



**CLARENCE VALLEY ACCESS COMMITTEE  
HAVING DELEGATED POWER  
UNDER THE LOCAL GOVERNMENT ACT, 1993**

**CONSTITUTION**

**1. Interpretation**

Unless otherwise indicated:

“Council” means Clarence Valley Council

“Act” means the Local Government Act, 1993.

“Committee” means the Grafton Access Committee

**2. Relationship of the Committee and Council**

The Committee is appointed under s.355 of the Act to make recommendations to Council regarding matters relating to improving access to both public and private land and buildings for people with disabilities and the general community.

**3. Membership of the Committee**

3.1 Nominations of membership are to be provided to Council for endorsement.

The membership of the Committee shall have a minimum of 6 and no more than 14 people consisting of:

- Community members
- Councillors that identify as having a strong commitment to access issues
- Council staff from relevant sections

3.2 Community members shall be selected by Council from nominations received from individuals and service providers residing in the Clarence Valley Council area.

However Council shall only appoint individuals to the Clarence Valley Access Committee who have a disability, are service providers for people with disabilities or have lived experience with people with disabilities.

3.3 Ideally individuals nominated for appointment to the Committee will represent a broad range of individuals and service providers associated with a variety of disabilities. However it is open Council to appoint additional representatives.

3.4 A person remains a member until:

3.4.1 death, or

3.4.2 that person ceases to be a member upon:

- 3.4.2.1 delivering a written resignation to Council,
- 3.4.2.2 being absent from 3 consecutive meetings of the committee without leave of absence from the Committee,
- 3.4.2.3 receiving written notification from Council that that person's membership of the Committee has been terminated.

3.5 Any vacancy created in the committee shall be filled by Council by appointment from nominations received from interested Clarence Valley individuals or services.

#### **4 Committee Chairperson**

At the first meeting of each new Committee, the Committee shall elect one of its members as Chairperson. The method of election shall be decided by the Committee.

#### **5 Committee Secretary**

Secretariat functions will be provided by Clarence Valley Council staff. In absence of a council staff member the committee can appoint a minute taker. The appointed minute taker must forward the minutes from the meeting to the Community Projects Officer (Aged / Disability) within seven days of the Meeting.

#### **6 Conduct of Meetings**

- 6.1 At all meetings of the Committee the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson, the Committee shall elect one of its number to preside at the Meeting.
- 6.2 A Meeting shall not proceed unless a quorum of:
  - 6.2.1 at least one (1) more than half the number of members are present; and
  - 6.2.2 that at that the quorum has at least one Councillor and one representative community member and/or service provider
- 6.3 Meetings of the Committee shall be held as often as the Committee decides, but not less than 3 times per year without the written consent of Council.
- 6.4 All meetings of the Committee are open to the public and members of the public are entitled to attend those meetings. Meetings should be held in a location that is open to and accessible by the public. Members of the public attending meetings may not address the meeting without the consent of the majority of members present. Members of the public do not have a vote.
- 6.5 Decisions of the Committee shall be by majority of the members present at each Meeting and each member shall have one vote. In the event of voting on any matter being equal for or against, the matter shall be referred to Council for decision. The Chairperson shall not have a casting vote.
- 6.6 Members shall observe the provisions of the Act in relation to declarations of interest in business placed before the Committee. Members should also be aware of conflicts of interest that they may have and should not vote on any matter in which their private interest conflicts with the matter under discussion. Interest declared by any member shall be recorded in the Minutes of the Meeting.
- 6.7 If the Chairperson or Secretary ceases to be a member of the Committee, the remaining members of the committee shall vote one (1) their number to fill the executive vacancy.
- 6.8 The Secretary shall forthwith notify Council of:

- 6.8.1 any decision that needs to be referred to Council under paragraph 6.5,
- 6.8.2 any member who fails to attend three (3) consecutive meetings of the Committee, and
- 6.8.3 any member who takes up permanent residence outside the Clarence Valley Council area.

## **7 Powers and Duties Delegated to the Committee under s.377 of the Act.**

- 7.1 As required by the Disability Inclusion Act (2014), provide ongoing input into issues relating to:
  - 7.1.1 Developing positive community attitudes and behaviours
  - 7.1.2 Creating liveable communities
  - 7.1.3 Supporting access to meaningful employment
  - 7.1.4 Improving access to Council services through better systems and processes
- 7.2 To advise Council by recommendation on the major barriers for access and inclusion for people with a disability, frail older people, carers parents/guardians of people with a disability
- 7.3 To comment on applications and plans for buildings, including Council buildings, developments, parks, recreation facilities, streetscapes, footpaths, cycle ways, roundabouts etc., in relation to preventing access and inclusion barriers.
- 7.4 To assist Council to increase public awareness of the extent to which access barriers disadvantage people with disabilities, frail older people, carers parents/guardians of people with a disability.
- 7.5 To promote and educate the community about the advantages of good access and solutions to access barriers.
- 7.6 No authority is extended to the Committee to:
  - 7.6.1 engage any employees or enter into any contracts, or
  - 7.6.2 further delegate any of these powers and duties to any person or body.

## **8 Attendance**

- 8.1 All members commit to attendance and active participation in the Clarence Valley Access Committee.
- 8.2 Attendance may be in person or where technology allows via electronic means.
- 8.3 If unable to attend members are to arrange an alternate delegate who will participate with the same authority of the member they are representing.
- 8.4 The Chair may request the attendance of non-committee members when or as required by the Committee.

## **9 Notice**

Any notice required to be given by Council under this Constitution may be:

- 9.1 sent to the last known contact of the member, and
- 9.2 deemed to be received on the second day after sending.