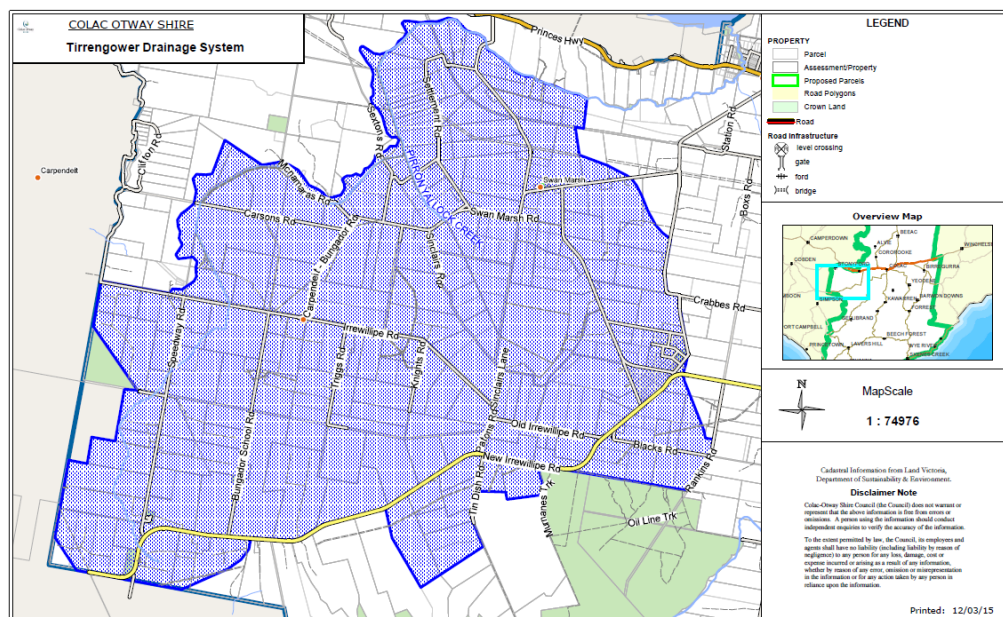


Tirrengower Drainage Scheme Advisory Committee

TERMS OF REFERENCE

1. Introduction

The Tirrengower Drainage Area includes approximately 10,000 ha of land in Bungador, Swan Marsh and Irrewillipe areas as shown on the map below. The land is flat and drainage of farmland relies on the effective functioning of drainage lines that run through private land. Minor changes in effectiveness of the drain can have significant impacts on the performance of the system overall and contribute to widespread flooding of farmland and other assets. There has historically been in place a designated drainage scheme to ensure that the drains are kept well maintained and function as intended. In 1995 a Special Rate was introduced by the Colac Otway Shire (Council), where the monies raised were spent on the re-establishment and maintenance of the Tirrengower Drainage System. This Scheme remains in place.



Council resolved in 2006 to declare a Special Charge Scheme for defraying the costs associated with the ongoing care and management of the drainage system. The funds raised by the Special Charge Scheme are used for works including:

- Drain clearing by excavation when required.
- Yearly drain spraying of trouble areas.
- Cyclic drain spraying of other sections.
- Capital improvements including the installation of gates in boundary fences along the drain.



At its meeting on 27 September 2017 (at the conclusion of the previous 10-year period), Council resolved to declare a new Special Charge Scheme. The rate applied was \$2.50 per hectare per year for each of the properties referred to in the resolution. The resolution states the charge will apply up until 30 June 2028. The charge is to be paid annually as a lump sum within one month of 1 July.

Council is responsible for commissioning drainage maintenance that is undertaken under the Scheme, and for administration of the Special Rate funds.

2. Purpose & Scope

The Tirrengower Drainage Scheme Advisory Committee operates to inform the Colac Otway Shire of maintenance requirements for the effective operation of drainage within the scheme.

Whilst Council is responsible for initiating drainage maintenance activities, it requires the advice of landowners within the scheme to determine priorities for maintenance and allocation of funding collected from a Special Rate charged to affected properties for this purpose.

Whilst land owners will undertake maintenance on their own properties, Committee members do not have authorisation to commission works or engage contractors.

3. Governance

The Committee will operate as an Advisory Committee according to the Council Policy for Committees.

4. Membership

The Committee shall comprise of the following:

- Colac Otway Shire - General Manager Infrastructure & Operations (or delegate)
- 6-8 community representatives – these must be landowners within the Tirrengower Drainage Scheme

Community representatives will be appointed by Council resolution for a period of four years following an Expression of Interest process.

5. Roles and responsibilities

5.1 Chair

The Chair will be the General Manager Infrastructure & Operations at Colac Otway Shire, or his/her delegate.



