ROSS DISTRICT COMMITTEE
MEMORANDUM OF UNDERSTANDING

NORTHERN MIDLANDS COUNCIL

1. PARTIES TO THE AGREEMENT

1. This Memorandum of Understanding is between the Northern Midlands Council and the members of the **Ross District Committee** ("Committee").

2. The Committee was established on **2 April 1993** and confirmed as a special committee of the Northern Midlands Council in **March 1995** pursuant to section 24 of the *Local Government Act 1993*.

2. TERM

The term of this MOU is from the date of signing until 30 June 2028.

3. DEFINITIONS

"Agreement" means this Memorandum of Understanding.

"Committee" means the **Ross** District Committee.

"*Committee Officer(s)"* means the Committee Chairperson, Vice-Chairperson and Secretary (if applicable).

"*Complaint*" means a statement of objection or that something is unsatisfactory or unacceptable.

"Council" means Northern Midlands Council.

"Council Liaison" means the Council Officer who is the point of contact (and secretary if applicable) to the Committee.

"District" means representatives from **Ross** and the surrounding areas of **Tooms Lake**.

"*MOU*" means this Memorandum of Understanding.

"*Term of Membership"* means the period of time Committee members are appointed in accordance with clause 5.3.

4. PURPOSE

1. The purpose of the MOU is to document the purpose of the Committee and to formalise the governance and functioning of the Committee for the effective and efficient running of the Committee, while clarifying the scope of the Committee.

2. This MOU supersedes all previous agreements between Council and the Committee.

3. The purpose of the Committee is to:
   a. Be a communication channel and conduit for information between Council and the Committee's local community in accordance with clause 6.2(f) and (g);
   b. Identify any needs, concerns and expectations of the local community by way of community consultation and engagement as the Committee considers appropriate in accordance with clause 6.2(f) and (g); and advise Council by providing written notification to the Council Liaison Officer or as Motion for Council to consider within the Committee's meeting minutes of these needs; and
   c. Consider and provide written feedback to Council in respect to matters referred to the Committee by Council for consultation.
   d. The Committee is to act in an advisory capacity only. For the purposes of this MOU the term "advisory" means:

e. Having the power to make recommendations to Council but **not to take action enforcing them** (unless requested to by Council); and

f. Committees **do not deal with the investigation and response to complaints** which they may receive from time to time. Should the Committee receive a Complaint from a community member with respect to Council's activities or functions, the Committee Chairperson is to forward the complaint, along with the complainant's details (if applicable) onto the Council Liaison Officer for the Council to investigate, respond and action. The Committee's involvement with the complaint is at an end once the information has been provided to Council.

g. In the event the complainant makes additional complaints to the Committee with respect to the same matter, the Committee is to pass the additional complaints onto Council as per clause 4(3)(f) and is not expected to further respond or engage with the complaint, other than advising it is a matter for the complainant to take up with Council.

h. As the Committee is an extension of the Council and Council is the Planning Authority, the Committee is not able to make submissions/representations in response to Development Applications received. The Committee is permitted to discuss the Development Application(s), however cannot make any decisions or resolutions as a Committee in response to Development Application(s) received by Council. Should Committee members wish to make a submission/representation towards a Development Application, they are to do so in their personal capacity.

4. To assist the Committee with its communications with the wider community, and to protect the Chairperson's privacy, Council will establish for the Committee a Northern Midlands Council email address "…..@nmc-committee.com.au" for the Committee's use and will publicly advertise the creation of these email addresses to the broader community and advise that should the community wish to contact the Committee, they are to do so via the designated Council email.

5. Should the Committee wish to establish a social media account (i.e. Facebook Page) for the purpose of communication with the community and publication of public notices regarding Council's activities, the Committee is permitted to do so. Should the Committee establish a social media account, the Committee must comply with Council's *Communications and Social Media Policy* (**copy annexed hereto and marked B**) and provide to Council the names of all account users.

5. MEMBERSHIP

1. Members of the Committee are to comprise of residents, representatives of local businesses and organisations of **Ross** based within that district, with invitations to be extended to local business owners, local committees for membership representation and other social enterprise to join the Committees membership.

