director, (or delegate of);
    - Appointed “Executive Officer” for the Committee.
- 4.6 Additional members may be invited to join the Committee for a defined period to address specialised industry needs as identified and agreed to by the Committee.
- 4.7 Further positions will be considered on a case-by-case basis if desired by the committee.

### **Establishing working groups**

- 4.8 The Committee may establish special interest working groups to progress specific initiatives for a defined period. A working group may also invite individuals and groups to attend meetings for the purpose of providing specialist advice, in accordance with paragraph 8.2.
- 4.9 Working groups can present opportunities and issues to the wider Committee, upon request to the Committee’s Executive Officer
- 4.10 Any working group established by the Committee must provide an update on its work to each meeting of the Committee.

## **5. Nomination, selection & appointment of members**

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### **Industry sector and agency representation**

- 5.1 Expressions of interest will be called for (for members) the rural sector and agency representatives through: Council’s website, local media, communications to the sector and other relevant local or peak community organisations.
- 5.2 Applications for membership must be made in writing, addressed to the current sitting Executive Officer for the RAC.
- 5.3 Applications will be considered against the selection criteria and short-listed applicants will be interviewed by a selection panel, to be appointed by the current sitting Executive Officer for the RAC.
- 5.4 Membership of the Committee will seek to, as far as possible, be representative of the community, with reference to:

- (a) ability
- (b) age
- (c) gender and gender identification
- (d) cultural background, and
- (e) socio-economic status

### **Membership criteria**

5.5 All members must:

- (a) live and/or work within the municipality, or have a demonstrated connection to the municipality through professional, technical or industry alliances,
- (b) have established networks, relationships, and connections to relevant industries in the rural sector,
- (c) have knowledge of Yarra Ranges and issues impacting people within the rural sector,
- (d) have skills & experience in the rural sector,
- (e) be able to commit to attending and participating in the regular meetings of the Committee, and
- (f) have a passion for working with Council to positively impact their respective industries and the rural sector.

5.5.1 The following membership criteria will be used in making community, agency, and industry appointments to the Committee:

- Demonstrated understanding of diverse rural issues pertaining to the Yarra Ranges.
- Understanding of the role of local government in relation to the rural sector.
- Preference for skills, qualifications and experience in rural management and related fields.
- Preference for relevant experience in committees and/or demonstrated ability to participate in, and constructively contribute to a group, committee, or organisation.
- Ability to communicate with, understand and reflect the opinions of others from the broader community. This may be because of association with related or relevant community organisations or employment.

### **Term of Appointment**

5.6 Rural sector and agency representatives will be appointed for a four-year term. To align with council plans, the next term will sit for three years, until mid-2026. All future terms beyond this are to be for 4 years.

5.7 Rural sector and agency representatives may reapply to serve a second term on the expiry of their first four-year term.

5.8 No person should serve more than two consecutive terms unless exceptional circumstances are identified by Council Chair and officers, or there are no

responses to an expression of interest for the position. In this instance, a re-appointment will be at the discretion of the Chair.

- 5.9 Councillors are appointed to the Committee by Council for a 2-year term. Notwithstanding the term of appointment, Council will consider and reaffirm this on an annual basis, while reserving the right to change its appointed representative at any time.
- 5.10 All appointments required to be made to the Committee will be submitted in a report by the current sitting Executive Officer for the RAC to a Council meeting for determination.
- 5.11 While membership may change mid-term, it is considered value-adding to maintain continuity for four years. It may also be considered valuable for members to extend their membership to the committee after four years have expired, and members are welcome to apply to maintain their position on the committee.

## **6. Induction**

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- 6.1 A workshop will be held to enable Committee members to be inducted into their role. This will provide information on:
  - (a) the role of the Committee,
  - (b) the role of Council and councillors,
  - (c) Council processes e.g., timelines for capital works program, strategy development, advocacy positions,
  - (d) the processes involved in achieving change, and
  - (e) the importance of team building and developing trust within the group.
- 6.2 Within 24 months of a member's appointment to the Committee, the Executive Officer for the RAC will conduct a review with the member of their time on the Committee. This aims to identify any information or steps that may assist the member in fulfilling their role on the Committee.

