

# Delegation of Authority and Rules of Operation

## Burnie Australia Day Special Committee



*"Not for ourselves alone"*



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Pursuant to Section 24 of the *Local Government Act 1993* (as amended) the Burnie City Council hereby establishes a Special Committee as detailed in Schedule 1 and 2 below.

## **Schedule 1**

### **1. Name of Special Committee**

The name of the Special Committee shall be the:

**Burnie Australia Day Special Committee**

## **Schedule 2**

### **1. Objectives of the Committee**

1.1. The objectives of the Committee are to:

- Arrange and manage the Burnie Australia Day ceremony / celebrations in Burnie;
- Award the Burnie Australia Day awards,
- Promote Australia Day in Burnie.

### **2. Committee Structure**

2.1. The Committee shall consist of at least six members and a maximum of nine members at any one time.

2.2. Membership of the Committee shall be made up of:

- Up to two Councillors appointed by Burnie City Council,
- One Community Member being the musical coordinator of the Australia Day celebrations,
- Up to two Community Members nominated by and representing the Burnie Victoria League,
- Up to four Community Members with skills and experience across any of following areas:
  - Arts and culture
  - Community services
  - Business, marketing and/or events
  - Sport, leisure and recreation

- Youth (being either the relevant Burnie Youth Mayor for that year or their delegate; or another community member if the Youth Mayor or delegate is not available)
  - General interest
- 2.3. One Council Officer will be an ex-officio member. Ex-officio members are not entitled to vote at Committee meetings.
- 2.4. Council may appoint another Councillor as proxy for the appointed Councillor positions.
- 2.5. An appointed Councillor proxy may attend any meeting in a non-voting capacity where the appointed Councillor is present. The appointed proxy is only entitled to vote when the appointed Councillor is not present.
- 2.6. The role of Committee Chairperson will be a Councillor appointed by the Council.
- 2.7. The role of Committee Secretary will be filled by a Council Officer.

### **3. Selection and Appointment of Committee Members**

- 3.1. Council will undertake a formal expression of interest process for Community Members every two years leading up to 1 May.
- 3.2. Council will invite nominations from the Burnie Victoria League as provided for in clause 2.2 every two years leading up to 1 May.
- 3.3. Council will appoint Community Members for a two year period, commencing 1 May.
- 3.4. The Community Members are to possess:
- A demonstrated interest in community events or community service
  - Good listening and communication skills
  - The ability to contribute opinions and ideas effectively and work well within a team
  - The availability to participate and support the Australia Day event in Burnie on 26 January.

### **4. Terms of the Committee Appointments**

- 4.1. The Councillor positions on the Committee will become vacant directly following the ordinary Council election, and a subsequent appointment shall be made by the Council for a period of two years. At the expiry of this term, a new appointment will be made by Council, for two years expiring directly following the next ordinary election. If a Councillor of the Committee resigns prior to the end of his/her term the Council may appoint a replacement at the earliest convenient time, for the balance of the term.

- 4.2. The ex-officio appointment of a Council Officer shall remain in place on an ongoing basis until the appointment is changed.
- 4.3. Community Member positions are for a fixed term of two years and may be reappointed. If a Community Member retires, Council may appoint a replacement Community Member for the remaining balance of the fixed term of that position.
- 4.4. The Community Member positions on the Committee will become vacant every two years on 30 April.
- 4.5. The General Manager has the power to end the term of the Chairperson or a Community Member.

## **5. Roles and Responsibilities of Members**

- 5.1. To maintain confidentiality on matters of a sensitive nature or involving personal information; and
- 5.2. When applicable, to declare an interest in any matter being considered by the Committee, in accordance with Part 5 of the *Local Government Act 1993*.

## **6. Functions of the Committee**

- 6.1. To plan for and implement the Burnie Australia Day celebrations;
- 6.2. To ensure an objective nomination and selection process for the Burnie Australia Day Awards based on clear criteria;
- 6.3. To operate the Burnie Australia Day celebrations within the framework and resources provided by the National Australia Day Council; and
- 6.4. To ensure funds are expended within the operating budget set by Council for the Burnie Australia Day celebrations.

## **7. Meetings of the Committee**

### **7.1. Quorum**

- 7.1.1. A quorum will consist of the majority of total members, being one half plus one.
- 7.1.2. All members (excluding ex-officio members), shall have voting rights with decisions based on the principle of simple majority.

### **7.2. Meeting Frequency**

- 7.2.1. Meetings of the Committee must be held at least four times per year.

### **7.3. Notice of Meetings**

- 7.3.1. Notice of each meeting, including special meetings, shall be given to each Committee member at least seven days in advance unless

impractical to do so by reason of an urgent matter requiring a meeting to be held promptly.

**7.4. Attendance at Meetings**

7.4.1. All Councillors are welcome to attend any meeting of the Committee, but only appointed members will be entitled to vote.

**7.5. Appointment of Acting Chairperson**

7.5.1. If the appointed Chairperson is not available for a meeting, they may delegate the role of Chair to another Committee Member, otherwise an Acting Chairperson shall be chosen from those present at the meeting.

**7.6. Records to be kept by the Secretary**

7.6.1. The Secretary shall keep minutes of each meeting, detailing

- The time, date and place of each meeting;
- Those present;
- An accurate record of any motion indicating the mover and seconder and indicating the word 'Carried' or 'Lost' after each motion.

7.6.2. The unconfirmed minutes of each meeting shall be provided to Council within fourteen days following the conclusion of the meeting. Where recommendations are made by the Committee, the Council Officer shall include a report explaining any specific recommendation for Council consideration. Minutes of the Committee meetings will be included in a report to the next ordinary meeting of Council.