2. Membership of the Committee shall comprise of a minimum of six (6) members and a maximum of ten (10) members.

3. Members are appointed for a term of two years.

4. The Term of Membership is to commence in July and conclude in June two years from the commencement date.

5. The Committee shall have the power to appoint from within the membership the following Committee Officers at the Committee's Biennial General Meeting:
   a. Chairperson;
   b. Vice Chairperson; and
   c. Secretary (if applicable in circumstances where the Committee provides its own secretariat).

6. The Chairperson may hold the position of Chairperson for 2 consecutive terms only (i.e. being a total of 4 years) before they must vacate that position to allow for a new Chairperson to take on the role. The Chairperson may

re-apply for the position of Chairperson in the future but not for the Term immediately following their 2 consecutive terms.

7. All Committee Officers shall be appointed by the Committee at the Biennial General Meeting held at the commencement of a two-year Term of Membership.

8. The office of a member becomes vacant if the member is absent from 3 consecutive ordinary meetings of the Committee without a leave of absence granted by the Committee Chairperson or Council. The Committee Chairperson or Council will give consideration to a written application for an extended period of leave of absence which has been endorsed by the Committee on a case by case basis.

Application for Membership

9. Membership of the Committee is to be advertised by Council no less than 4 weeks and no more than 12 weeks, prior to the expiration of a Term of Membership. Advertising is to occur:
   a. in the Northern Midlands Courier and Examiner newspaper; and
   b. on social media; and
   c. on Council's website.

10. Should the number of applications for Committee membership exceed the number of vacancies, Council's Executive Committee will determine the successful applicants in consultation with the Councillor representative(s) to the Committee.

11. Any member vacancy arising during the Term of Membership may be filled upon application for membership being received and any vacancy filled during a Term of Membership is for the remaining period of the MOU.

Confirmation of Appointment of Membership

12. Committee membership is to be ratified by the Council at the next ordinary Council meeting prior to the commencement of the Term of Membership.

13. In the event insufficient applications are received to fill the number of vacancies, Council will periodically re-advertise the vacant positions in the Northern Midlands Courier Newspaper, on Council's website and via social media.

14. Applications to Committees with less than 10 members can be made at any time; however, applications will not be accepted for ratification by Council within the final three months of a Term of Membership.

15. In the event less than six (minimum number of members) applications for membership are received, the Committee is to go into recess until a sufficient number of applications are received.

16. In the event the Committee is unable to reach quorum at 2 consecutive meetings, the Committee will be placed into recess until additional members are appointed to the Committee.

17. Membership will be subject to the applicant holding current registration as a Council Volunteer, and as such, the contract with Council as a Volunteer extends to membership of the Committee; with Volunteer registration and induction to be completed by the applicant prior to the commencement of membership. The applicant and Committee is to work with Council's Work, Health and Safety Officer in relation to the volunteer induction.

18. At the conclusion of their Term of Membership, members are eligible to reapply for membership. Should a re-appointment not occur, Council will provide written notice to the applicant.

6. ROLES AND RESPONSIBILITIES

1. The Committee's primary and priority focus is to work with the Council to make the Northern Midlands an enviable place to live, work and play.

