



# Terms of Reference

## DOMESTIC ANIMAL MANAGEMENT ADVISORY GROUP

### 1. PURPOSE

The Domestic Animal Management Advisory Group (the **Advisory Group**) has been established by the Horsham Rural City Council (**Council**) to provide advice and recommendations on:

- Ensuring compliance with the *Domestic Animals Act 1994*
- Matters associated with Domestic Animals and Domestic Animal Ownership affecting the wider community
- Strategies for the management of domestic animals within Council's municipal area in a respectful and sustainable way
- Improved service coordination between Council, Domestic Animal Businesses and Domestic Animal owners.
- Opportunities to improve community engagement in relation to the responsible ownership and management of Domestic Animals
- Opportunities to inform and educate owners as to responsible Domestic Animal ownership
- Opportunities to celebrate the responsible ownership of Domestic Animals

For the purpose of the Advisory Group, **Domestic Animal** means a dog, cat, domestic bird, poultry or pigeons. **Domestic Animal Business** has the same meaning as the definition given in the *Domestic Animals Act 1994*.

The Advisory Group will:

- Provide advice as to Council's Domestic Animal Management Plan and its review as required.

### 2. RESPONSIBILITIES

The Advisory Group is a Committee of Council and has been established under the framework of the *Local Government Act 1989*, S3(1) 'definition' and S76AA 'Assembly of Councillors'.

The Advisory Group is empowered to do the following:

- Provide advice and recommendations as to Domestic Animal management in the Council municipal area
- Receive and respond to correspondence addressed to the Advisory Group regarding Domestic Animal management activities
- Liaise with Council officers to identify opportunities to improve Domestic Animal management
- Provide feedback and make input into the Domestic Animal Management Plan, its implementation and its review
- Encourage and support the community to participate in Domestic Animal management programs

The Advisory Group does not have the power to commit Council to any decision or action, or to direct Council staff in their duties. The Advisory Group may make recommendations for consideration by Council, but Council reserves the right to accept or reject recommendations from the Advisory Group. This includes recommendations regarding the expenditure of funds allocated to the Advisory Group, if applicable.

### **3. MEMBERSHIP**

#### **3.1 Advisory Group Membership**

Membership shall consist of a maximum of seven people of the following representative groups:

- A Horsham Rural City Council Councillor appointed by the Mayor (Chairperson)
- Director of Planning & Economic Development, Council (or delegate)
- A registered Veterinary Practitioner or a practicing Veterinary Nurse (one representative)
- Nominated Participating Organisations, for example, Horsham People for Animal Welfare and Support (Horsham PAWS) (two representatives)
- Community Representatives (two)

Advisory Group members are responsible for representing the needs of the whole community, even if representing a specific participating organisation.

If required, the balance of the Advisory Group is to be comprised of Community Representatives. In order to avoid being unable to obtain a quorum in relation to a decision relating to a participating organisation where a conflict of interest may exist, Community Representatives must not be a member of a Nominated Participating Organisation.

### 3.2 Nominated Participating Organisations

Nominated Participating Organisations will be contacted by the Chairperson (or nominee) and invited to identify a representative for the Advisory Group.

### 3.3 Selection

Community members, veterinary representatives, and Nominated Participating Organisations will be selected through an application process, in the form of an expression of interest, which is to be advertised in local newspapers and on Council's website every two years. The application process will be conducted every two years, commencing September 2018.

Applications should include details of community involvement, previous experience of Advisory Group membership, relevant skills and reasons for nominating for the Advisory Group.

Members may apply for re-nomination to the Advisory Group for a second or subsequent term.

A panel of up to two Councillors and a Delegated Officer of Council will recommend to Council the selection of representatives from the representative groups to fill the vacancies.

If the number of applications does not exceed the number of vacancies, Council's Delegated Officer may approve nominations.

### 3.4 Council endorsement of nominations

Recommendations regarding the filling of any vacancies of the Advisory Group will be submitted to Council for approval, subject to the requirements of 3.1, 3.2 and 3.3 being met.

### 3.5 Representatives

As required, representatives may attend meetings on behalf of the member. Representatives are entitled to vote if the usual representative of the representative group is not present.

If a named representative is **unable to attend three or more consecutive meetings**, the Chairperson will contact the member and if required a replacement representative will be identified.

### **3.6 Specialists**

Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

### **3.7 Council Officer**

A Council officer, Director of Planning & Economic Development, or delegate, will attend all meetings and at the following meeting of Council will report the Advisory Group's recommendations, with comments where necessary and appropriate.

### **3.8 Term of Office**

Membership shall generally be for a term of two years.

A meeting shall be held in November, of each second year, commencing in 2018, when Advisory Group membership shall be declared vacant. On that day another meeting will convene and fill Advisory Group vacancies.

### **3.9 Resignations**

Advisory Group members who resign prior to the end of their appointment should submit their resignation in writing to the Chairperson.

If a vacancy occurs within two months of the end of the term of the Advisory Group, (every two years) the vacancy will not be filled. In all other instances, the vacancy will be filled in accordance with the selection process set out in Section 3.

