

Terms of Reference – Traffic Advisory Committee

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1. PURPOSE

The Traffic Advisory Committee is established under the *Local Government Regulation 2012*¹ to provide expert advice to Council on traffic, road and transport matters to assist Council in achieving its Corporate Plan objectives.

2. SCOPE

The Terms of Reference apply to Councillors, Committee members and staff of Mareeba Shire Council.

3. FUNCTIONS

The purpose of the Advisory Committee is to:

- Provide advice, information and guidance to Council regarding implementation of traffic, road and transport strategies and local initiatives with inter-agency representation and support;
- Provide advice, on the effects on safety, traffic and transport operations of any major events or works planned in the region;
- Provide advice on any major changes to the configuration of the road environment or surrounding property usage that may affect the ability of the road to function safely and effectively as designed;
- Provide expert advice on other matters as referred to it by the Council regarding traffic, roads and transport.

4. COMPOSITION

Advisory Committee members must be committed to the strategic objectives outlined in these Terms of Reference. The following will apply:

- The Chairperson of the Advisory Committee will be a Councillor.
- Two (2) Councillors will be appointed by Mareeba Shire Council to the Advisory Committee—one (1) serving as Deputy Chair and the other as an alternate member (proxy).

¹ See *Local Government Regulation 2012* (Qld) pt 2 div 2—see especially ss 264-265.

Human Rights Compatibility Statement

The *Human Rights Act 2019* (HR Act) (Qld) came into effect on 1 January 2020. These Terms of Reference have been drafted in alignment with obligations under s 58 of the HR Act.

- Two (2) representatives will be appointed to the Committee from the Cairns District branch of the Department of Transport and Main Roads.
- Two (2) representatives will be appointed from the Mareeba Branch of Queensland Police Service.
- Remaining Advisory Committee members will be appointed by Council and will hold extensive knowledge and experience in traffic, road and transport matters.
- The Advisory Committee may from time to time seek the advice of persons with specialist knowledge and invite them to attend a meeting.

5. TERMS OF APPOINTMENT

The Advisory Committee is appointed for the term up to the next Council election or for the lifespan of the Committee, whichever is the earlier event and is subject to review by Council at any stage.² The following will apply:

- The Advisory Committee has no decision making powers and will make recommendations only for consideration by Council.
- Advisory Committee members are appointed on a voluntary basis and meeting fees are not available.
- Advisory Committee members are expected to be available for regular communication by email and telephone.
- Where a member is appointed by the Department of Transport and Main Roads or the Queensland Police Service, Council must receive notification of the appointment in writing
- Council may remove an Advisory Committee member from office for:
 - conduct in breach of Council's *Employee Code of Conduct*;
 - failure to attend three consecutive meetings without leave of absence.
- The Advisory Committee may be renewed with the same membership following the next Council election or when public nominations are called for positions.

6. CONDITIONS OF MEMBERSHIP

Advisory Committee members are to comply with Council's *Handbook for Advisory Committees* and *Employee Code of Conduct*. The following will apply:

- Advisory Committee members have a duty to act honestly and in good faith, exercise reasonable skill, care and diligence.
- Advisory Committee members are to exercise common courtesy on all occasions.
- Advisory Committee members are to work collaboratively towards the purpose of the Committee.

² See *Handbook for Advisory Committees* (MSC) s 3.1.

- Advisory Committee members are not authorised to speak directly to the media or public on behalf of the Council or with regard to any matter that has or is to be discussed by the Committee unless otherwise determined and agreed by Council. All media inquiries and requests for comment by members must be directed to the Advisory Committee Chairperson.
- Where a Committee member ceases employment with the Department of Transport and Main Roads, the membership to the Advisory Committee ceases and the Department of Transport and Main Roads are to appoint a replacement by notice in writing.
- Where a Committee member ceases employment with the Queensland Police Service, the membership to the Advisory Committee ceases and the Queensland Police Service are to appoint a replacement by notice in writing.
- The office of an appointed Advisory Committee member becomes vacant if the member submits resignation in writing to the Secretariat of the Advisory Committee or is unable to continue their duties as an Advisory Committee member under these Terms of Reference.

7. MEETINGS

Advisory Committee Meetings will be conducted in accordance with Council's *Handbook for Advisory Committees*.³ The following will apply:

- Meetings are to be held as and when items of business arise but must be at least twice annually and on the third Tuesday of the relevant quarter.⁴
- Meetings of the Advisory Committee will be scheduled at the time of 9:30am AEST.
- Meeting of the Advisory Committee will be held at Council offices in Mareeba unless otherwise determined.
- A quorum will be determined to be 50% of the total number of committee members, of which at least one must be a Mareeba Shire Council Councillor.⁵
- If after ten to fifteen (10-15) minutes have elapsed from the advertised time of the meeting without a quorum being present, the meeting will be abandoned. The chairperson is to reconvene the Committee as convenient, but no later than the next scheduled meeting date.⁶
- An appointed member who has a direct or indirect pecuniary interest in a matter under consideration by the Committee must disclose the nature of the interest to the Committee. Such a disclosure must be recorded in the minutes of the Committee.⁷
- Voting procedure will be conducted in the manner consistent with requirements under the *Local Government Regulation 2012* and Council's *Handbook for Advisory Committees*.⁸

³ Ibid s 3.4.

⁴ Ibid s 3.4.2.

⁵ Ibid s 3.4.3.

⁶ Ibid.

⁷ Ibid s 3.4.7.

⁸ See *Local Government Regulation 2012* (Qld) s 270. See also *Handbook for Advisory Committees* (MSC) s 3.4.1.

- Advisory Committee members will not nominate alternate members (proxies) or representatives to attend meetings in their absence.
- Observers are permitted in attendance by approval of the Chairperson.

8. ADMINISTRATION

The Committee will undertake an assessment of performance against these Terms of Reference at an agreed time. Council Officers will provide information, secretarial and other assistance to the Committee as required.

9. REPORTING

The Advisory Committee will provide updates to Council by submitting reports when required. The following will apply:

- The Advisory Committee's advice and recommendations will be recorded in the Meeting Minutes and presented for Council consideration and assessment in a report.
- Meeting Minutes will be of formal resolutions and may note discussion topics and will comply with Council's *Handbook for Advisory Committees*.⁹
- Approved Meeting Minutes are available to the public and will be published on Council's website.
- all written material associated with the Committee is subject to the *Right to Information Act 2009* and may be made available to the public.

10. DEFINITIONS

Alternate member – means a person who attends meetings of the committee and acts as a member of the committee only if another member of the committee is absent from the meeting of the committee.¹⁰

11. RELATED DOCUMENTS AND REFERENCES

Employee Code of Conduct (MSC)
Handbook for Advisory Committees (MSC)
Local Government Regulation 2012 (Qld)

12. REVIEW

It is the responsibility of the Director Infrastructure Services to review these Terms of Reference and effect the necessary changes following each Council election.

⁹ See *Handbook for Advisory Committees* (MSC) s 3.4.6.

¹⁰ See *Local Government Regulation 2012* (Qld) s 266.