

COMMITTEE TERMS OF REFERENCE: Port Broughton Tourism and Events Committee

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Version: 2



1. Establishment and Appointment

The Barunga West Council (the Council) at a meeting held on 14 July 2020 established the Tourism and Events Committee (the Committee) pursuant to Section 41 of the Local Government Act 1999 (the Act).

Committee may be wound up at any time by resolution of Council.

2. Objectives / Purpose of the Committee

Subject to compliance with all legislation, policies, plans and procedures of the Council, the function the Committee is to assist the Council to:

- Develop and implement an annual Tourism and Events program and major new events as they arise.
- Develop, market and maintain an annual Calendar of Port Broughton Tourism and Events for the Council.
- Facilitate Tourism and Events and provide recommendations for continuous improvement of the annual Events program.
- Involve Port Broughton businesses, tourist operators and the community in determining future direction, funding and strategies for the marketing, promotion and deliver of Tourism and Events.
- Involve and recruit volunteers to assist with Tourism and Events in Port Broughton.

The Port Broughton Tourism & Events Committee will report to Council and provide appropriate recommendations on matters relevant to its Terms of Reference to facilitate informed decision making and ensure Council is operating effectively and efficiently to deliver public value.

3. Delegated Powers / Authority

Pursuant to Section 44 of the *Local Government Act 1999*, the Committee does not enjoy the delegation of any powers, functions and duties of the Council. All decisions of the Committee will, therefore, constitute only recommendations to the Council.

The Mayor and the Barunga West Council CEO are the only people permitted to speak to the media on behalf of the Committee. Members of the Committee are not to speak to the media in their capacity as Committee Members.

4. Membership

Members of the Port Broughton Tourism & Events Committee are appointed by Council in accordance with Section 41(3) of the Act and these Terms of Reference. The Committee shall consist of nine (9) members:

- Two (2) Elected Member representatives
- Seven (7) Community member representatives

Appointment

Recruitment of Committee Members will be undertaken by Administration by submission of recommendation(s) for appointment being presented to Council for a decision.

Term

Membership of the Committee is for the term of the Committee unless a Member resigns or is otherwise incapable of continuing as a Member or is removed from office by the Council (including electoral changes).

Induction & Training

New Members will be provided with appropriate induction training determined by the Chief Executive Officer or their delegate.

Training will be offered to all members on an ongoing basis where relevant to Barunga West Council business and as approved by the Chief Executive Officer.

Non-conformance

The Committee must report to the Council where a Member has failed (without the leave of the Committee) to attend three (3) consecutive meetings of the Committee.

If the Council proposes to remove a Member of the Committee for any given reason, it must give written notice to the Member of its intention to do so and provide that Member with the opportunity to be heard at a Council meeting which is open to the public, if that Member so requests.

5. Allowances / Sitting Fees

A member of the Port Tourism and Events Committee holds office at the pleasure of the Council.

In accordance with Section 41(12) of the Act, no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or committee's powers, functions or duties.

6. Functions / Role of the Committee

To achieve the objectives the Committee will:

- a) Consider and advise the Council on medium and long term strategies relevant Tourism and Events of Port Broughton including the following areas:
 - Community events (e.g. marches, parades, festival, pageant, market)
 - Grant Funding and Donations
 - Arts
 - History
 - Multiculturalism
 - Sport and Recreation
 - Fishing
 - Food and wine
- b) Identify issues, opportunities and initiatives for the Council to work actively with State and Federal Governments and with the private sector.
- c) Encourage regional co-operation and private and Government sector participation to achieve the outcomes endorsed by the Council.
- d) Consider issues relevant specifically to business, economic and community development within the district.
- e) Performing any other function determined by the Council or prescribed by the regulations.

7. Committee Meetings

Frequency

The Committee shall meet at least four times per calendar year at an appropriate time and place determined by the Committee in accordance with the responsibilities imposed upon within these Terms of Reference, and otherwise on such dates and at such times required by the Committee.