7.6.3. The minutes of each meeting shall be confirmed at the subsequent meeting of that Committee.

**7.7. Records to be kept by Treasurer**

7.7.1. Not applicable.

**8. Restrictions on Committee Powers**

8.1. The Committee does not have the power to:

- (a) Impose fees, taxes, rates or charges
- (b) Rebate rates or charges
- (c) Apply for grants
- (d) Make grants
- (e) Borrow money
- (f) Make a rate
- (g) Make a By-law

- (h) Execute a Deed
- (i) Sign a contract
- (j) Institute a legal proceeding
- (k) Call for tenders
- (l) Provide direction to staff
- (m) Advertise for and/or appoint an employee or servant (except honorary office-bearers)
- (n) Sell land
- (o) Operate a bank account
- (p) Undertake lobbying unless expressly authorised by Council
- (q) Issue correspondence or media releases from the Special Committee without the co-signature of the Mayor
- (r) Conduct business and activities otherwise than in accordance with Council's Risk Management and Workplace Health and Safety policies and practices.

## **9. Remuneration**

- 9.1. The Committee members are voluntary workers, and no remuneration will be provided to Committee members.

## **10. Reporting Requirements**

- 10.1. Not applicable.

## **11. Financial Requirements**

- 11.1. Where the Committee has an applicable budget within Council's accounts:

- 11.1.1. The Committee must operate through the Council's bank account upon which payments may be made and into which all monies received shall be paid as soon as possible after receipt thereof.
- 11.1.2. Purchase orders may only be drawn and expenditure may only be authorised by an employee of Council with the relevant financial delegation for the Committee's expenditure, where the Committee has an applicable budget within Council accounts.
- 11.1.3. Incidental costs relevant to the budget and stated functions of the Committee may be reimbursed to Committee Members up to a limit of \$100 per reimbursement, and upon evidence of a receipt.



11.1.4. A statement of receipts and expenditure for the financial year ended shall be tabled at the first meeting of the Committee after the Australia Day event each year and be included in the Minutes.

11.2. The financial year of the Committee shall be from the 1<sup>st</sup> July to the 30<sup>th</sup> June, coinciding with the financial year of Council.

## **12. Insurance**

12.1. Committee Members are covered under the terms and conditions of Council's Public Liability and Personal Accident policies provided they are acting within the scope of their functions as a member of the Special Committee as listed in Clause 5 Roles and Responsibilities of Members and Clause 6 Functions of the Committee, and within the requirements of Clause 13 Safety and Risk Management.

12.2. Council insures its buildings, fittings and fixtures against fire, flood and damage. The Committee is to advise user bodies leaving their property in Council's buildings to take out separate insurance cover to cover those goods and chattels, including stock in trade sold by user groups.

## **13. Safety and Risk Management**

13.1. All Community Members appointed by Council are considered volunteers in a workplace and must work within the scope of the functions and responsibilities described at Clause 5 Roles and Responsibilities of Members, and Clause 6 Functions of the Committee.

13.2. All Committee Members must complete an induction process that covers both:

- the Roles and Responsibilities of Special Committee Members, and
- a site specific induction relevant to this Committee

13.3. All Committee Members undertaking tasks for the Committee must be appropriately qualified and trained for the tasks which they are performing, as set out in the scope of functions listed at Clause 6 Functions of the Committee.

## **14. Secretariat and Support**

14.1. The Council will provide the Committee with the necessary secretariat support to allow the Committee to function effectively.

14.2. The Executive Manager Corporate Governance will be available to provide information for the Committee.

**15. Alteration to Delegation of Authority and Rules of Operation**

15.1. This Delegation of Authority and Rules of Operation may be amended at any time by Council resolution.

**16. Definitions**

- 16.1. 'Burnie City Youth Mayor' means the current or most recent Youth Mayor of Burnie City Youth Council Special Committee.
- 16.2. 'Committee' means the Burnie Australia Day Special Committee as stipulated in Schedule 1 of this document.
- 16.3. 'Committee Member' means a member of the committee, regardless of being a member of the community, an employee or a Councillor.
- 16.4. 'Community Member' means a member of the community appointed to the Committee by Council.
- 16.5. 'Council' means the Burnie City Council.
- 16.6. 'Councillor' means an elected member of Burnie City Council.
- 16.7. 'Council Officer' means the Burnie City Council employee appointed by the General Manager as an ex-officio member to support this Committee as amended from time to time.
- 16.8. 'Executive Manager Corporate Governance' means the Burnie City Council employee appointed to this position or a similar position if amended from time to time.
- 16.9. 'General Manager' means the General Manager of the Burnie City Council as appointed from time to time.
- 16.10. 'Mayor' means the Mayor of the day at Burnie City Council.

**17. Timeframes**

<b>Responsibility</b>	<b>Frequency</b>	<b>Scheduled Date</b>
Seek nominations or EOI (clause 3.1)	Every two years	February/March
Council Report to recommend appointments (clause 3.2)	Every two years	April Council Meeting
All Community Member positions declared vacant (clause 4.3)	Every two years	30 April
New appointments become effective (clause 3.2)	Every two years	1 May
Table Statement of Receipts and Expenditure (clause 11.1.4)	Every year	First meeting of Committee after Australia Day
Induction for any new members (clause 13.2)	Every two years plus as required for new members	May
Appointment of Councillors (clause 4.1)	Every two years (coinciding with ordinary Council elections every four years)	November 2018 November 2020
Minutes to Council (clause 7.7.2)	Within 14 days after every Committee Meeting	At least four times per year according to meetings held