

**Far South Memorial by the Sea
Management Committee**

Terms of Reference

April 2016

FAR SOUTH MEMORIAL BY THE SEA MANAGEMENT COMMITTEE

TERMS OF REFERENCE

PREAMBLE

- CLAUSE** **1** The Council, by resolution, has appointed the Far South Memorial by the Sea Management Committee to control and manage the operation of the Far South Memorial by the Sea located at Dover.
- CLAUSE** **2** This Management Committee has been established under Section 24 of the *Local Government Act 1993*.
- CLAUSE** **3** The Management Committee shall be responsible for the management of the Memorial including the following functions:
- To act as an advisory and liaison body between the Council, local communities, individuals, clubs, and organisations who may enquire about the Memorial.
 - To advise the Council in relation to the general development of the Far South Memorial by the Sea and grounds as described in Clause 1.
 - To encourage public interest and to promote the use of the Memorial to maximise its use.

DEFINITIONS

- CLAUSE** **4** In these terms of reference the words mean:
- "Management Committee"** means the Far South Memorial by the Sea Management Committee appointed by the Council under Section 24 of the *Local Government Act 1993*.
- "Council"** means the Huon Valley Council.
- "Chairperson"** means the Chair of the Management Committee appointed under Clause 8.
- "Financial Statement"** means the financial statement provided in the format as specified by the General Manager.
- "Far South Memorial by the Sea"** means the granite, timber, landscaped area and other associated structures surrounding the memorial located at Dover Beach, Dover. This memorial is dedicated to those persons with a Far South connection who have disappeared or have lost their lives at sea and for those who have had their remains scattered at sea in the Far South of Tasmania.

“Member” means a community representative appointed to the Committee under Clause 5.

“Nominated Members” means the persons nominated for appointment to the Management Committee nominated by the Community at the Annual General Meeting but prior to appointment by the Council under Clause 5(b).

“Secretary” means the Secretary of the Management Committee, appointed under Clause 11.

“Treasurer” means the Treasurer of the Management Committee, appointed under Clause 13.

MEMBERS OF COMMITTEE	5(a)	All members of the Management Committee shall be appointed annually by the Council and the Council may reappoint any Member and may remove any Member from the Management Committee and may appoint another Member in his/her stead.
	(b)	The membership of the Management Committee shall comprise of a minimum of 3 members to a maximum of 9 members all of whom shall be nominated by the community at the Annual General Meeting (held under Clause 22) and appointed by the Council.
	(c)	The Council may from time to time vary the number of Members constituting the Management Committee.
	(d)	All members of the Management Committee shall abide by Council’s Code of Conduct for Committees.
TENURE OF OFFICE AND REMOVAL FROM OFFICE	6	Each member of the Management Committee shall hold office until his successor is appointed by the Council or until the Council revokes the appointment of any Member.
OFFICE BECOMES VACANT	7	The office of any Member of the Management Committee shall become vacant if such Member is absent from three consecutive meetings of the Management Committee without leave obtained from the Committee on that behalf.
CHAIRPERSON	8	The Chairperson of the Management Committee shall be nominated by the Nominated Members and the appointment is to be made and confirmed by the Council. In the event of the death, resignation or removal from office of Chairperson by the Committee, the Committee shall appoint a replacement as soon as practicable and the appointee shall take office as soon as the appointment is made and confirmed by the Council.
DEPUTY CHAIRPERSON	9	The Management Committee may appoint a Deputy Chairperson from amongst its own Members.

ACTING CHAIRPERSON	10	In the absence of the Chairperson and Deputy Chairperson (if one is appointed) an Acting Chairperson shall be elected by the Members present at any duly and properly constituted meeting of the Management Committee for the purpose of presiding over that meeting.
SECRETARY	11	The Secretary of the Management Committee shall be nominated by the Nominated Members and the appointment is to be made and confirmed by the Council. In the event of the death, resignation or removal from office of the Secretary by the Committee, the Committee shall appoint a replacement as soon as practicable and the appointee shall take office as soon as the appointment is made and confirmed by the Council.
MINUTES	12(a)	The Secretary shall keep accurate Minutes of every meeting recording details of those in attendance and details of decisions taken.
	(b)	The Secretary shall provide the Council with a copy of the Minutes within 14 days of the meeting being held.
TREASURER	13(a)	The Treasurer of the Management Committee shall be appointed by the Nominated Members. In the event of the death, resignation or removal from office of the Treasurer by the Committee, the Committee shall appoint a replacement as soon as practicable and the appointee shall take office as soon as the appointment is made and confirmed by the Council.
	(b)	The Treasurer shall keep accurate records of the financial transactions of the Committee in the prescribed format and attend to all financial affairs of the Committee.
	(c)	The Treasurer shall cause a receipt to be written for all monies received for the credit of the Committee.
VOLUNTEERS	14(a)	From time to time the Management Committee may appoint volunteers for specific tasks or projects pertaining to the building, or an activity planned by the Management Committee, or as a sub-committee for a specific purpose.
	(b)	Volunteers appointed under this clause are to be subject to Council's Volunteer Policy.
	(c)	Copies of Attendance forms are to be forwarded to Council with the Committee's minutes.
FINANCIAL REPORTING	15(a)	The Management Committee shall provide the Council with an annual financial statement by 20 July each year detailing transactions for the preceding financial year; as these will form part of Council's overall financial statements which have strict guidelines set by the Auditor General.

