

## **Port of Apollo Bay Consultative Committee (POABCC)**

### **Terms of Reference**

#### **1.0 Purpose**

The Port of Apollo Bay Community Consultative Committee (POABCC) is the primary user and community consultative forum of the Colac Otway Shire for the Port of Apollo Bay.

The POABCC scope is to:

1. Promote and facilitate two-way communication;
2. Share information and consult with the port users, community and members of the public who are interested in, or may be impacted by, port operations;
3. Provide advice to the Colac Otway Shire on issues of concern to the users, community and stakeholders;
4. Provide a forum where government agencies and potential port users can inform the Apollo Bay community of issues relevant to the Colac Otway Shire, Port of Apollo Bay and the community;
5. Be included in any project control groups/steering committees for consultative input in conjunction with other groups pertaining to the Port of Apollo Bay. The POABCC should be consulted regarding use of funds and execution of grants.

For the sake of clarity, the role as Member of the POABCC is *not* to direct or govern the strategic or operational decisions, nor direct staff of the Port of Apollo Bay, as that is solely the legislated remit of the Colac Otway Shire. However, the input and feedback of the POABCC membership will be considered by the Colac Otway Shire. Decisions/findings of the POABCC will be shared and circulated to the councillors and CEO of Colac Otway Shire. The Chairman will make available an escalation process as deemed necessary.

#### **2.0 Membership and Attendees**

The POABCC will have up to a maximum of eleven (11) members. All nominated POABCC members require endorsement by the Colac Otway Shire.

The membership and attendance of the POABCC will include the following persons:

1. One (1) Councillor & proxy (appointed by Council);
2. Two (2) Council Officers & proxy (appointed by Council);
3. One (1) nominated representative & proxy of the Apollo Bay Fisherman's Co-op;
4. One (1) nominated representative & proxy of the Apollo Bay Ocean Rescue;
5. One (1) nominated representative & proxy of the Apollo Bay Sailing Club;
6. One (1) nominated representative & proxy of the Otway Coast Committee;
7. One (1) self-nominated representative active in the Apollo Bay Commercial Fishers;
8. One (1) self-nominated representative active in Apollo Bay in Recreational Boating and Fishers;
9. Two (2) self-nominated community representatives with a demonstrated interest in the Port & experience in the fields of marine operations, harbours, coastal issues, legislation or risk management;
10. A Secretariat to be provided by the Colac Otway Shire;
11. The POABCC Chairperson, at his or her discretion, may invite other persons to attend meetings as considered appropriate for matters under discussion, e.g. project proponents, consultants and government agencies.

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The POABCC shall elect a Chairperson and Deputy Chairperson at its first meeting held under these Terms of Reference and then subsequently in June/July of each year.

#### **3.0 Nominations**

Colac Otway Shire will appoint all Council representatives. Organisation representatives shall be nominated by their organisations and a proxy shall also be nominated. Only one proxy is allowed to be nominated.

Representatives will be appointed or selected as follows:

- a) A call for nominations for positions on establishment, or made vacant by expiry of terms, or vacation of position on the POABCC will be issued in June/July of each year;
- b) Existing members interested in remaining on the POABCC will be eligible to re-nominate;
- c) Self-nominated representatives will be selected by Colac Otway Shire based on an Expression of Interest recruitment process and selected on merit.
- d) POABCC members will be elected for a two (2) year term;
- e) Membership of the POABCC will be ratified by the Colac Otway Shire Council;
- f) Members and profiles of delegates to the POABCC will be publicised by the Colac Otway Shire when elected.

*Conditions of Membership are as follows:*

- Members formally agree that they do not have authority to speak, represent, or go on the public record on behalf of the POABCC and that authority lies entirely with the Council or delegated Authority. (This does not preclude a Member's rights as a citizen or sector they may represent at the POABCC.)
- That Members agree to abide by all relevant Council policies, procedures and code of conduct when on-site and/or when in attendance or representing in the capacity as a member of the POABCC.

#### **4.0 Meetings**

Meetings shall be held every three (3) months (i.e. four (4) meetings per annum). The meetings will be held on the 1<sup>st</sup> Tuesday of the months of February, May and August and on the 2<sup>nd</sup> Tuesday of the month of November. Colac Otway Shire will be responsible for organising the meeting venue and providing secretariat services. More frequent meetings will be convened at the discretion of the Chairperson.

#### **5.0 Quorum**

A quorum shall be 50 per cent of the membership. Non-Council members or their proxy should attend at least 3 of the 4 meetings per annum to be eligible for re-nomination.

#### **6.0 Attendance**

The designated proxy should only attend in the absence of the nominated representative. Attendance of a meeting may be in-person or via suitable electronic means. Meeting attendance, including apologies, will be noted in the minutes of each meeting.

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**7.0 Agenda**

The Colac Otway Shire will nominate a date, time and location for the meeting. The Colac Otway Shire will also collate agenda items and circulate an agenda one week prior to the meeting. An agenda item is to be included regarding financial transparency and accountability of spending. The Port Coordinator will include any financial aspects in his/her Port Projects update. Where (or if) an agenda item cannot be addressed sufficiently in the time leading up to the proposed meeting date, it will be the Colac Otway Shire's responsibility to ensure the item is carried over and addressed in either a subsequent meeting or through appropriate correspondence. Members can submit items for the agenda two weeks prior and will be accepted at the discretion of the Chairperson.

**8.0 Minutes**

Minutes will be taken by the secretariat service provided by Colac Otway Shire and be circulated to all stakeholders within one week of a meeting occurrence. Minutes are to be circulated by email to all POABCC members, councillors and CEO.

Confidential matters may be recorded and not circulated to POABCC members but be reported to Colac Otway Shire via its delegate. The Colac Otway Shire in consultation with POABCC will determine matters considered at the meeting that are confidential or of a sensitive nature.

The Colac Otway Shire will be responsible for retaining meeting minutes and circulating copies of the minutes to stakeholders.

**9.0 Out of Session Items**

Where an issue of importance arises out of session and that cannot be dealt with at a meeting, but does not require calling an additional meeting, the Colac Otway Shire may circulate material out-of-session.

**10.0 Working Principles and Protocols**

- Members of the POABCC will work together to promote an environment that fosters mutual respect and understanding with open discussion.
- The POABCC will respect confidentiality of issues if requested by the Colac Otway Shire.
- Non-Council Members of the POABCC will not have open access to Council budgets.
- Reports of the POABCC meetings will be available to the Colac Otway Shire Executive Management Team and Councillors.
- The POABCC will be consulted on any new or proposed material change to the Port of Apollo Bay.
- Members of the media shall not attend meetings of the POABCC. Statements to the media from the POABCC will be made through the Colac Otway Shire only.
- The POABCC will discuss methods of dissemination of information from the Colac Otway Shire to the community and provide advice accordingly. This will include the dissemination of information on environmental audits and monitoring data. The methods of dissemination of information will include public meetings, the media, and publication on the Colac Otway Shire Website etc.

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- The POABCC will provide advice to the Colac Otway Shire on any proposal which is the subject of a community consultation process.
- Representatives to the POABCC will take an active role in assisting the Colac Otway Shire in community consultation and dissemination of information to their member organisations.
- Profiles of Members of the POABCC will be publicised by the Colac Otway Shire when elected each year.
- Discussion items from the POABCC will be included in the Colac Otway Shire's regular media placements.

#### **11.0 Review of Terms of Reference**

A review of these Terms of Reference will be undertaken one year after inception and then every new membership term as required. Administrative changes will be made as necessary by the Colac Otway Shire.