

Australia Day Awards Committee Terms of Reference

1. INTRODUCTION

The Australia Day Awards Committee undertakes the planning, conduct and review of Kempsey Shire's annual Australia Day Awards event, or events. Additionally, this Committee serves a crucial role in determining the eligibility for awards, assessing the nominations, and determining the winners of each category.

This Committee is a committee formed under section 355 of the Local Government Act 1993.

2. OBJECTIVES

To:

1. plan, conduct and review Kempsey Shire Council's annual Australia Day Awards event(s),
2. work with the Committee members and staff to provide a quality Australia Day Award event, and
3. establish Australia Day Award categories, assess nominations, and determine award winners.

3. DELEGATIONS

The committee has delegation to:

- plan, conduct and review Kempsey Shire Council's annual Australia Day Awards event(s),
- determine Australia Day Award categories, eligibility criteria and assessment process,
- assess Australia Day Award nominations,
- determine Australia Day Award winners,
- commit or expend Council's funds up to the adopted annual budget amount in the planning, conduct and review of Australia Day Awards event(s), and
- utilise other Kempsey Shire Council resources in the conduct of the event as agreed with the General Manager, or their delegate

4. MEMBERSHIP

The committee shall comprise:

- the Mayor,
- two (2) Kempsey Shire Council Councillors,
- one (1) Kempsey Shire Council staff member, and
- up to seven (7) community representatives

The term of membership of the community representatives on the Committee ceases upon each general election of Councillors to Kempsey Shire Council unless otherwise resolved by the Council.

Community Representatives are appointed to the Committee by Council on the recommendation of the Committee. Where there is not an existing Committee in place, or the Committee is unable to form a quorum then Community Representatives are appointed by Council on the recommendation of the General Manager. Such appointments must be made by resolution at an open meeting of Council.



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The recommendation of the Committee will be determined by a preferential ballot held in accordance with the process in Schedule 7 of the Local Government (General) Regulation. If the community forms the view that there are no suitable candidates, they may decide to re-advertise the positions.

Expressions of Interest must be open for at least 21 days and advertised on Council's media and by such other means as are determined appropriate by the General Manager. Submissions made in response to an Expression of Interest are valid for a period of 24 months. If another appointment needs to be made during the validity period, and there are eligible candidates available for appointment, a new Expression of Interest does not need to be advertised.

Where a member appointed to the Committee as a community representative is a group, then the group must determine which individual of their members will represent the group at meetings.

The appointment of Councillor members to the Committee shall be by resolution of the Council.

The appointment of staff members to the Committee shall be by the General Manager and remain a member until the General Manager determines otherwise.

Other persons may be invited to attend meetings on specific issues or to progress an agreed outcome, as approved by the Committee, but shall not hold any voting rights.

Where a community representative resigns, or is otherwise removed, from the Committee during its term causing a casual vacancy this vacancy must be filled as follows:

1. When the Committee's term expires on or within 24 months – the vacancy does not need to be filled unless there are fewer than four community representatives currently appointed to the Committee. Where there are fewer than four community representatives currently appointed to the Committee an Expression of Interest must be conducted unless candidates from a previous express of interest are still eligible.
2. When the Committee's term expires in greater than 24 months – the vacancy shall be filled by an Expression of Interest unless candidates from a previous express of interest are still eligible.

5. QUORUM

The quorum of this Committee is half of the members plus one. A quorum must include one (1) Councillor, one (1) Community member and one (1) Council staff member being present.

6. TERMS OF COMMITTEE

The Committee must hold meetings as required but on no less than three (3) occasions per year between August and February including a debriefing meeting following the event.

Business must not be conducted at any meeting of the Committee unless a quorum is present at the commencement. If at any time a quorum ceases to be present further business must not be conducted, except for closing or adjourning the meeting unless a quorum returns.

Each member is entitled to one (1) vote in respect to any motion, and the decision of the Committee is by a simple majority of votes cast in favour. The chairperson has a casting vote, in addition to their ordinary vote.



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A review of the Committee must be undertaken every four (4) years to ensure the Terms of Reference (TOR) continues to be appropriate.

The Executive Assistant (Mayor), or their delegate, is responsible for providing appropriate administrative support to the Committee.

All Committee agendas and minutes must be made available to the public via the Council's website unless otherwise restricted by legislation. Information concerning the determination of award winners must remain confidential until after the event, excepting as otherwise determined by the resolution of the Committee.

The Committee may make decisions, out of session, by means of e-mail circular or similar. The circular must indicate the latest date by which a vote will be accepted. The votes must be tallied either at this time, or once all members have indicated their voted.

When a decision is proposed by circular if any one member calls for a meeting, then the decision must be deferred until a meeting can be held.

Where a voting member is absent, or otherwise on leave, for the entire time between when a matter is circularised and the vote is declared by the Chairperson, then any person acting in their position must vote in their absence. Where there is no such person, they are considered absent and may not vote. Their vote is not used to determine a majority.

The Chairperson shall tally votes made by circular, and the decision shall be confirmed at the next meeting of the Committee.

A vote by circular is not won or lost until the Chairperson declares it as such. A member's vote is not final until the vote is declared by the Chairperson.

7. CHAIRPERSON

The Chairperson of the Committee is the Mayor or their delegate.

The Committee must elect a Deputy Chairperson at the commencement of their term.

8. EXPENDITURE

The Committee may expend, or otherwise commit, those financial resources allocated to the planning, conduct and review of the event(s) in the annual budget.

The Committee will likely need to call upon other resources of the Council in the conduct of the event including, but not limited to, the use of staff, plant and equipment. This is permitted to occur to the extent agreed by the General Manager, or their delegate, and allowed by the Operating Plan and Resourcing Strategy.



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9. OBLIGATIONS OF MEMBERS

In performing their Committee duties, members must:

- 9.1 commit to working towards the advancement of the Local Government Area,
- 9.2 act honestly and in good faith,
- 9.3 always act impartially,
- 9.4 participate actively in the work of the Committee,
- 9.5 exercise reasonable care, diligence and skill,
- 9.6 maintain the confidentiality of information concerning award nominations and winners
- 9.7 comply with Council's Code of Conduct; and
- 9.8 always comply with this Charter document

10. VARIATION

This TOR may be varied by resolution of Kempsey Shire Council. The Committee may recommend variations to the TOR, for adoption by Council.

