

AMENDED ITEM

11 May 2016

Director's Report

To the Ordinary Council Meeting

Property and Economic Development

4.5 Town Centres Advisory Group

TRIM REFERENCE: F2004/07414 - D12317198

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SUMMARY

This report recommends the process for appointment of an Advisory Group to provide input to the future direction of **Town Centres** throughout the Shire.

RECOMMENDATION

- 1 That Council resolve to appoint an Advisory Group of 8 members comprising representatives of the key stakeholders in designated Town Centres, to meet at least quarterly to provide input to strategic issues related to Town Centres.**
- 2 That Council direct the Acting Chief Executive Officer to seek interest from persons for inclusion in the **Town Centres** Advisory Group, in accordance with the process outlined in this report.**
- 3 That Council authorise the Acting Chief Executive Officer, following the closure of the Expression of Interest period, to appoint Advisory Group members.**
- 4 That Council resolve that the Section Manager, Town Centre Management be the Chairperson of the Advisory Group.**
- 5 That Council resolve that the Advisory Group will be governed by the existing Terms of Reference for Advisory Groups and will not have any decision-making authority.**

BACKGROUND

At its Ordinary Meeting held on 09 December, 2015, Council considered a report on the future management of The Entrance Town Centre. That report identified a number of reasons why it was a preferred option for Council to resume responsibility for the future operations and management of The Entrance Town Centre from the then Town Centre Management Corporation. The report addressed the need for community input as follows-

"In the event of the dissolution of TETCMC, there would be no formal means of community input to the future of the Town Centre. This could be addressed by establishing a *Community Advisory Committee* which would comprise representatives of the key stakeholders in the Town Centre. This committee would meet regularly with Council staff on strategic issues". Although at this stage the TETCMC still exists, the current situation around the TETCMC suggests it to be appropriate, and in the best interests of The Entrance and the broader community, that an advisory group be put in place as soon as possible.

While that report related directly to The Entrance Town Centre, Council also has two (2) other formally designated (i.e. Council sponsored funding agreement in place) Town Centres; one at Toukley and one at Wyong. It is also likely that other Town Centres will be formally designated in future years. The intent of the report about The Entrance was to ensure on-going engagement with the community on key strategic issues, so it would be beneficial if that same principle applied to other town centres as well. A process to establish a Town Centres Advisory Group is required to achieve that outcome.

CURRENT STATUS

In accordance with recent Council and The Entrance Town Centre Management Corporation resolutions, the transition of operations and management from The Entrance Town Centre Management Corporation to Council is well underway. The appointment of the Advisory Group is now timely in respect of The Entrance Town Centre. The funding agreements for Toukley and Wyong Town Centres expire on 30th June 2017, at which time a new structure for managing those centres will be required. Establishment of the Advisory Group will allow for strategic input to that structure.

There are other key town centres in the Shire which will also need a co-ordinated approach to their future management and in time they may also become designated Town Centres and could be represented on the Advisory Group.

It is important that Council decides on the type of group to be formed. At its Ordinary Meeting of 12th October, 2012, Council considered a report on the Review of Council's Committee Structure and adopted a Committee Structure to cover the various types of Committees and Groups appointed by Council. The definition of an Advisory Group under the adopted structure is:

Advisory Group

"This type would enable Council to establish groups which contain a mix of membership including, Councillors, staff, representatives from other public organisations and community representatives. These groups would perform an advisory function, informing Council on specific topics to support decision making. Some groups would have formal decision making powers due to the legislative structure, however most would advise Council through the relevant Directorate."

As part of the same report, Council also adopted a Standardised Terms of Reference for Advisory Groups. This document has been revised and amended to best support the proposed Town Centres Advisory Group. (Attachment 1).

THE PROPOSAL

The appropriate model for this situation is an Advisory Group to provide information and views on issues specific to Town Centres. The optimum number of members would be between 6 and 10, representing key stakeholders such as Chambers of Commerce, retail, hospitality, professional, accommodation/tourism, community and large developments. Council's Section Manager, Town Centre Management, would be the Chairperson. The Advisory Group would meet at least quarterly to provide input on strategic issues; it would not have decision-making authority,

It is proposed to seek Expressions of Interest (E.O.I) from members of the community wishing to provide input to strategic issues affecting the future of Town Centres. It is suggested that The Entrance have 4 members on the Advisory Group because of the size and complexity of the area, one (1) each from Toukley and Wyong and one (1) for other Town Centres, from the broader community.

The process of appointment would be that the E.O.I would be advertised locally for twenty (20) working days, requiring interested persons to submit a written application. Guidelines will be provided to assist applicants. Once applications close, staff will conduct an initial assessment and provide a recommendation to Council for the appointment of members.

OPTIONS

Option 1 – Adopt a different model and not seek Expressions of Interest

This option would not comply with Council’s adopted Committee Structure and would not provide the best alternative.

Option 2 – Do nothing

In this case, Council would not have community input to a vital strategic asset .This is not the preferred option.

STRATEGIC LINKS

Community Strategic Plan

<i>CSP Objective</i>	<i>Impact on Action / Target</i>
There will be a strong sustainable business sector and increased local employment built on the Central Coast’s business strengths	This will help improve the viability and sustainability of the business community

Budget Impact

There is no budget impact, the Advisory Group will be supported by existing staff resources and will have no authority to expend funds.

