



**Horsham Rural City**  
Council urban rural balance

# Terms of Reference

## WIMMERA BUSINESS CENTRE ADVISORY COMMITTEE

### 1. PURPOSE

The Wimmera Business Centre has been established to help Small and Micro Business through the start-up phase and aims to assist in growing and establishing profitable business through the function of a Small Business Incubator and Small Business Advisory Service.

The Wimmera Business Centre Advisory Committee ('the Committee') has been established to provide strategic guidance to the Wimmera Business Centre regarding the current local economic climates and issues facing the Small and Micro Business Sector.

### 2. RESPONSIBILITIES

The Wimmera Business Centre Advisory Committee is an Advisory 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 Committee is empowered to do the following:

- Provide advice regarding economic business trends and recommend actions for businesses to respond to a changing consumer environment
- Provide advice about knowledge and skills gaps in the Small and Micro Business Sector
- Identify and advise on small business opportunities for business development
- Provide advice and recommendations regarding the strategies used by the Wimmera Business Centre to assist start-up and scale-up businesses to strengthen and develop into viable and sustainable members of the small business sector
- Advise and assist with the promotion of the function of the Wimmera Business Centre

The Committee does not have the power to commit Council to any decision or action, or to direct Council staff in their duties.

The Committee may make recommendations for consideration by Council, but Council reserves the right to accept or reject recommendations from the Committee. This includes recommendations regarding the expenditure of funds allocated to the Committee, if applicable.

### **3. MEMBERSHIP**

Committee membership shall consist of a maximum of 8 people representing the following user groups:

- Horsham Rural City Council, Councillor (1)
- Regional Development Victoria (1)
- Business Representatives (5)
- Business Horsham (1)

#### **Ex Officio attendees**

- Director Planning and Economic Development
- Centre Manager, Wimmera Business Centre
- Administrative Officer, Wimmera Business Centre (Note taker)

#### **3.1 Participating Organisations**

Nominated member organisations will be contacted by the Chairperson (or nominee) and invited to identify a representative for the Committee.

#### **3.2 Selection**

Business representatives will be selected through an application process, advertised in local newspapers and on Council's website.

Applications should include details of business experience and interest, previous experience of committee membership and reasons for nominating for the Advisory Committee.

If the number of applications does not exceed the number of vacancies, the Council's delegated Officer will approve nominations. In the event of more than the required number of applicants for the available positions, nominations will be forwarded to Council for determination.

#### **3.3 Alternative Representatives**

As required, alternative representatives may attend meetings on behalf of the named user groups. Alternative representatives are entitled to vote if the main representative of the user 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 new representative will be identified.

### **3.4 Council endorsement of nominations**

Recommendations regarding the filling of any vacancies of the Committee will be submitted to Council for approval, subject to the requirements of 3.0 being met.

### **3.5 Specialist advice**

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

### **3.6 Council Officer**

A Council Officer and Centre Coordinator (or delegate) will attend all meetings and will report the Committee's recommendations to the Manager, Economic and Business Development with comments where necessary and appropriate.

Council Officers are not members of the Advisory Committee and shall not vote.

### **3.7 Term of Office**

Membership shall generally be for a term of two years.

A meeting shall be held in November, of each second year, when Committee membership shall be declared vacant.

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

### **3.8 Resignations**

Committee 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 Committee, (two years) the vacancy will not be filled. In all other instances, the vacancy will be filled to reflect the composition of the Committee as identified in Section 3.

## **4. ROLES AND RESPONSIBILITIES**

### **4.1 Council**

Council will:

- Document minutes of each scheduled meeting and distribute minutes to members

- Ensure the confirmed and signed copy of the minutes is forwarded to council@hrcc.vic.gov.au
- Ensure a Council officer or delegate is present at all committee meetings, wherever possible
- Advertise in local newspapers and on Council's website for nominations for community representatives
- Notify the Committee of approved committee membership
- Provide regular reports to the Manager, Economic and Business Development regarding Committee recommendations
- Provide timely feedback (and if applicable timelines) of the Business Centre's consideration of recommendations approved by Committee
- Respond to requests/letters from the Committee within 15 working days
- Provide the Committee with a list of designated Officers authorised to be the contact person for specific matters or concerns
- Provide annual training if required to assist the Committee perform any part of their role
- Provide additional support as required to ensure the effective operation of the Committee
- Each four years or earlier if required, review the function and purpose of the Committee

#### **4.2 Committee**

The Committee will:

- Identify an elected Chairperson and Deputy Chairperson to be the liaison person between the Committee and Council
- Develop a schedule of Advisory Committee meetings and notify the Council representative
- Distribute information to their member organisations and user groups
- Confirm the accuracy of minutes at the next meeting of the Committee. The Chairperson must sign a copy of the confirmed minutes
- Actively participate in activities that support the achievement of the Purpose of the Committee

#### **4.3 Attendance at meetings**

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

If the member of the Committee misses three consecutive meetings without explanation the Chairperson will contact the member to determine if they wish to continue their participation on the Committee.

If a member resigns from the Committee, their position will be filled by a nominee from the same representative/user group.

#### **4.4 Confidentiality**

Information discussed, received, used or created by the Committee may be confidential. A Committee member must not disclose, discuss or otherwise make public confidential information, unless authorised by the Officer supporting the Committee.

Council may terminate a Committee 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.

#### **4.6 Media**

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

In the absence of the Chairperson, the Centre Manager is empowered to be the spokesperson for the Committee.

Media releases, flyers, brochures, pamphlets or other sources of information distributed by the Committee must be first approved by the Director Technical Services, or nominee.

#### **4.7 Chairperson**

All members of the Wimmera Business Centre Committee are eligible to be elected to the position of Chairperson.

Voting will be by a show of hands.

A Deputy Chairperson should also be nominated and will perform the duties of the elected Chairperson if the Chairperson is absent or unable to perform their duties.

The Chairperson is elected for a one year term and is eligible for re-election if that person re-nominates and is accepted for a second or subsequent term on the Committee.

## **5. OPERATING PROCEDURES**

### **5.1 Meetings**

At the beginning of each calendar year, the Committee will agree on a regular schedule of meetings.

Meetings will be held bi-monthly

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

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

The quorum is a minimum of five with representatives.

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

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. Committee members shall have one vote. The Councillor must vote.

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

### **5.3 Councillor report**

The Councillor must report the key issues of each meeting to the next meeting of Council.

### **5.4 Recommendations and Actions**

The Centre Manager will authorise actions within his/her contract of employment and if required, will refer other recommendations and requests to Council departments and/or Council for discussion and approval.

## **6. EVALUATION AND REVIEW**

The composition, activities and Terms of Reference of the Committee 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 Committee’s achievements
- The Purpose and Responsibilities of the Committee
- Composition of the Committee
- Whether there is a demonstrated need for the Advisory Committee to continue
- Any other relevant matter

**6.1 Cessation**

An Advisory Committee ceases to exist at the conclusion of the period specified in the Terms of Reference, unless Council resolves that it continue.

Council may also disband a Committee following a review at any time during its operation.

**7. RESPONSIBILITY**

Responsible Officer: Director, Planning and Economic development

**8. DOCUMENT CONTROL**

<b>Version Number</b>	<b>Approval Date</b>	<b>Approval By</b>	<b>Amendment</b>
01	5 September 2016	Council	• New Terms of Reference