## **4. ROLES AND RESPONSIBILITIES**

### **4.1 Council**

Council will:

- Provide a Secretariat to document minutes of each scheduled meeting and distribute minutes to members two weeks prior to the next meeting
- Ensure the confirmed minutes are forwarded to [records@hrcc.vic.gov.au](mailto:records@hrcc.vic.gov.au)
- Ensure a Council officer or delegate is present at all Advisory Group meetings, wherever possible
- Advertise in local newspapers and on Council's website for nominations for community representatives
- Notify the Advisory Group of approved Advisory Group membership
- Provide reports as required to Council regarding Advisory Group recommendations
- Provide timely feedback (and if applicable timelines) of Council's consideration of recommendations approved by Advisory Group

- Where appropriate, engage with the Advisory Group in the development of management proposals for the domestic animals to further the Advisory Group's purposes
- Assist with identifying funding opportunities
- Respond to requests/letters from the Advisory Group within 15 working days or provide reasons as to why they cannot do so (such as the need to obtain specialist advice or the requirement to obtain a decision by Council prior to responding)
- Each four years or earlier if required, review the function and purpose of the Advisory Group

#### 4.2 Advisory Group

The Advisory Group will:

- Develop a schedule of Advisory Group meetings and notify the Council officer.
  - Distribute information as appropriate to their member organisations, user groups and networks
  - Confirm the accuracy of minutes at the next meeting of the Advisory Group
- Actively participate in activities that support the achievement of the Purpose of the Advisory Group.

#### 4.3 Attendance at meetings

It is expected that members will attend all meetings. In the event of an Advisory Group member missing a meeting they should contact the Secretariat with notice of their absence and this will be recorded in the minutes.

If the member of the Advisory Group **misses two consecutive meetings without explanation** the Chairperson will contact the member to determine if they wish to continue their participation on the Advisory Group.

If a member resigns from the Advisory Group, their position will be filled by a nominee from the same representative group.

#### 4.4 Confidentiality

Information discussed, received, used or created by the Advisory Group may be confidential. An Advisory Group member must not disclose, discuss or otherwise make public, confidential information, unless authorised in writing by the Delegated Officer supporting the Advisory Group.

Council may terminate an Advisory Group member's appointment if they have been found to breach confidentiality requirements.

#### 4.5 Conflicts of Interest

Conflicts of interest must be declared.

In the event of a conflict of interest, the declaration must be recorded in the minutes.

The person declaring the conflict of interest must leave the meeting while the identified topic is being discussed and shall not vote on the issue being considered.

#### **4.6 Media**

The Chairperson is empowered to be spokesperson for the activities of the Advisory Group.

In the absence of the Chairperson, the Director Planning & Economic Development is empowered to be the spokesperson for the Advisory Group.

Media releases, flyers, brochures, pamphlets or other sources of information distributed by the Advisory Group must be first approved by the Director Planning & Economic Development or where appropriate the Chief Executive Officer.

#### **4.7 Chairperson**

The Councillor representative will be the Chairperson of the Advisory Group. The Council officer (or delegate) shall ensure that an Acting Chairperson is in place, should the Chairperson be absent or unable to perform their duties. The Acting Chairperson shall have all the power of the Chairperson for the purpose of that meeting.

### **5. OPERATING PROCEDURES**

#### **5.1 Meetings**

In November of each year, the Advisory Group will agree on a regular schedule of meetings for the following year.

Meetings shall be held six times each year, but may be cancelled if there is no business to be dealt with by the Advisory Group. The decision to cancel a meeting rests with the Chairperson, unless the reason for the cancellation is because the number of apologies exceeds the number required for a quorum, in which case, the decision may be made by the Council officer (or delegate).

Additional special meetings may be called as required. Advisory Group members must be provided with two days' written notice of a special or additional meetings and the purpose of the meeting must be clearly stated.

Specialists (such as experts, representatives from State Government agencies or other organisations) may be invited to attend meetings as requested by the Advisory Group to provide technical or specialist information and advice.

To facilitate communication between Council's operational staff and the Advisory Group, at least one representative of the Community Safety Unit is to attend meetings.

### **5.2 Quorum and Decision Making**

The quorum is a minimum of five Advisory Group members.

No formal business shall be conducted by the Advisory Group unless a quorum exists. If a quorum is not present, the Chairperson may decide that the Advisory Group meet for discussion only.

Members (or their representative) must be present to vote on any resolutions. Proxy voting (that is, one person voting on behalf of two people) is not permitted.

Consensus decision making is preferred. However, all members are entitled to vote and a matter may be voted upon at the discretion of the Chairperson. Advisory Group members shall have one vote.

If there is an equal division of votes, the Chairperson or Acting Chairperson shall have a second or casting vote.

### **5.3 Recommendations and Actions**

The Manager of Council's Regulatory Services Department is empowered to authorise actions within their delegated authority, and will refer other recommendations and requests to the Director, Planning & Economic Development, the Chief Executive Officer, and/or Council for discussion and approval.

## **6. EVALUATION AND REVIEW**

The composition, activities and Terms of Reference of the Advisory Group will be reviewed at least every four years, or as required.

The results of any review shall be reported to Council prior to the fourth year of operation or earlier, if a quorum is unable to be formed for three successive meetings. The report shall consider:

- The Purpose and Responsibilities of the Advisory Group;
- Composition of the Advisory Group;
- The Advisory Group's achievements;
- Whether there is a demonstrated need for the Advisory Group to continue;
- Any other relevant matter.

**6.1 Cessation**

Council may disband the Advisory Group, following a review, at any time during its operation.

**7. RESPONSIBILITY**

Responsible Officer: Director, Planning & Economic Development

**8. DOCUMENT CONTROL**

Version Number	Approval Date	Approval By	Amendment	Review Date
01	5.3.18	Council	New document	