CONSULTATION

The proposal was considered by The Entrance Town Centre Management Corporation as part of the initial discussions regarding the transition of operational and management responsibility to Council.

GOVERNANCE AND POLICY IMPLICATIONS

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled “*Council Decision Making during Merger Proposal Periods*” pursuant to s.23A(1) of the *Local Government Act 1993* (“LG Act”). The Council must consider those guidelines when making decisions during the “merger proposal period”, which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

The establishment of the Town Centres Advisory Group is a necessary step to ensure ongoing community involvement in the future of Town Centres in the Shire. With the current changes to the management of The Entrance Town Centre Management Corporation, it is important to begin the process of establishing the Advisory Group.

ATTACHMENTS

- 1 Terms of Reference for Town Centre Advisory Group D12328504



Terms of reference for: Town Centres Advisory group

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APPROVED BY COUNCIL	DATE:
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A. ROLE

The role of the Town Centres Advisory Group is to:

- A1 Provide input to the strategic direction of designated Town Centre operations and management
- A2 The Advisory Group has no authority to make decisions on behalf of the Council.
- A3 The Advisory Group has no authority to direct staff.

B. RESPONSIBILITY

The Town Centres Advisory Group is responsible for:

- B1 Understanding the issues which affect the business and broader community in designated Town Centres
- B2 Identifying options and opportunities which will contribute to the long term prosperity and sustainability of designated Town Centres

C. MEMBERSHIP

- C1 The Council will determine the membership of the Advisory Group.
- C2 The term of membership will be the term of the Council.
- C3 Eight (8) Community Representatives including, four (4) from The Entrance Town Centre, one (1) from Toukley Town Centre, one (1) from Wyong Town Centre, one (1) for other Town Centres from the broader community and the Section Manager Town Centre (representing council).
- C4 Community representatives will be selected by the Acting Chief Executive Officer in consultation with the Chairperson, on a merit basis, as a result of an expression of interest process. Advice of the successful applicants will be reported to Council for information.
- C5 The Mayor is not automatically a member of the Advisory Group by virtue of Office.

D. ATTENDANCE

- D1 Any Councillor may attend the meetings of the Advisory Group.
- D2 WSC Staff may attend the meetings of the Advisory Group if directed by the Acting Chief Executive Officer.
- D3 A member of the public may address the Advisory Group meeting at the discretion of the Advisory Group Facilitator
- D4 Advisory Group members are expected to attend all meetings where possible.
- D5 Where a Member fails to attend three successive meetings without submitting a satisfactory explanation, a report will be submitted to Council for consideration.

E. ADVISORY GROUP FACILITATOR

- E1 An Advisory Group Facilitator shall be appointed by the Acting Chief Executive Officer.
- E2 The Facilitator shall be a staff member of Council and is responsible for co-ordinating the preparation of agendas, invitations and minutes of the Advisory Group. The Facilitator shall also be responsible for co-ordinating any presentations from guest speakers and for considering requests from members of the public to address the Committee.
- E3 The Facilitator has the right to refuse a request from a member of the public to address the Advisory Group if it is deemed more appropriate for that person to address a formal Council or Advisory Group meeting.

F. CHAIRPERSON

- F1 The Chairperson of the Advisory Group will be Council's Section Manager, Town Centre Management, or another staff member appointed by the Acting Chief Executive Officer.
- F2 The Mayor, if elected by Council to the Committee is not automatically the Chairperson of the Committee.
- F3 The Chairperson is to have precedence at the meeting and shall determine the order of proceedings generally as set by the agenda.
- F4 In the absence of the Chairperson, another Member of the Advisory Group, the Advisory Group Facilitator or a WSC staff member shall Chair the meeting.

G. VOTING

- G1 The Group has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be decision of Council unless the matter is referred to Council for determination. If consensus is not achieved, and if required, the matter shall be referred to Council for determination.
- G2 The Advisory Group Facilitator will determine which items required to be referred to Council.

H. QUORUM

- H1 The Advisory Group does not require a quorum to hold a meeting.
- H2 The Chairperson shall use his/her discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient members at the meeting.

I. MEETING SCHEDULE

- I1 The Advisory Group shall meet at least quarterly.
- I2 The Advisory Group shall meet at times and dates determined by consensus of the Group.

- I3 The Advisory Group shall meet at sites as nominated by the Section Manager, Town Centre Management.

J. AGENDA

- J1 The Agenda shall be set by the Advisory Group Facilitator and include enough detail to enable matters to be considered at the meeting.
- J2 The Agenda shall be distributed at least 3 days prior to the meeting.
- J3 The Agenda shall be published on the WSC Website.

K. MINUTES AND REPORTING

- K1 Minutes will be taken for all meetings of the Advisory Group
- K2 The Facilitator shall determine if any individual recommendations are required to be reported to Council for determination.
- K3 Minutes of the meeting shall be forwarded to all Councillors for information.
- K4 Minutes of the meeting shall be recorded in WSC information management database.
- K5 Minutes shall be published on the WSC Website.

L. SECRETARY

- L1 The administration of the Advisory Group shall be undertaken by the Advisory Group Facilitator.

M. CODE OF CONDUCT

- M1 All Advisory Group Managers are required to comply with WSC Policies including the WSC Code of Conduct.

N. CEASSATION OF ADVISORY GROUP

- N1 The Advisory Group shall cease to operate 40 days prior to the Local Government Election.