



RENMARK PARINGA COUNCIL GRANTS, SPONSORSHIP AND

AWARDS COMMITTEE TERMS OF REFERENCE

NAME

Pursuant to section 41(1) of the *Local Government Act 1999* (the **Act**), the Renmark Paringa Council resolved on 22 August 2023 to establish a committee to be known as the **Renmark Paringa Council Grants, Sponsorship and Awards Committee**

1. OBJECTIVES

- 1.1 The Committee is established for the purposes of assisting Council with the assessment and allocation of Community Grants and Event Sponsorship and Australia Day Awards pursuant to the Council's Grants and Sponsorship Policy and Australia Day Awards Policy, for:
- a) the appropriate administration and authorisation of grants, sponsorship and awards;
 - b) fairness, equity and transparency in the provision of grants, sponsorship and awards;
 - c) ensuring so far as is possible that:
 - Council funds are used for their intended purposes; and
 - the provision and proof of outcomes of approved grants are received and documented.

2. MEMBERSHIP

- 2.1 The members of the Committee shall be appointed or removed by resolution of Council and shall consist of not less than 4 members and no more than 5 members.
- 2.2 Members shall hold office from the date of their appointment, for a term until the first meeting of Council following the next general Council election and shall be eligible for re-appointment at the expiration of their term of office.
- 2.3 The Presiding Member of the committee shall be appointed by the Council.
- 2.4 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. Council staff members may attend any meeting as observers and will be responsible for preparing reports as required for the Committee.
- 2.5 In accordance with the principles of open, transparent and informed decision making, committee meetings must be conducted in a place open to the public. The agenda and minutes of the committee meetings, subject to any items that are discussed in confidence under Section 90 of the Act and subsequently retained as confidential under Section 91 of the Act, are also required to be made available to the public.



- 2.6 No additional allowance will be paid to an elected member who is a Committee Member over and above the allowance already received by the elected member as defined in the Remuneration Tribunal Determination No. 2 of 2022, [Allowances for Members of Local Government Councils](#).

3. QUORUM

- 3.1 A quorum shall consist of half the number of persons appointed to the Committee plus one.

4. MEMBERS LIABILITY

- 4.1 Pursuant to section 41(12) of the Act, no civil liability shall attach to a member of the Committee for an honest act or omission in the exercise performance or discharge or purported exercise, performance or discharge of the members or Committee's functions or duties. A liability that would, but for the foregoing, attach to a member of the Committee, attaches instead to the Council.
- 4.2 Pursuant to the Rules of the LGAMLS, the Council must apply prudent industry based risk management practices across all of its operations and the Committee must ensure such practices are observed where relevant or directed by the Council.
- 4.3 Any liability or risk management issues identified by the Committee will be brought to the attention of the Council.

5. CONFLICT OF INTEREST

- 5.1 The provisions of sections 73, 74 and 75 of the Act apply to all members of the Committee, in relation to meetings and any business or proposed business of the Committee.

6. PROCEEDINGS THE COMMITTEE MEETINGS

- 6.1 The Council has resolved that Part 2 of the [Local Government \(Procedures at Meetings\) Regulations 2013 \(the Meeting Regulations\)](#) does not apply to the Committee. Accordingly, subject to these Terms of Reference, the Committee shall at all times observe Part 3 of the Meeting Regulations and the meeting procedures included herein.
- 6.2 Insofar as the Act, Part 3 of the Meeting Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 6.3 The Committee shall meet at least once (1) in every calendar year, on such dates and at such times as determined by the Chief Executive Officer of the Council and otherwise on such dates and at such times as the Committee determines.
- 6.4 A notice of meeting and agenda shall be provided to each committee member at least 5 clear days before each meeting.



- 6.5 Special Meetings may be held at any time, at the request of the Presiding Member of the Committee or at least three members of the Committee.
- 6.6 A question arising for decision at a meeting of the Committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
- 6.7 All members of the Committee who are present at a meeting shall have a deliberative vote.
- 6.8 The Presiding Member shall also have a casting vote if required.
- 6.9 All decisions of the Committee shall be made on the basis of a majority of the members present, there being a quorum.
- 6.10 All meetings of the Committee are open to the public, subject to the Committee resolving to exclude the public for an agenda item in accordance with section 90 of the Act

7. DUTIES AND VACANCIES

- 7.1 The duties of the Presiding Officer of the Committee are:
 - a) to preside at meetings of the Committee
 - b) preserve order at meetings so that the business may be conducted in due form and with propriety
 - c) upon confirmation of the minutes, sign them in the presence of the meeting
 - d) responsibility to the Council for the proper observance of these Terms of Reference
 - e) to oversee and facilitate the conduct of meetings in accordance with the Act and Part 3 of the Meeting Regulations
 - f) if requested, to provide advice to Council staff between meetings of the Committee on the implementation of the decisions of the Committee
 - g) to act as the principal spokesperson of the Committee
 - h) to exercise other functions of the Committee as the Council may determine
 - i) to provide feedback to Council staff in relation to the proposed agenda for a meeting of the Committee.
- 7.2 General Duties of Members of the Committee
Members are expected to:
 - a) act honestly and within the law at all times;
 - b) act in good faith and not for improper or ulterior motives;
 - c) act in a reasonable, just and non-discriminatory manner;
 - d) undertake their role with reasonable care and diligence;
 - e) conduct their ongoing relationship with fellow Council members, Council employees and the public with respect, courtesy and sensitivity;
 - f) use information in a careful and prudent manner and comply with all relevant Council policies.