- (b) The annual financial statement must be signed by the Chairperson and Treasurer of the Committee.
- (c) The annual financial statement is to be reconciled to the bank statement and provided with copies of the said bank statements.
- (d) The annual financial statement is to be subject to audit by appropriately qualified Council officers.

INSURANCE

- 16(a)** The Council will maintain adequate and appropriate comprehensive insurance costs associated with the Memorial.
- (b) The Council has a policy of insurance to cover members of the Management Committee and voluntary workers attending meetings and other such activities.
- (c) It is necessary for the Council to advise its insurers of any major events to ensure adequate coverage. The Committee must therefore give the Council a minimum of 30 days notice of such events.

FEES & CHARGES

- 17(a)** The Management Committee shall apply Council's standard fees for plaques for the Far South Memorial by the Sea as prescribed annually by the Council.
- (b) The Council shall advise the Management Committee regarding the level of such fees once adopted within Council's annual budget.

MEETINGS

- 18(a)** The Management Committee shall meet at least quarterly and special meetings shall be called by the Secretary on the requisition of the Chairperson.
- (b) Any member of the community has the ability to attend meetings of the Management Committee as an observer. Such attendance does not however enable participation in the meeting by those who are observing.
- (c) The Management Committee is to use the standard for Agendas and Minutes for ordinary meetings and the Annual General Meeting as supplied by Council.
- (d) The Management Committee members must register any Declarations of Interest if necessary at each meeting.

QUORUM

- 19** The Quorum of the Management Committee shall consist of one more than half of the Members if there is an even number of Members, or a majority of the whole number if there is an uneven number of Members.

SPEAKING AND VOTING RIGHTS	20	Each Member shall have full rights to discuss and vote upon any matter before the Management Committee provided that all members of the Management Committee, whether members of the Council or not, are subject always to the provisions of the Interests Section of the <i>Local Government Act 1993</i> , and should not vote or take part in any discussion on any issue in which he or she has a pecuniary interest.
DECISIONS	21	All motions shall be determined by a majority of the votes of those members present and entitled to vote.
ANNUAL GENERAL MEETINGS	22(a)	The Management Committee shall hold a public annual general meeting by the end of September each year for the purpose of nominating Members and the office bearers of the Committee.
	(b)	The Council is to be advised of the proposed date of the Annual General Meeting prior to 30 July each year.
	(c)	The Council will assist with the promotion of the Annual General Meeting to encourage community interest and attendance
	(d)	Nominations for membership can be nominated by the persons from the community present at the meeting.
	(e)	Voting can be either by show of hands or secret ballot or determined by the persons present at the meeting.
	(f)	Office bearers are to be nominated from the nominated members as per clauses 8, 9, 10, 11 and 13a.
	(g)	Details of the business conducted at the Annual General Meeting shall be provided to the Council within 14 days of the meeting being held. Such details will include information on nominated members and office bearers. The Council will then consider and appoint members as soon as possible.
MAJOR DAMAGE	23	The Management Committee shall provide immediate advice to the Council to report any major damage to the Far South Memorial by the Sea whether accidental or by vandalism or where major maintenance is required.

LIMITATIONS OF AUTHORITY	24	<p>The Management Committee in undertaking its function of managing the Far South Memorial by the Sea shall not have power to undertake any of the following:</p> <ul style="list-style-type: none"> • Borrow Money • Make a Rate • Make a By Law • Execute a Deed • Sign a Contract • Institute Legal proceedings • Enter into sponsorship arrangements
FINANCIAL MANAGEMENT	25(a)	<p>RECEIPTS:</p> <p>The Management Committee shall open a Bank Account in the name of the Committee into which all monies received shall be paid by the Treasurer as soon as possible after receipt thereof.</p> <p>(b) PAYMENTS:</p> <p>i) All payments made by the Management Committee shall be by cheque.</p> <p>ii) No cheque above \$500 shall be drawn on the Management Committee's bank account until authorised by resolution of the Committee.</p> <p>iii) Expenditure above the value of \$2,000 is to be referred to the Council's General Manager or nominee for approval.</p> <p>iv) Items or services between the value of \$1,000 and \$29,999 should have three verbal quotations.</p> <p>v) Items or services over the value of \$30,000 should have three written quotes.</p>
BANK SIGNATORIES	26	<p>Cheques shall be signed by any two office bearers of the Management Committee.</p>
FINANCIAL YEAR	27	<p>The financial year of the Management Committee shall be the period 1 July to 30 June.</p>
DATE	28	<p>The Terms of Reference are dated April 2016.</p>