

CHARTER PLACE PLANNING COLLECTIVE BYRON SHIRE COUNCIL May 2020

Preamble

The Place Planning Collective (PPC or ‘Collective’) was established by Byron Shire Council on 19 September 2019. It will guide and influence implementation of existing and future place plans in Byron Shire.

The Collective will, in the first instance, engage with the adopted place plans for Bangalow and Mullumbimby, and with the Byron Bay Arts and Industry Estate place plan following public exhibition and adoption by Council. Future plans will be deliberated as they arise.

1. Purpose and Objectives

1.1 Purpose

The Collective will collaborate with Council and contribute co-ordinated, community-led governance to Council’s place planning decision-making.

Specifically, the Collective will prioritise projects identified by communities within existing and future place plans in Byron Shire, and make recommendations to Council for their implementation.

1.2 Objectives

The key objectives of the Place Planning Collective are to:

- 1.2.1 Take an informed, innovative and holistic approach to place planning that considers both common Shire wide issues and the diverse aspirations and needs of individual communities articulated in their place plans.
- 1.2.2 Prioritise projects both within and across place plans according to criteria developed and endorsed by the Collective.
- 1.2.3 Liaise and communicate with relevant community groups and other connections to test ideas and project priorities and identify needs and concerns.
- 1.2.4 Make timely recommendations to inform Council’s strategic decision-making processes for budgets, Operational Plans, Delivery Programs and Community Strategic Plans.
- 1.2.5 Champion, support and monitor the implementation of priority projects through to their completion by encouraging and facilitating partnerships between Council, community groups and others.



1.3 Authority

The authority of the Collective closely aligns with the public participation goal *Collaborate* from the International Association of Public Participation (IAP2 - 2018) spectrum definitions adopted by Byron Shire Council (see Appendix B). The Collective members accept this level of authority as a viable level of authority for their role.

The IAP2 definition of 'Collaborate' has been adapted as follows to define the Collective's authority.

Council will collaborate with the Place Planning Collective in prioritising place planning projects and will incorporate the Collective's advice and recommendations into Council decisions to the maximum extent possible.

The Collective recognises that it has no power to bind Council, instruct Council staff or consultants, nor incur expenditure unless previously approved.

1.4 Decision Making Process

The Collective will engage in collaborative discussion and decision making processes with the aim of achieving consensus. Dissenting views will be acknowledged and recorded in the minutes.

When appropriate and necessary, formal voting on decisions will take place as motions with registration and documentation of votes. Adopted motions will go forward to Council in the normal course of reporting.

2. Composition of the Group

The Collective will be made up of up to 12 community members and up to 3 Councillors. Nominated Councillors can attend at their discretion with prior notice attendance given to the Collective where possible.

Seven community members are selected through an Expression of Interest process, with the remainder randomly selected through Council's Citizen's Lottery project.

In appointing Collective members, Council seeks to maximise a diversity of interests and skills, and achieve a mixed representation of the Shire's community. Future members will be appointed to fill identified skill or representational gaps within the Collective.

Members will be appointed for a 2-year term (or at the beginning of a new Council term), and existing members will be invited to remain on the group at the end of each term to ensure historical knowledge is retained.

If a member wishes to resign from the Collective, they are required to give as much notice as possible to allow their vacancy to be filled.

As vacancies occur on the Collective, they will be filled as such:

- The Collective can seek and appoint up to 4 members to replace existing members if a quorum is not being met regularly. These additional members can be invited through the random selection process from the Citizen Lottery.
- Additional members (over and above the above) will be recruited by Council by public advertisement and selection by Council.
- Members vacating a Citizens Lottery position shall be replaced from that list.
- Members vacating an appointed position shall be replaced from a short list from the community the resigning person represents and approved by Council.



3. Council Support

Council's Place Planning Liaison Officer will, with the assistance and advice of the Collective, prepare and distribute agendas and meeting minutes or records.

Council staff will attend Collective meetings to provide professional advice, information or presentations in relation to the implementation of the relevant Place Plans.

Nominated Councillors will receive Collective meeting minutes and are welcome to attend those meetings. The intention is for them to provide information and seek feedback on non-confidential Council business and issues subject to Collective deliberations. To provide continuity, a minimum of 3 Councillors are to be nominated by Council to attend meetings.

Unless otherwise agreed with the Collective Chair at the time, nominated Councillors will be expected to attend for the whole of a meeting so they are properly informed of the issues at hand.

A dedicated page on Council's webpage will be provided so that the community has information on the work / activities of the Collective and its members.

The Collective will upload agreed short summative reports in regard to their recommended priorities and/or other relevant matters.

Council's Place Planning Liaison Officer will be the staff point of contact for Collective members and will act as a conduit of information between Council and the group.

4. Operating Agreement

Members of the Place Planning Collective, in performing their duties, will observe the following operating agreement. Refer to Appendix A for the role expectations for all members of the Collective.

Members of the Place Planning Collective will:

1. Perform their duties in a manner that ensures public trust in the integrity, objectivity, and impartiality of the Collective.
2. Work collaboratively, contribute respectfully and act honestly and in good faith.
3. Make informed and considered decisions that benefit the Byron Shire community.
4. Work at all times towards meeting the Objectives listed in 1.2 Objectives of this Charter.
5. Comply with the *Council's Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers* (2019).



5. Media Representation

The main objective of communication with the media is to inform the public about the Collective's activities/decisions/recommendations. In dealing with the media, care must be taken to communicate accurate information.