Committee

2. The following are the roles and responsibilities of the Committee:

   a. To nominate **one point of contact** between the Committee and Council, and in the event the Committee does not advise who they have nominated, the default contact person will be the Chairperson.
   b. To provide Council with a list of the Committee's meeting dates and times immediately following the meeting at which they are set.
   c. To ensure the Chairperson and Vice-Chairperson attend a formal Council arranged information session with Council to receive information, direction and training, including but not limited to the following matters:
      i) Management and governance of Committee meetings, including declarations of pecuniary interests;
      ii) The Committee's relationship with Council;
      iii) The distinction between strategic and operational matters; and
      iv) The role and purpose of the Committee.
   d. To notify Council of matters which are strategic in nature (which Council is directly responsible for, or, may have influence over) within the District, including within meeting minutes any Motion to be submitted and considered to Council.
   e. To provide written comment and/or feedback on matters referred to it by Council.
   f. To liaise with the community and special interest groups to ascertain their views/opinions on local issues and projects and notify Council of these, with such consultation occurring in a manner considered most appropriate by the Committee.
   g. To receive communications from the local community and special interest groups and forward their letters/requests with appropriate comment/feedback to Council, with such communication occurring in a manner considered most appropriate by the Committee.
   h. Will direct any complaints received by the Committee (via email or during Committee meetings) to the Council Liaison Officer via email for Council to action, including provision of contact details of the complainant. The Committee is not required to investigate or respond to the complaint received.
   i. To provide to Council in March each year a prioritised list of works and services to be considered for funding in the following budget year, including projects which could be considered for funding under appropriate Federal and State Government schemes.
   j. Committee Members are to submit customer requests to Council online at www.northernmidlands.tas.gov.au/contact/report-an-issue when matters of concern to the Committee or which they are advised of by community members are operational in nature e.g.: lawn mowing; road repairs. Should the Committee receive complaints from community members relating to operational matters or Council provided services, the Committee is to refer the community member to Council's Customer Request process as per the above.

Council

3. The following are the roles and responsibilities of the Council:

   a. To produce the agenda for the Committee for the first ordinary meeting incorporating the Biennial General Meeting following the commencement of the Term of Membership, and subsequent meetings should the Committee elect for Council to provide secretarial support.
   b. The Council will, at its next Ordinary Meeting following a local government election, appoint Councillor Representative(s) to the Committee.
   c. The Council will appoint a Council Liaison Officer to the Committee.
   d. To notify and communicate with the Committee on matters of interest or concern to the local community.
   e. To ensure all Committee members are currently registered volunteers of Council and inducted.
   f. To receive and investigate Motions put by the Committee.

g. The Committee Liaison Officer shall respond to the Committee with Council's decision and any necessary supporting information, documents and/or advice **within 10 working days** from the date of the Council meeting to which the Motion was submitted.

h. Unless another relevant Officer is identified, the Council Liaison Officer shall be the point of contact for the Committee to submit questions, including requests for updates, to Council in relation to ongoing operational matters of Council and the Council Liaison Officer shall provide comment and/or advice on matters referred to it by the Committee in a timely manner.

i. To receive and consider the prioritised list of works and services from the Committee to be considered for funding, including projects that could be considered for funding under appropriate Federal and State Government schemes.

j. Investigate and respond to complaints forwarded by the Committee in accordance with Council's policy and procedure, including responding directly to the complainant and providing confirmation to the Committee that the complaint has been received and actioned.

k. Shall publicly promote the Committees within the wider community, including promoting their role as a communication channel between Council and the community and the opportunity for community members to attend Committee meetings.

l. To provide the Committee with a Council issued email address (and training if necessary) and advise the wider community of the change in contact details.

7. MEETING PROCEDURES

Meeting Administration

1. Meetings are to be governed in accordance with the procedures stated within this MOU. In the event this MOU is silent in respect to a procedure, reference is to be made to the *Local Government (Meeting Procedures) Regulations 2025* for the appropriate procedure.

2. Meetings are to be held at a minimum once per quarter. Official Council supported meetings (i.e. secretarial support) shall be held on a bi-monthly basis (meaning every second month). Should the Committee elect to meet on a monthly basis they are welcome to do so, however acknowledge that at one of the meetings Council secretarial support **will not** be available.

3. The Committee is able to call a special meeting of the Committee outside the bi-monthly meeting should there be an item requiring consideration and discussion by the Committee prior to the next scheduled meeting. Special meetings of the Committee must follow the same procedures as provided for in this MOU.

4. The meeting dates and times are to be determined by the Committee at the Biennial General Meeting and the Committee will take all reasonable steps to ensure the meetings occur at a time convenient to the wider community (e.g. outside business hours), with the view of increasing community engagement at Committee meetings.

5. Meeting length is not to exceed 1.5 hours.

6. If the Committee is meeting at a Council owned facility, the Committee is not required to pay hire-fees and must ensure facility hire bookings are made for each meeting with the relevant person, being Council's Facilities Officer for Council run facilities and the nominated point of contact for facilities managed by a Management Committee of Council.