7.3 Casual Vacancies

The position of member on the committee becomes vacant if the member –

- a) resigns by notice in writing to the Presiding Member of the Committee; or
- b) is removed from office by the Council on the grounds that he or she has been absent without leave of the Committee from three or more consecutive meetings, the first of which having been held three months or more before the last; or
- c) is removed by the Council at its sole discretion; or
- d) is declared a bankrupt or applies for the benefit of the law for the relief of insolvent debtors; or
- e) is convicted of an indictable offence punishable by imprisonment; or fails to meet the qualification criteria for membership contained in the membership clause above.

7.4 The Committee shall forthwith notify the Mayor of the Council if any member resigns from their office as a member of the Committee.

7.5 If a casual vacancy occurs on the Committee, the remaining members may, at their first meeting after the vacancy occurring, nominate a person to fill that vacancy, and shall submit that person's name to the Council for consideration for appointment.

7.6 In the event that a casual vacancy occurs within five (5) months of the end of the term of the Committee Members, the Committee may elect to continue without filling the casual vacancy until the next date that the Council makes appointments to the Committee coinciding with the end of the term of the Committee Members.

7.7 In the event that three (3) positions become vacant concurrently for whatever reason, the Committee must immediately suspend the performance of its duties and obligations conferred by this Term of Reference and forthwith inform the Chief Executive Officer of the Council, who shall seek determination from Council.

8. REPORTING AND ACCOUNTABILITY

8.1 For the purposes of s41(8) of the Act, the Council's reporting and other accountability requirements are satisfied by the delivery of a copy of the minutes of each meeting of the Committee to each Elected Member of the Council and the inclusion of those minutes in the agenda papers for the next ordinary meeting of the Council.

8.2 Administration support for the Committee will be provided by the Council as required.

8.3 Council will provide an Executive Officer of the Committee.

8.4 A copy of the Minutes of every meeting, shall be provided to the Chief Executive Officer for inclusion in the Agenda of the next Council Meeting.



8.5 The Committee is accountable to the Renmark Paringa Council in all things.

9. DELEGATION

9.1 The Council, by adopting these Terms of Reference, hereby delegates to the Committee all of the powers and functions of the Council necessary for the Committee to perform its functions as set out in these Terms of Reference. In particular, the Committee is delegated the power to:

- a) consider and determine applications for grants and sponsorship having regard to recommendations provided by Council staff and in accordance with the Council's Grant and Sponsorship Policy and within the Council's sponsorship and grants budget allocations;
- b) consider and determine nominations for Australia Day Awards having regard to recommendations provided by Council staff and in accordance with the Council's Australia Day Awards Policy;
- c) determine and impose conditions that attach to grant funding or sponsorship awarded by the Committee; and
- d) engage solicitors or other qualified independent persons as the Committee may determine to provide advice on matters pertaining to Community Grants and Event Sponsorship and authorise accounts for payment relating to the provision of services by persons engaged by the Committee;

9.2 The Council may delegate (additional) functions or powers that are within the scope of this Terms of Reference to the Committee in accordance with section 44 of the Act.

10. DISPUTES

10.1 Should a dispute arise over any matter relevant to the Committee's functions, the matter shall be handled in accordance with Council's Grievance Procedures and any decision of the Council regarding the dispute is final.

10.2 The Council is committed to transparent decision-making processes and to providing access to a fair and objective procedure for the hearing of review of decisions. Grievances may arise as a result of dissatisfaction with a decision about a policy, procedure, service or fee.

10.3 All attempts will be made to resolve grievances quickly and efficiently, without the need for formal applications for review to be lodged. Sometimes this cannot be achieved and a person may choose to make an application to the Council for an internal review of a decision of the Committee. The Council's Procedure for the internal review of decisions has been adopted in accordance with Section 270 of the Act and is available on the Council's website.

11. REVIEW AND AMENDMENT TO TERMS OF REFERENCE

Council may at any time amend or alter these terms of reference by resolution of



**Renmark Paringa
Council**

the Council.

Approved at the meeting of Council held on: 22 August 2023

**THE RENMARK PARINGA COUNCIL GRANTS, SPONSORSHIP AND AWARDS
COMMITTEE**

Schedule of Committee Members:

Name	Appointment Status	Date appointed or reappointed
Mayor Hunter	Presiding Member	28 March 2023
Cr Brauer	Elected Member	28 March 2023
Cr Spano	Elected Member	28 March 2023
Deputy Mayor Howie	Elected Member	28 March 2023