5.2 Chair responsibilities

The chair has the following functions:

- chairing meetings
- facilitating the Committee to perform its functions

Additionally, the chair will:

- Ensure the Committee operates in accordance with the requirements of this Terms of Reference
- Preside at and manage all meetings
- Confirm the agenda for each meeting
- Ensure that the Committee meets according to its schedule
- Ensure that meetings are efficient and effective
- Provide leadership to the Committee in its deliberations
- Facilitate frank and open discussion
- Ensure that all members can participate equally
- Ensure that Council takes direction from the Committee to inform programmed and ad-hoc maintenance of the Scheme as appropriate
- Coordinate out of session matters that require resolution due to time constraints

5.3 Member responsibilities

Members are asked to participate in the Advisory Committee as a partnership and provide advice in the best interest of the landowners within the drainage scheme.

All members will:

- Prepare for, prioritise and attend scheduled meetings
- Proactively contribute to the work of the Committee
- Respect confidential and privileged information
- Represent the views of other landowners in the Scheme, with a focus on emerging maintenance issues/tasks that require action.

6. Administrative Arrangements

This section outlines the frequency of meetings and committee management arrangements.

6.1 Meeting frequency

The Committee will meet quarterly. The Chair may schedule additional meetings as required.

6.2 Meeting venue

Colac Otway Shire offices unless otherwise advised.



6.3 Meeting papers and documentation

Any member can submit items to be included on the agenda. The chair will confirm the agenda prior to each meeting.

Meetings will be conducted on a formal basis, with key matters discussed recorded and action items documented.

6.4 Secretariat

Council will perform secretarial duties for meetings, including:

- Scheduling meetings
- Providing committee members with the meeting agenda
- Taking minutes and distributing them after meetings
- Induction of new committee members
- Develop/send correspondence for the Committee
- Maintain the contact list of Committee members.

6.5 Quorum

A minimum of four members is required for the meeting to be recognised as an authorised meeting for the recommendations to be valid.

6.6 Decision making

In accordance with the Council Committees Policy, the Committee will act in an advisory capacity only and have no delegated authority to make decisions. The Committee will provide advice to Council to assist in their decision making in matters relating to the Tirrengower Drainage Scheme, with an emphasis on required maintenance priorities.

6.7 Conflict of interest

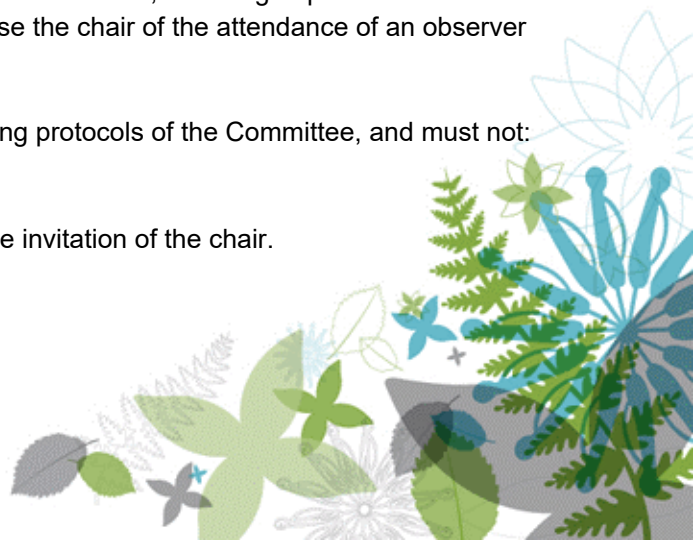
Where a member of the Advisory Committee has an interest or conflict of interest in relation to a matter in which the Committee is concerned, or is likely to be considered or discussed, the member must disclose the interest to the Committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting.

6.8 Observers/Guests

An observer/guest may attend a meeting for any number of reasons, including to provide technical insight from time to time. Committee members will advise the chair of the attendance of an observer before a meeting, where possible.

Observers must respect all confidentiality and operating protocols of the Committee, and must not:

- propose or vote on motions
- intrude on the procedures of the Committee
- take part in the meeting proceedings without the invitation of the chair.



7. Financial Management

Funds are collected annually by the Council under a Special Rate established for the Tirrengower Drainage Scheme and is responsible for making decisions on the expenditure of these funds. The Committee itself does not have any financial delegation or responsibility to make decisions.

The role of the Committee is to provide advice and guidance to Council on the maintenance that is required to be conducted for the drainage scheme.

8. Reporting

The Tirrengower Drainage Scheme Advisory Committee is required to prepare an annual report to a Councillor Briefing session reflecting the objectives of the Committee.

9. Communications Protocol

All communications to the media regarding the Tirrengower Drainage Scheme Advisory Committee will be through Council. Committee members may not express views on behalf of the Committee. Committee members may communicate with the media with regards to issues specific to the Scheme as individuals.

10. Document information

Document details

Criteria	Details
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Document owner:	Infrastructure & Operations Division

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Version	Date	Description	Author
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