7. The Biennial General Meeting of the Committee will take place with the first ordinary meeting of the Committee at the commencement of each Term of Membership.

8. A calendar of meeting dates for the following calendar year is to be determined by the Committee at its last ordinary meeting of that year and provided to Council.

9. Committees shall make an Acknowledgement of Country at the commencement of each meeting and take place immediately following the 'Attendance' item of the meeting.

10. Committees **must** include 'Declarations of Pecuniary Interest' as a standing Agenda item at each meeting with this agenda item immediately following the 'Acknowledgment of Country' agenda item.

Notice of Meeting, Meeting Agenda & Minutes

11. Notice of a meeting and an agenda are to be provided to the Committee members and the Councillor Representative(s) of the Committee at least 4 days but not more than 14 days prior to an ordinary meeting.

12. Minutes of an ordinary meeting of Committee are to be circulated to Committee members and to the Council Liaison Officer via email sent to council@nmc.tas.gov.au as soon as practicable after the meeting, but no more than 10 working days after the meeting.

13. If the Committee wishes Council to investigate a matter, it must put a motion to the Council for consideration as set out and formatted in **Annexure A** to this MOU. Any motion is to be received by Council **no less than 10 days prior to the next Council meeting**. Should the motion not be received within this timeframe, it will be held over to the following ordinary meeting of Council. Council is to have listed in the next Council Meeting Agenda any motions reflected in the Committee's minutes.

14. Committee Motions are **not** to be repetitive or relate to operational matters, should the Committee have questions in relation to operational matters, or requests for updates, the Committee shall make a request to the Council Liaison Officer or the Councillor Representative and is not required to submit a Motion.

15. The Council Liaison will report back to the Committee the outcome of the motions within 10 working days following the Council meeting.

Quorum & Voting

16. A meeting may only take place if the Committee has quorum. A meeting quorum is a majority of the Committee's current membership. For example, if the total number of members is 8, the quorum is 5.

17. A decision by the Committee is to be made by consensus (half the members present at a meeting, plus one). In the event the decision is split, the Chairperson is to make the final decision.

Councillor Representative

18. The Councillor Representative is an advisory role only. The Councillor Representative is not entitled to move motions or vote on any decisions made by the Committee.

19. The Chairperson may not withhold from an attending Councillor Representative the freedom to speak at a meeting.

20. Any Councillors attending meetings who are not the appointed Councillor Representative do so as a guest only. Guest Councillors must adhere to the meeting procedures applicable to Guests and are not to address the Committee as if they were the appointed Councillor Representative.

Guests

21. Guests attending Committee meetings are to do so as observers only. Guests may only participate in the meeting on invitation by the Chairperson. Guests must abide by meeting protocols.

22. Guests wishing to make a presentation or to provide comment at a meeting are to seek consent from the Chairperson and/or Secretary prior to the meeting.

23. Unless otherwise agreed by the Chairperson and/or Secretary, such presentation or comment by a guest is limited to a maximum of 3 minutes.

Subgroups

24. The Committee may make a recommendation to Council for endorsement to establish a special interest subgroup of the Committee.

25. Secretarial support will not be provided by Council for subgroup meetings; however, some administration assistance may be provided for projects approved by Council.

26. If required, subgroup meetings will be arranged outside of ordinary meeting times, at a time convenient to the subgroup members.

27. Subgroup members are required to take minutes at their meeting and submit those minutes to the Chairperson and Council Liaison Officer for the purpose of inclusion on the following Council Agenda.

8. COMMUNICATION, INFORMATION SHARING AND CONSULTATION

1. The role of the Councillor Representative is to provide information to the Committee from the Council.

2. Minutes of the meetings of the Committee are to be included by the Council Liaison Officer in the next Council meeting after the meeting of the Committee if provided 10 days prior to the Council meeting and if no motions require Officer investigation prior to Council consideration.

