



BYRON SHIRE COUNCIL

MULLUMBIMBY HOSPITAL SITE

PROJECT REFERENCE GROUP

DRAFT CONSTITUTION

**INFORMATION ABOUT THIS DOCUMENT
(INTERNAL USE ONLY)**

Date Commenced:		Time Frame to carry out objectives	The term of the PRG shall conclude twelve months after its establishment, subject to Council consideration of a final report.
Date Group to be Disbanded	The term of the PRG shall conclude twelve months from the first meeting date, subject to Council consideration of a final report.		
Convenor/Facilitator	Sarah Ford – Manager Community Development		
Review Timeframe			

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
E2017/67530	29/06/17	Draft created
E2017/67530	10/07/17	Updated following comments on membership and reporting at 07/07/17 meeting of the Mullumbimby Hospital Project Guidance Group

Further Document Information and Relationships

Principal Activity (Management Plan)	
Related Legislation	Local Government Act 1993 Section 451 Government Information (Public Access) Act) 2009
Related Policies	Code of Conduct Policy 1.8 Privacy Management Plan Work Health Safety Policy
Related Procedures/ Protocols, Statements, documents	Agenda Template for PRG Meetings Report Template for PRG Meetings Action List Template for PRG Meetings

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Mullumbimby Hospital Site Project Reference Group

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1. Preamble

The Project Reference Group is a Group formed by the Council and does not have executive power or authority to implement actions.

The role of the Project Reference Group is to carry out specific objectives as stated in point 2 of this Constitution in order to gain the best outcome from the future use of the Hospital Hill site for Byron Shire Council, the Brunswick Valley community and its other stakeholders.

Principles underpinning this PRG are based on 'The Community Charter – Planning for the people – a community charter for good planning in NSW':

- The wellbeing of the whole community, the environment and future generations is considered;
- Effective and genuine public participation is fundamental;
- Open, inclusive, transparent and accountable processes are undertaken;
- Objective and evidence-based advice is utilised.

2. Objectives

The objectives of the Mullumbimby Masterplan Scoping Project Reference Group is:

1. Propose and consider potential uses for the former Mullumbimby Hospital site.
2. Utilise a best practice participatory planning process for the future use of the Hospital Hill site that gives the community and all stakeholders a genuine and meaningful voice.
3. Work with Council staff to develop an inclusive community engagement strategy for implementation by Council.
4. Consider potential constraints arising from the site contamination and the various options for remediating/ removing that contamination.
5. Develop a set of clear criteria for assessment of recommendations and options to Council.
6. Provide advice and recommendations to Council on the best outcome for the Hospital Hill site taking into consideration community and stakeholder input, data and zoning and regulatory requirements.

3. Timeframe for Group

The term of the PRG shall be from 1 November 2017 to 31 October 2018 (twelve months), subject to Council consideration of a final report.

The Council may dissolve the Group at any time.

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4. Membership

Membership is not to exceed 18 members in total. The Group is to consist of community members, representatives of identified key stakeholder groups, Councillors and relevant Council staff members, as below:

- 4.1 3-5 Community Members
- 4.2 10-12 Representatives of Key Stakeholder Groups
- 4.3 3 Councillors
- 4.4 Relevant staff member(s).

* Staff members participating on the working group do not have any voting entitlements.

Members will be appointed by the Council.

Two members are required to have prior commercial experience and skills.

5. Chairperson

The Chair of the PRG is to be elected from the community members nominated to the PRG, to be determined at the first meeting. If the appointed Chair is absent, that role is performed by another Community Member acting after being elected by the meeting.

6. Quorum

A quorum of the Committee will be 50% plus one of the appointed members. If a quorum is not reached within half an hour of the appointed starting time, the meeting will be adjourned.

* Staff members are not counted as part of a quorum.

7. Confidentiality

Members of the Project Reference Group will, in those circumstances where confidential matters are subject to deliberation, maintain confidentiality.

8. Convenor/Facilitator

The Convenor/Facilitator of the Project Reference Group in most cases will be the staff member unless otherwise decided by Council.

9. Convening Meetings

Meetings to be held monthly or as decided at the first meeting of the PRG.

10. Reporting

- 10.1 The reports of meetings (Minutes) are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- 10.2 Representatives of the Project Reference Group will provide quarterly updates to Councillors at Strategic Planning Workshops.

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11. Meetings Open to the Public

PRG meetings are not public meetings as they have no executive function. Public transparency is provided for when the reports of these meetings are reported to Council.

12. Invited Guests

The PRG Convenor may request to seek further expertise and consultation as agreed to by the Group and if necessary arrange attendance of a person providing the expertise at a PRG meeting. Any request for information to be at no cost to Council unless a budget is allocated by Council and the expenditure has been authorised in writing by staff with requisite delegations.

13. Audio Taping of Meetings

A PRG meeting may be recorded. If the meeting is being recorded, all PRG members will be advised of this and it will be noted in the Report of that meeting.

Recordings of PRG meetings may involve the recording of personal information provided at the meeting. The recordings will be made to assist with the administration of the PRG. The provision of any information that is recorded is voluntary, however, if any person does not wish to be recorded they should not address the meeting.

The recordings may be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard, such as under the Local Government Act 1993 or the Government Information (Public Access) Act 2009. The recordings where made will ultimately be stored in Council's document storage system.

14. Vacation of Office

Any Project Reference Group member wishing to resign from the group shall do so in writing.

Community Members: If a community member resigns and if more than half of the timeframe to complete the PRG's objectives still exists an alternate delegate can be appointed by Council. If no alternate delegate has been appointed by Council or the alternate delegate declines to accept the vacant position then that position will become redundant.

15. Records of meetings (agenda and reports)

The Convenor/Facilitator of the Group will prepare the Agenda, Progress Reports and Action lists of the Group's meetings formatted in accordance with Council's templates.

- 15.1 The reports of the Group's meetings are to be reported to Council when required. The PRG's web page will indicate what meeting Council will be considering the PRG's reports.
- 15.2 Reports from each PRG meeting may be placed on Council's Web Page for access by the public and Councillors after each meeting.
- 15.3 If the time frame allocated to complete the objective(s) is greater than 6 months, the Group is to provide a progress report quarterly to Council on its progress.
- 15.4 At the end of the Group's term a final status report be presented to Council on the outcomes of each objective.

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16. Section 377 Delegation

The Project Reference Group does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff and/or consultants engaged by Council.

17. Miscellaneous

- 17.1 **Insurance:** All group members are covered by the public liability policy of Council insofar as they are acting in their capacity as a group member, within the scope of the PRG's Terms of reference and in accordance with the Code of Conduct and statutory obligations. This insurance does not preclude the working group from due diligence and all Council policies must be adhered to.
- 17.2 **Code of Conduct:** All group members to abide by Council's adopted Code of Conduct at all times.
- 17.3 **Pecuniary Interest:** Pecuniary Interest may be defined as an interest that a person has in a matter, as a group 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.

Section 446 of the Local Government Act states that:

"a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests.."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.

- 17.4 **Privacy:** All group members are to abide by Council's Privacy Management Plan (see <http://www.byron.nsw.gov.au/publications?P>) relating to their access to personal information.
- 17.5 **Meeting Practice:** If any other issue arises regarding meeting practice not covered under this constitution, it be referred to the General Manager or delegate or if required Council for a determination to be made.
- 17.6 **Work Health Safety:** All group members are required to comply with the "Worker Responsibilities" as prescribed in the Work Health Safety Policy.