



HEART OF THE CHANNEL COUNTRY

**Arts & Culture Committee**  
Terms of Reference  
*Adopted at the General Council Meeting*  
**RESOLUTION NO:**

# Arts & Culture Committee

## TERMS OF REFERENCE

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## 1.0 NAME

The name of the Council Committee shall be the Arts and Culture Committee (in these Terms of Reference referred to as “the Committee”).

## 2.0 DEFINITIONS

**2.1** For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:

2.1.1 “Act” means the Local Government Act 2009 and includes Regulation 2012.

2.1.2 “Committee” means the Committee of Council established pursuant to clause 3.

2.1.3 “Committee Member” means the persons appointed by the Council to the Committee pursuant to clause 5.

2.1.4 “Commencement Date” means the date on which the Committee is established and becomes operative pursuant to clause 3.

2.1.5 “Council” means the Barcoo Shire Council that established the Committee and to which the Committee reports.

2.1.6 “Observers” means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.

2.1.7 “Sub-Committee” means a sub-committee established in accordance with the Act.

**2.2** Any words, phrases or terms used in these Terms of Reference that are defined in the Act/Regulation shall have the same meaning as are given in the Act/Regulation.

**2.3** A reference in these Terms of Reference to a “singular” includes a reference to the “plural” and a reference to a “plural” includes a reference to the “singular”.

**2.4** These Terms of Reference shall be interpreted in line with the provisions of the Act/Regulation.

**2.5** Notices

All communication to be given to the Committee shall be addressed to:

The Chair

Arts and Culture Committee

PO Box 14

JUNDAH, QLD, 4736

Email: [shire@barcoo.qld.gov.au](mailto:shire@barcoo.qld.gov.au)

### **3.0 ESTABLISHMENT**

- 3.1** The Arts & Culture Committee is established under Section 264 of the Local Government Regulation 2012.
- 3.2** The Committee will be established and become operative from the time a resolution of the Council is passed.
- 3.3** The Committee is established by the Council for the purpose of submitting recommendations to the Council limited to matters falling within the following broad headings:
  - Arts & Culture
  - Regional Arts Development Fund Program
- 3.4** The Committee shall be a Prescribed Advisory Committee that is enduring to perform, assist and provide recommendations to Council on matters described in these Terms of Reference.

### **4.0 OBJECTIVES**

- 4.1** The Committee is created with the express objective of providing considered recommendations to Council within the scope of its purpose and reasons for establishment

### **5.0 MEMBERSHIP**

- 5.1** Membership of the Committee will comprise local community representatives as determined by resolution of Council. All committee members are independent and to be appointed for their expertise and / or interest in the Arts and Culture program.
- 5.2** Committee members shall be appointed for a term ensuring continuity of knowledge with an overlap of membership.
- 5.3** The Council reserves the right from time to time to remove any Member of the Committee and appoint another Committee Member in their stead.
- 5.4** The Chair of the committee will be elected by the independent members.

### **6.0 CASUAL VACANCIES AND REPLACEMENT MEMBERS**

- 6.1** If a Committee Member is absent from 2 or more consecutive meetings of the Committee without an apology accepted by the Committee then that Committee Member's position shall be considered vacant.
- 6.2** The Council will determine the filling of any vacancy in the Committee Membership in accordance with clause 5.
- 6.3** All vacant positions will be advertised, seeking applicants to submit a resume and address the selection criteria of the position description.

### **7.0 NO PROXY**

- 7.1** The appointment of a person as proxy for any Arts and Culture Committee Member on the Committee is not permissible.



## **8.0 RESIGNATION OF COMMITTEE MEMBER**

- 8.1** Any Committee Member may resign from the Committee, but such resignation shall not be effective until the Council has received written notice to that effect.

## **9.0 QUORUM**

- 9.1** At all Meetings of the Committee a quorum must be present.
- 9.2** A quorum will be determined by dividing by 2 the number of Arts and Culture Committee Members formally appointed to the Committee ignoring any fraction and adding 1.

## **10.0 ATTENDANCE AT MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS**

- 10.1** A Committee Member (including, subject to the operation of clause 11.2, the Chairperson) may be considered as being present at a Committee Meeting despite not being physically present at the meeting in accordance with Council's standing orders.

## **11.0 MEETINGS OF THE COMMITTEE**

- 11.1** The Committee shall meet as required. Meetings are formed through Council resolutions requiring advice / recommendations on matters from the committee or from matters instigated by the Chairperson of each committee.
- 11.2** The Chairperson, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Chairperson who shall preside at that meeting.
- 11.3** No business shall be transacted at any meeting of the Committee unless a quorum of Arts and Culture Committee Members is present.
- 11.4** Each Arts and Culture Committee Member, including the Chairperson, present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 11.5** Each Arts and Culture Committee Member including the Chairperson, present at any meeting of the Committee shall have one deliberate vote only.

## **12.0 PROCEDURES AND CONDUCT AT MEETINGS**

- 12.1** The procedures and conduct to be observed in relation to meetings of the Committee are in accordance with the Act and the Local Government Regulations 2012, and Council's standing orders.

## **13.0 LIABILITY OF THE COMMITTEE**

- 13.1** A liability incurred by the Committee rests against Council.
- 13.2** No liability attaches to an Arts and Culture Committee Member for an honest act or omission by that Arts and Culture Committee Members in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.

## **14.0 DELEGATION**

- 14.1** The Committee has no delegation to act, with all recommendations of the Committee to be considered by full Council for final decision and resolution.

## **15.0 MINUTES OF THE COMMITTEE and REPORT BY THE CHAIRMAN**

### **15.1 Administration**

- 15.1.1 Minutes will not be required of the Committee as allowed under Section 254G of the Local Government Regulation.
- 15.1.2 The Chair of the committee will prepare a written report with any recommendations to Council after each Committee meeting.
- 15.1.3 The Chair of the committee will, if required, present a report to Council after each Committee meeting (either in person or video conferencing facilities).
- 15.1.4 Council staff may attend by invitation from the Chairperson as required, but this should be limited to ensure the independence of the committee.
- 15.1.5 A nominated Council Officer can be supplied to the committee for any investigative / briefing services that may be required. The chair must request this officer through the CEO of the Council.
- 15.1.6 An annual self-evaluation review will be undertaken by the chair of the committee.

## **16.0 AMENDMENTS TO THESE TERMS OF REFERENCE**

- 16.1 It will be lawful for the Council by resolution of the Council to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Local Government Act and other relevant legislation.

## **17.0 INTERPRETATION OF THESE TERMS OF REFERENCE**

- 17.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever, then the Council shall determine the dispute and the decision of the Council shall be final and binding.

## **18.0 CEASING OPERATION OF THE COMMITTEE**

- 18.1 The Council may cease the operation of the Committee and the Committee may make such recommendation to the Council on the completion of its function.