3. The Committee **must not** communicate to third parties on behalf of Council without prior written approval of the General Manager and must obtain written approval from the General Manager of any written correspondence (email, letter, social media post, public notice etc.) to be sent by the Committee.

4. The Committee **acknowledges** that the Mayor is the official spokesperson of Council and any media request or comment sought from the Committee **must not** be given by the Committee and must be referred to Council.

5. Any incoming (or outgoing) official correspondence received (or sent) by the Chairperson, or received on behalf of the Chairperson, in relation to the Committee, which has not been referred to the Committee by Council or generated by Council, is to be provided to Council within 14 days of receipt thereof. Correspondence will be recorded by Council and a formal response provided by Council.

9. REVIEW AND EVALUATION

1. Council retains the right to review this Memorandum of Understanding at any time.

2. At the Biennial General Meeting of the Committee, the Committee is to review the provisions of this MOU, execute the document and return a signed copy to the Council Liaison Officer.

10. GRIEVANCE AND CONFLICT RESOLUTION

1. Council will attempt to resolve any grievances or conflicts, utilising the framework and guidelines detailed in Council's Volunteer Policy.

2. The Committee **is not required** to investigate any complaints received, the Committee's role is to pass complaints received along to the Council for the Council to investigate.

3. If there is no resolution, Council's General Manager will meet with the relevant parties and attempt to reach agreement or resolution.

11. SECRETARIAL SUPPORT & RESOURCES

1. Provision of secretarial support will be provided by Council:
   a. For meetings held on a bi-monthly or quarterly basis (subject to officer availability, and that meetings commence at or before 6.00pm), OR
   b. Funds of $2,500 in lieu of secretarial support (currently the monies are provided for projects subject to Council approval).

2. In the event the Committee elects to provide its own secretarial support and receive funds in lieu from Council, it is recommended those funds are expended by the Committee (on Council approved projects) within the financial year it is received, with the funds accumulating for a maximum of two financial years. Any funds not expended within the two year period not be carried over to the following financial year.

3. The Committees appointed Council Liaison Officer will provide secretarial support for a maximum of six meetings per annum.

4. The Committee is to opt for one of the following resources to be provided by the Northern Midlands Council:

   ☐ Secretarial assistance at scheduled **bi-monthly / quarterly** meetings (meetings commencing at or before 6.00pm), subject to Officer's availability.

   OR

   ☐ An annual budget allocation of $2,500, in lieu of secretarial assistance, to be made available for projects, or secretarial support, as approved by Council.

ROSS DISTRICT COMMITTEE

_____
CHAIRPERSON

NAME: _____

DATE: _____

WITNESS: _____

NAME: _____

NORTHERN MIDLANDS COUNCIL

_____
MAYOR

DATE: _____

_____
GENERAL MANAGER

DATE: _____

ANNEXURE A

DRAFT MOTION TO COUNCIL FOR COMMITTEE MINUTES

To provide clarity in motions/recommendations from the Committees, all proposed motions and the associated minutes need to contain the Five W's and H as detailed below:

- **Who:** The mover and seconder.
- **What:** What is it the mover and seconder want Council to do? The more specific the better. For example, *'That Council consider placing a park bench on the river walkway.'*
- **Where:** Where should this occur in the municipality? For example, *'The bench should ideally be placed where the walkway goes past the boat ramp, which is roughly 1km from the Victoria Square.'*
- **When:** For example, *'The Committee notes there was no budget allocation for this in 2023-24 and would like to see it included in the 2024-25 budget.'*
- **Why**: For example, *'The Committee notes this is an especially scenic part of the walkway and it's where people like to take a breather while walking as there's a climb on the walkway immediately before when heading toward Longford.'*
- **How:** For example, *'That subject to its inclusion in the 2024-25 capital works budget that the Manager Works aim to organise the works to occur before summer 2024.'*

Please include any motions in your meeting minutes in the following format:

Recommendation [Number]: [Name]

Mover:
Seconder:

Committee Comments/Background:

That it be recommended to Council that:

a) Council consider [details of the recommendation – one recommendation per point]

ANNEXURE B

Communications and Social Media Policy