

FURNEAUX ISLANDS FESTIVAL COMMITTEE

A Special Committee of Flinders Council

Local Government Act 1993 s.24

Terms of Reference

1 DEFINITIONS & INTERPRETATION

1.1 In these Terms of Reference, unless the contrary intention appears:

Act means the *Local Government Act 1993* (Tas);

Committee means the Furneaux Islands Festival Special Committee which is a special committee of Flinders Council established pursuant to section 24 of the Act by a resolution of Council made on 13 September 2018;

Chairperson means the Chairperson of the Committee elected in accordance with clause 4.56 of these Terms of Reference;

Council means the Flinders Council;

~~**Deputy Chairperson** means the Deputy Chairperson of the Committee elected in accordance with clause 4.4 of these Terms of Reference;~~

General Manager means the person appointed to the position of general manager of the Council in accordance with section 61 of the Act;

Member means a member of the Committee appointed or elected in accordance with clause 4.1 of these Terms of Reference;

Meeting means a meeting of the Committee convened in accordance with these Terms of Reference;

Municipal Area means the municipal area of the Flinders Council prescribed in accordance with section 16 of the Act;

~~**Secretary** means the person nominated by Council or the Committee to be the secretary of the Committee;~~

Simple Majority means the majority of Members present and able to vote at a Meeting;

Terms of Reference means these Terms of Reference as may be amended, varied or replaced by Council from time to time; and

~~**Treasurer** means the person nominated by the Committee to act as treasurer to perform the financial functions of the Committee.~~

2 PURPOSE

2.1 The purpose of the Committee is to manage, coordinate and deliver an annual Furneaux Islands Festival on behalf of Council.

2.2 The Committee will achieve this purpose by:

- (a) liaison with stakeholders and forming partnerships to successfully deliver the festival.;
- (b) following the risk management plan for the event as set out by Council;
- (c) carrying out tasks associated with planning and delivering the event; and
- (d) delivering the event on time and to budget.

2.3 In carrying out its stated purposes the Committee will have the following responsibility:

- (a) to make decisions in accordance with the Furneaux Islands Festival policy, budget allocation and any resolution of Council.

3 POWERS OF COMMITTEE

3.1 The Committee has the power to:

(a) develop the overall Festival program and marketing strategy in accordance with the Furneaux Islands Festival Policy and budget allocation, for endorsement by Council at the July Council Meeting.

~~(a)(b) undertake Accept donations and fundraising and sponsorship initiatives to assist in the development of the Festival;~~

~~(b)(c) undertake appropriate grant applications as auspiced by Council; and~~

~~(c)(d) establish any number of sub-committees to assist the Committee with effectively and efficiently pursuing its purpose.; and~~

~~(c) make decisions on the makeup of the Festival on behalf of Council and in accordance with the Furneaux Islands Festival policy.~~

3.3.2 Any sub-committee established by the Committee must include at least one (1) Council Representative Member and must be chaired by a Council Representative Member. The chairperson of each sub-committee must regularly report to the Committee regarding the sub-committee's activities.

3.3 Any decisions made by the Committee as a simple majority vote that the Chair deems to be outside the scope of the Furneaux Islands Festival Policy and/or budget, shall be presented to Council as an agenda item at the next Council meeting for their consideration.

~~3.4~~

4 MEMBERSHIP OF COMMITTEE

4.1 The Committee will consist of a minimum of 6 members who will be entitled to vote, made up from the following;

~~(a) Community Development Staff~~ Council Representatives (2)

~~(a)(b)~~ General Manager (ex-officio)

~~(b)(a)~~ Flinders Island Aboriginal Association Inc. representatives (2)

(c) Ideally include a representative from each of the following community groups and organisations:

i. Flinders Island Aboriginal Association Inc.; ~~representatives (2)~~

~~i.~~ ii. Flinders Island Business Inc.;

~~ii.~~ iii. Flinders Island District High School;

~~iii.~~ iv. Furneaux Historical Research Association; and

~~iv.~~ v. Furneaux Community Arts.

(d) Community member who:

i. possesses good communication skills and the ability to disseminate information;

ii. has a demonstrated ability to think and act strategically;

iii. has networks within the Community;

iv. has a demonstrated capacity to deliver community events and or the ability to work within a team environment.

4.2 The following persons may attend meetings of the Committee in a non-voting capacity:

~~(a) the General Manager;~~

~~(b) Any elected member of Council~~

~~(c)~~ (a) A nominated member of a community group that is represented by an existing committee member, if that member is unable to attend.

4.3 Membership of the Committee will be determined by Council on an annual basis. ~~Once appointed by Council, the term of membership is a maximum of four (4) years.~~

4.4 Membership of the Committee will be reviewed in ~~April 2023 and then every four (4) years thereafter.~~ February annually.

4.5 A quorum for conducting a Meeting consists of ~~four (4)~~ three (3) Members ~~appointed or elected~~ pursuant to clause 4.1.