## **7. Vacancies**

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- 7.1 A position is deemed vacant if a member fails to attend four consecutive meetings without being granted a leave of absence by the Committee.
- 7.2 Where a member decides to relinquish their membership before the end of their term of appointment, they must submit their resignation in writing, addressed to the sitting Chairperson and Executive Officer for the RAC.
- 7.3 Council will seek to fill a vacancy that may occur before the end of a four-year term of appointment, except for a vacancy that occurs within three months of the end of the term of appointment.

- 7.4 The representative of a community organisation may be changed during the term of appointment by written notification from the organisation. Any such notification should be addressed to the sitting Chairperson and Executive Officer for the RAC.
- 7.5 All recommendations regarding the filling of vacancies will be submitted in a report by the current sitting Executive Officer for the RAC to a Council meeting for determination.

## **8. Co-opted members and specialist advice**

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- 8.1 The Committee may invite suitably skilled persons to join the Committee as a co-opted member for a specified purpose and period. A co-opted member would join the Committee in an advisory capacity only and is not entitled to vote.
- 8.2 Individuals and groups may be invited to attend meetings of the Committee for the purpose of providing specialist advice. Any such individual or group must not be involved in decision making processes and must not vote on any matter.
- 8.3 Individuals and groups may ask to attend meetings of the Committee for the purpose of receiving specialist advice. Any such individual or group must not be involved in decision making processes and must not vote on any matter.

## **9. Chairperson**

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- 9.1 The Chairperson will be a councillor, appointed by Council. (Meetings will be chaired by a Yarra Ranges Councillor, nominated by Council in line with 5.9)
- 9.2 The Chairperson will be the public face of the Committee and will lead advice and reports to the Council and other bodies on behalf of the Committee.
- 9.3 Council will also appoint a delegate, whose role will be to perform the duties of the Chairperson if the Chairperson is absent or unable to perform their duties at a meeting of the Committee.

## **10. Meetings**

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- 10.1 At least four meetings of the Committee will be held per year, with these to be held at Yarra Ranges Council office in Lilydale, or via video conference (to be determined by the Executive Officer for the RAC after consultation with the Chairperson).
- 10.2 Meetings may be cancelled, or additional meetings may be convened, by the Executive Officer for the RAC after consultation with the Chairperson.
- 10.3 If apologies are received from 50% or more of the members of the Committee, meetings may be cancelled and rescheduled (if feasible) by the Executive Officer for the RAC after consultation with the Chairperson.



- 10.4 Members are asked to check their email on the morning of the meeting to receive any notice of cancellation.
- 10.5 Members of the Committee will hold the positions for a fixed term (four years) and are required to commit to attending meetings during this term.
- 10.6 If members are unable to attend eight or more meetings during the four-year appointment they may be requested to retire from the Committee, at the discretion of the Chair.
- 10.7 Meetings of the Committee are defined as “Informal Meetings of Councillors” under Chapter 8, Rule 1 of Council’s Governance Rules if at least one Councillor is present. The Executive Officer for the RAC must forward a record of an Informal Meeting of Councillors to Council’s Governance Team within 7 days of a meeting to enable this to be tabled at the next convenient Council meeting and recorded in the Minutes of that Council meeting.

## **11. Conduct of Committee Members**

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- 11.1 When acting in their capacity as a member of the Committee, all members will refrain from discriminating, harassing, or bullying other people and using offensive language.
- 11.2 In performing their role, a committee member must:
  - (a) act honestly,
  - (b) exercise reasonable care and diligence,
  - (c) not make improper use of their position, and
  - (d) not make improper use of the information acquired because of their position.
- 11.3 The failure of a member to comply with either clause 11.1 or 11.2 above may result in the termination of their appointment to the Committee.
- 11.4 Committee members will also have regard to the principles of health and safety and must ensure that they contribute to the notion of a healthy and safe workplace.