Resources

The Chief Executive Officer shall provide sufficient administrative resources to the Port Broughton Tourism and Events Committee to enable it to adequately carry out its functions.

The Chief Executive Officer, and other Barunga West Council employees may attend any meeting as observers or be responsible for preparing papers for the Port Broughton Tourism & Events Committee.

The agenda and minutes of committee meetings will be made available to the public, subject to any items discussed in confidence under Section 90 of the *Local Government Act 1999* (the Act) and subsequently retained in confidence under Section 91 of the Act.

In accordance with Section 91(3) of the Act, minutes of the Committee meetings shall be circulated within five ordinary days after a meeting to all members of the Committee and to all Council Members and will (as appropriate) be available to the public.

Notice and Access to Meetings

In accordance with the principles of open, transparent and informed decision making, committee meetings must be conducted in a place open to the public. All meetings (Unless conducted via electronic means) will be held in the Port Broughton Council Chambers at 11 Bay Street, Port Broughton.

Notice of the meetings of the Committee will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:

- a) to Members of the Committee by email or as otherwise agreed by the Committee as being an available means of giving notice, at least three (3) clear days before the date of the meeting; and
- b) made publicly available as soon as practicable after the time that notice of the meeting is given to Members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.

Quorum

A quorum for a meeting of the Committee shall be at least one (1) Elected Member representative and four (4) Community representatives.

A Quorum must be present within 30 minutes of the scheduled start time for the meeting to proceed. A duly convened meeting of the Committee at which quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

Presiding Member

The Council will appoint one (1) of the Members as the Presiding Member to oversee and facilitate the conduct of meeting in accordance with the *Local Government Act 1999 (SA)*, the *Local Government (procedures at Meeting) Regulations 2013* and these Terms of Reference

If the Presiding Member of the Committee is absent from a meeting then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.

The role of the Presiding Member includes:

- a. ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
- b. where a matter has been debated significantly and no new information is being discussed to call the meeting to order and ask for the debate to be finalised and the motion to be put.

Meeting Conduct

The Committee shall act at all times in strict accordance with the *Local Government Act 1999* and any other relevant legislation. In particular, the Committee shall act in strict accordance with the *Local Government Act 1999* and Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013*.

Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.

All decisions of the Committee shall be made on the basis of a majority decision of the members present.

Every member of the Committee has a deliberative vote only. In the event of a tied vote the person presiding at the meeting does not have a second or casting vote and the matter will be considered lost.

The principal responsibilities of Committee is to:

- a) attend Committee meetings as required;
- b) contribute to achieving the objectives of the Committee;
- c) undertake agreed tasks as determined at Committee meetings

At the discretion of the Chair, members of the public or subject experts may be invited to speak to or advise the committee on issues being considered by the committee.

Insofar as the Act, the Regulations or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Port Broughton Tourism & Events Committee, the Port Broughton Tourism & Events Committee may determine its own procedure.

8. Reporting

Pursuant to Section 41(8) of the *Local Government Act 1999*, all decisions of the Committee will be referred to the Council as recommendations of the Committee. The reporting of the decisions of the Committee in this manner will satisfy the requirements of Section 41(8).



9. Accountability

The Committee will ensure that an assessment of its performance and charter is conducted at least once every two years, to ensure that it continues to be focused, effective, and provides a quality service to the Council.

Pursuant to Section 41(8) Council has established that the Port Broughton Tourism and Events Committee must provide an annual report to Council on the work of the Committee during the period to which the report relates.

10. Member Conduct

All members of the Committee, comply with the Volunteer Code of Conduct and Conflict of Interest provisions within the Act.

11. Review History

The committee shall at least once a year, review its own performance, constitution, and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

Responsible Work Area	Chief Executive Officer
Responsible Officer	Manager Corporate Services
Date/s Adopted	V1. July 2020 – Initial Adoption V2. March 2023 - Review
Date of next review	March 2025
Skytrust Reference	TBC
Records Reference	TBC