~~4. Once appointed, Council will elect~~ elect a chairperson from ~~amongst its representatives on the Committee. the membership of the Committee persons to the positions of:~~

~~4. Chairperson; and~~

~~4. Deputy Chairperson.~~

4.94.6 Council may, from time to time:

- (a) vary the number of Members;
- (b) remove any Member and appoint another person as a Member; and/or
- (c) remove and replace the Chairperson ~~and/or Deputy Chairperson.~~

4.104.7 All members and sub-committee members are considered to be volunteers of Council for the purposes of the *Work Health and Safety Act 2012 (Tas)*. All members and sub-committee members must be registered on Council's volunteer register and are required to be inducted with respect to Council's Policies and Procedures, known as the Volunteer Induction.

4.114.8 All Members and sub-committee members must work within the parameters of, and abide by, any conditions as set out in the Volunteer Role Statements issued to each Member following their Volunteer Induction.

5 VACANCY

5.1 A Member is deemed to have vacated their position on the Committee if they:

- (a) tender their resignation in writing to the Chairperson (or in the case of resignation of the Chairperson, to ~~the Deputy Chairperson~~ Council);
- (b) die; or
- (c) are absent without reasonable excuse from three (3) consecutive meetings of the Committee.

5.2 In the event of a vacancy, the Chairperson ~~(or in the case of resignation of the Chairperson, the Deputy Chairperson)~~ must notify Council of the vacancy as soon as practicable.

5.3 Following receipt of notice pursuant to clause 5.2 of these Terms of Reference, Council will seek ~~public~~ nominations for membership to the Committee by publishing a request for nominations in the Island News publication, [on Council's Facebook page](#) and on Council's website. The Committee will consider all nominations received and then make recommendations to Council for the appointment of the replacement Member. Council will consider the Committee's recommendations and appoint the replacement Member at the next available ordinary meeting of Council following receipt of the Committee's recommendations.

6 COMMITTEE MEETINGS

6.1 Meetings must be held at least four (4) times in each calendar year at a location mutually agreed by the Members. Members who are unable to attend in person may participate via telephone or video conference.

6.2 The Chairperson must give each Member at least seven (7) days' notice of each Meeting which must include an agenda of the matters to be discussed.

- 6.3 Meetings will be open to the public at the sole discretion of the Committee.
- 6.4 The Chairperson ~~(or in their absence, the Deputy Chairperson)~~ is responsible for conducting Meetings. Meetings must be conducted in accordance with the agenda circulated in accordance with clause 6.1 of these Terms of Reference.
- 6.5 All Committee members unless otherwise exempt must declare interests under terms of section 48 *Local Government Act 1993*.

7 VOTING RIGHTS

- 7.1 Decisions of the Committee are made by a Simple Majority vote.
- 7.2 Each Member present, either in person or by telephone or video conference, and entitled to vote at a Meeting shall be entitled to one (1) vote.

8 MINUTES

- 8.1 Accurate minutes of all proceedings of Meetings must be recorded, securely stored and delivered to the Council within fourteen (14) days of the relevant Meeting at which they were taken.
- 8.2 The minutes kept pursuant to clause ~~8~~7.1 of these Terms of Reference must:
- (a) contain the following details:
 - i. the date of the Meeting;
 - ii. the time the Meeting opened and closed;
 - iii. the place where the Meeting was held;
 - iv. attendance and apologies;
 - v. a list of all items considered at the meeting; and
 - vi. records of all resolutions;
 - (b) confirm the identity of the minute-taker;
 - (c) be confirmed by the Members at the next occurring Meeting; and
 - ~~(h) —be signed by the Chairperson of the Meeting at which the proceedings took place or by the Chairperson of the Meeting at which the minutes are confirmed.~~

8.48.3 The Committee shall follow any policy of minute keeping and record keeping as determined by the Council.

9 REPORTS

- 9.1 If required by Council, an annual report of the Committee's activities must be prepared and delivered to the Council at the end of the third quarter in the financial year.

10 RESOURCES

10.1 Subject to the Council's community development budget, Council will provide resources to assist the Committee to fulfil its objectives and purposes.

10.2 The Committee will have the ability to raise its own funds to assist in the conduct of its operations. Such funds shall remain in the dedicated Council budget line established for the purposes of the Committee.

10.3 If the Community wishes to fundraise for the Festival, a separate incorporated committee would need to be formed for the sole purpose of fundraising for the Furneaux Islands Festival. The incorporated committee would be included in the membership of this Special Committee.

11 CIRCUMSTANCES NOT PROVIDED FOR

If any matters arises to which these Terms of Reference are silent, the Chairperson must refer the matter to Council as soon as practicable and, in accordance with s.24 of the Act, Council will determine the procedure to be adopted for addressing the relevant matter.

DATED the ~~13th~~ day of September 2019