1. The Collective will nominate an official spokesperson in a rotating role. After Collective meetings, or as required or considered necessary, reports, statements or press releases from endorsed reports by the Collective will be placed on the website. The dedicated Collective website page will be the primary mechanism for reporting.
2. Council's Place Planning Liaison Officer will assist in facilitating media liaison.
3. If Collective members are contacted directly by media outlets verbal, off-the-cuff or individual comments must not be made. An authorised spokesperson will handle all enquiries from the media in collaboration with the Place Planning Officer.
4. Members of the Collective must not discuss sensitive, confidential or political matters with the media or the general population. Sensitive matters not in the public domain the Collective may be aware of will be identified as such, regarded as confidential and not discussed in public. Confidentiality agreements are to be signed by each Collective member.

6. Meetings

6.1 Roles and composition

Collective members with experience and skills in chairing groups will Chair meetings. This duty will be rotated over time with the duration being agreed by Collective members.

The Place Planning Liaison Officer will work with Collective members and Council staff in the planning of upcoming meetings and agenda setting processes for final preparation of agendas.

Agendas and any background documents will be distributed at least one week before the meeting. Meeting notes will be taken and distributed by the Place Planning Liaison Officer. The formality of these notes/minutes will vary according to topic sensitivity. Meeting notes will be distributed within 2 working days of the meetings.

Meetings frequency may vary according to needs or opportunities arising. As a minimum, meetings must be quarterly. Meeting dates will be arranged to align with Council's meeting schedule, to ensure the Collective's recommendations inform Council decision-making.

A minimum quorum of half the number of Collective members + 1 is required for meetings. The group can actively recruit additional members (up to 4) if a quorum is not being met regularly.

The Collective should conduct meetings in a format suited to the agenda. This is likely be an informal workshop format to encourage full participation and creative discussion. It is recognised that some meetings or agenda items may require a formal approach.

6.2 Invited Guests

The Collective may request to seek further expertise and consultation and, if necessary, arrange attendance of a person providing the expertise at the relevant meeting. Any request for information should not be at cost to Council unless a budget is requested and allocated and the expenditure has been authorised in writing by Council staff with the requisite delegations.



7. Evaluation & Review

The Collective will determine the best evaluation criteria (both process and outcome) for their needs at the outset of their operation and the frequency of internal evaluation. A full review of the Place Planning Collective will be undertaken every 2 years (and at the beginning of a new Council term), to ensure the purpose, membership and operation of the Collective is effective.

The evaluation model will include:

1. Three bi-annual qualitative process evaluations for all members of the Collective, including Council staff and Councillor/s via a short online survey administered via SurveyMonkey.
2. One final qualitative process evaluation for all members of the Collective, including Council staff and Councillor/s via a short online survey administered via SurveyMonkey at the end of the two year tenure period.
3. One final outcome evaluation for all members of the Collective, including Council staff and the representative Councillor/s based on the objectives listed in 1.2 Objectives.

8. Miscellaneous

- 8.1 Insurance:** All Collective members are covered by the public liability policy of Council insofar as they are acting in their capacity as a Collective member, within the scope of this Charter and in accordance with the Code of Conduct and statutory obligations. This insurance does not preclude the Collective from due diligence and adherence to all Council policies.
- 8.2 Code of Conduct:** All Collective members should agree to and abide by Council's adopted Code of Conduct at all times (refer Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers (2019)).
- 8.3 Pecuniary Interest:** Pecuniary &/or fiduciary interests may be defined as an interest that a person has in a matter, as a Collective member or employee of a company or other body, because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person, or another person with whom the person is associated. Such other person includes the spouse or de-facto partner or relative of the group member.

PPC members are encouraged to consider their potential for pecuniary interests and disclose such possible interest/s where applicable as a standing item at the top of the agenda. A register of interests to be kept with meeting notes. Members shall absent themselves from discussion and recommendations where relevant.



APPENDIX A – Role Expectations

PPC Members

- Have fun, share and learn
- Commit to maximum feasible attendance for the two years
- Commit to making decisions
- Contribute respectfully
- Determine what projects to implement when, plus all urgent priorities
- Commitment to high level of communication outside of meeting times
- Members should openly declare personal interests when topics discussed
- Honest disagreements to be encouraged
- Integrity and transparency of communication
- Set clear, concrete achievable goals that we can reflect on and be proud of
- Accept all members will have different skills and capacity to contribute outside of meetings
- Maintain respect for the work undertaken by Council officers, consultants and community representatives, but offer considered and constructive feedback as required.

BSC Planning Staff

- Run meetings to time allocated
- Facilitate flexibility to run online meetings eg zoom
- Include questions on notice in each Agenda
- Provide record keeping – minutes/notes and a clear record of decisions/motions
- Provide PPC with key dates e.g. budget cycle, grant deadlines
- Facilitate contact and communication with BSC staff
- Invite guests as required
- Provide honest feedback to the operations of the Collective.


BSC Councillors

- When attending a meeting, read the agenda, attend the whole meeting and act as a participant observer.
- Participate. listen, learn, ask, apply background knowledge when and where necessary, and add value from the political context
- Trust, be supportive and open minded.
- Communicate clearly
- Not to grandstand or to use group for political points
- Declare pecuniary and non-pecuniary conflicts of interest
- Respect the professional autonomy and decisions of the group
- When invited, provide a 2-5 minute outline of values and any special interest in specific agenda items.



APPENDIX B – IAP2 Spectrum of Public Participation

IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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