## **12. Conflicts of Interest**

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- 12.1 A conflict of interest occurs where there is a conflict between the public duty of being a member of the RAC and direct personal interests that improperly influences the member in the performance of their duties, either real or perceived.
- 12.2 The chair will ask Members to declare any conflict of interest regarding to any agenda items at the beginning of each meeting. A member of the Committee with a conflict of interest in an item of business to be considered at a meeting must declare this before the item is considered.

- 12.3 A member declaring a conflict of interest must leave the meeting while the identified item is being discussed and must not vote on the matter being considered.
- 12.4 A declaration of a conflict of interest that has been made at a meeting of the Committee must be recorded in the minutes of that meeting and in the Informal Meeting of Councillors record to be submitted to Council.
- 12.5 A failure to comply with the provisions regarding the disclosure of conflicts of interest may result in the member's appointment to the Committee being terminated.
- 12.6 A Councillor appointed to the Committee must declare a conflict of interest in accordance with the requirements of Chapter 7, Rule 7, of Council's Governance Rules.

### **13. Attendance at Meetings**

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#### **Submitting Apologies**

- 13.1 Members should submit any apologies to the Executive Officer for the RAC if they are unable to attend, with these to be received at least 48 hours prior to a scheduled meeting time (where possible).
- 13.2 Where a representative of an industry is unable to attend a meeting, a substitute may be nominated by the organisation, at the discretion of the Chairperson.

#### **Requesting a Leave of Absence**

- 13.3 If a member is likely to be absent from at least four consecutive meetings and wishes to remain as a member of the Committee, they should request a leave of absence.
- 13.4 Any such request should be submitted to the Executive Officer for the RAC and will be presented to the Chairperson for determination.
- 13.5 The Chairperson will not unreasonably withhold its approval of a leave of absence request.

### **14. Meeting Procedures**

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#### **Agenda for Meetings**

- 14.1 The Executive Officer for the RAC will be responsible for setting the agenda for each meeting.
- 14.2 Committee members can request an item to be included on an agenda by sending details to the Executive Officer for the RAC at two weeks prior to the meeting.

- 14.3 The Executive Officer for the RAC will consider any such requests and determine if they be added to the agenda or dealt with (investigated) as per normal business.
- 14.4 The agenda for each meeting will include:
- (a) an acknowledgement of Country,
  - (b) an opportunity for members to disclose a conflict of interest,
  - (c) provision for any urgent items of business to be raised and, by agreement, considered by the Committee,
  - (d) brief reports back on:
    - (i) the use of the Committee's advice by Council; and
    - (ii) actions and/or matters arising from items discussed at the previous meeting,
  - (e) relevant updates on Council programs and initiatives,
  - (f) substantive discussion about major current issues and directions, and
  - (g) an opportunity to raise other business matters from the table.
- 14.5 An agenda will be sent to the Committee no later than 10 days prior to each meeting, together with any background reading material.

#### **Decision Making and Voting**

- 14.6 Rural sector representatives are the only voting members of the committee.
- 14.7 As an exception to 14.6, if it is deemed beneficial to a specific topic, the chair has the discretion to include any agency representatives in a vote.
- 14.8 A quorum of at least 50% of voting members must be present if a vote or committee decision is to be made.
- 14.9 No formal business shall be conducted by the Committee unless a quorum exists. If a quorum is not present, the Chairperson may decide that the Committee meet for discussion only.
- 14.10 Any decisions in respect of formal advice and/or comment to be provided to Council by the Committee will be reached by consensus. As far as practicable the Committee will provide advice to Council based on the collective wisdom of its members, supported by the best available information provided by council officers or guest presenters.
- 14.11 The Committee does not require formal voting to take place to make decisions, although the Chairperson may call for a vote in extraordinary circumstances. If the Chairperson calls for a vote to be taken:
- (a) the vote will be by a show of hands,
  - (b) in the event of deadlock, the Chairperson will have a casting vote to determine a matter.

14.12 A diversity of views may be expressed by the Committee, and these will be reflected in any reports and statements issued by the Committee.

### **Minutes of Meetings**

14.13 Minutes will be taken for each meeting by an appropriate Council Officer for the RAC and will record:

- (a) the attendance of members,
- (b) agenda items tabled,
- (c) any declared conflicts of interest,
- (d) key discussion points, and
- (e) actions and agreed outcomes only.

14.14 Minutes and action items will be distributed to each member of the Committee and relevant Council staff within two working weeks of the meeting.

14.15 Minutes will be finalised only when formally adopted at the following scheduled meeting of the Committee.

14.16 A copy of the minutes from each meeting will appear on Council's website for public viewing.

## **15. Reporting**

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15.1 The Chairperson will make a Delegate's Report at the next Council meeting following a committee meeting.

15.2 The Committee will present an annual report to Council. The annual report must contain the Committee's actions and key achievements over the previous 12-month period and detail the Committee's key plans and goals over the upcoming 12 months.

15.3 The Annual Report will be made by the Executive Officer for the RAC, together with any members of the Committee as may be deemed appropriate by the Executive Officer for the RAC after consultation with the Chairperson and the Mayor.

## **16. Management and Support to the Committee**

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16.1 The Executive Officer for the RAC will provide administrative support to the Committee, which will include:

- (a) maintaining contact details of members,
- (b) preparing and distributing agendas and prior reading material,
- (c) preparing and distributing minutes of meetings,
- (d) reporting on actions and/or matters arising from previous meetings back to the Committee,
- (e) circulating other material to Committee members as necessary,
- (f) completing and submitting an Informal Meeting of Councillors record for inclusion on a Council Agenda,

- (g) maintaining up to date information for the web page for the Committee on Council's website,
- (h) assisting with the preparation of an Annual Report to Council, and
- (i) managing all other administrative processes associated with the Committee.

16.2 The Committee will have access to Council staff with relevant expertise on matters being considered by the Committee.

## **17. Confidentiality and Privacy**

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- 17.1 Members must treat information they receive as confidential, unless otherwise advised, and are expected to comply with the provisions that cover confidential information contained in sections 3 and 125 of the Local Government Act 2020.
- 17.2 Members must not use confidential information other than for the purpose of performing their function as a member of the Committee.
- 17.3 Documents presented to the Committee will often be in draft format and not suitable for wider distribution. Members have an obligation not to disclose any materials or information that is not available to the public, unless approved in writing by the Chair or a representative of Council.
- 17.4 All Committee discussions should comply with the requirements under the Privacy Act 1988 and its principles.
- 17.5 The failure of a member to comply with paragraphs 17.1 to 17.4 will result in the termination of their appointment to the Committee.

## **18. Media**

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- 18.1 The Chairperson will represent the views of the Committee and make all public statements. If members of the Committee wish to raise an issue in the media, this should be agreed beforehand at a committee meeting.
- 18.2 On occasion, representatives of the Committee may be invited to join the Chairperson to promote the work of the Committee or to support advocacy positions.
- 18.3 Members are entitled to make comment on matters in their capacity as a member of another organisation or as private citizens; however, it must be clear that those views are not expressed on behalf of Committee or Council.
- 18.4 The Executive Officer for the RAC will be responsible for ensuring a web page on Council's website for the Committee is up to date. The web page must include a description of the Committee and its purpose, its membership, the meeting minutes (in accordance with paragraph 16.1) and a copy of the Annual Report to Council.

## **19. Review**

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- 19.1 The Terms of Reference will be reviewed every four years or at such other time that Council determines.
- 19.2 At the time of 19.1, a review of the role, function, membership, and productivity of the Committee will be conducted to ensure currency, effectiveness and stakeholder engagement.