



## BALLARAT LIVE MUSIC STRATEGY ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. BACKGROUND

- 1.1 Live music is a vital part of the cultural life of Ballarat with its history as a seedbed for some of Australia's most recognised contemporary musicians.

A 2011 report produced by the Australian Performing Rights Association and Ernst & Young titled *'The economic contribution of the venue-based live music industry in Australia'*, estimated that in the Financial Year 2009/10, live music performance contributed \$1.21 billion to the Australian economy – 22% of that in Victoria.

The 2013 Regional Victoria Live Music Census undertaken by Music Victoria identified annual revenue across regional Victoria from small venues & festivals as \$276.6 million from some 3.85 million patrons. In addition to this direct benefit to local economies, the Regional Live Music Census demonstrated that small venues in regional centres were generating 22,500 EFT jobs for musicians and a further 65,000 EFT jobs for venue staff. A further 4,000 EFT staff jobs were reported by festival organisations.

The formation of the Ballarat Live Music Strategy Advisory Committee will support the Ballarat City Council in identifying and overcoming potential barriers in growing and supporting live music in Ballarat through the development of a comprehensive strategy.

- 1.2 Ballarat City Council (**Council**) establishes the Ballarat Live Music Strategy Advisory Committee (**Committee**) pursuant to section 76AA(a) of the *Local Government Act 1989 (LGA)*.
- 1.3 Council will establish from time to time various Advisory Committees. The purpose of the Committee is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.4 The Committee has the functions and responsibilities as set out in this Terms of Reference document.
- 1.5 This Terms of Reference document is authorised by a resolution of Council passed on **[# insert date of resolution after the Council meeting]**.

#### 2. PURPOSE

The Committee is established for the purpose of ensuring that Council is well informed of the current and potential barriers to growing our local live music scene by a diverse cross section of the Live Music industry who will contribute to the development of a draft Live Music Strategy for Council consideration.

### 3. OBJECTIVES

The objective of the Committee is to assist Council in the development of a draft live music strategy through the provision of a broad range of industry based expert advice.

Such advice is considered to be:

- 3.1 identifying current and potential issues affecting the viability of live music performance across the Ballarat LGA
- 3.2 highlighting current policies within the remit of Ballarat Council that, in the opinion of the Committee, require review or amendment
- 3.3 identifying and advising on how existing initiatives across Council can more effectively strengthen capacity building within the local live music scene
- 3.4 advising on existing government initiatives (both domestic & overseas) that have successfully supported the viability of local live music activities
- 3.5 identifying legislation changes that could better support live music across the region, and ways that Council might collaborate with neighboring LGA's to secure those changes

### 4. ROLES AND RESPONSIBILITY

- 4.1 The role of the Committee is:
  - *To have an active role in communicating community views to Council; and*
  - *To participate in discussions at bi-monthly meetings*
- 4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

### 5. MEMBERSHIP

The membership will consist of a maximum of 14 members.

- 5.1 Two (2) Ballarat City Councillors (one which is to be the nominated Chairperson)
- 5.2 Council Officers who do attend a meeting of the Committee are to provide advice and support to the Committee. They are not classed as Committee members.
- 5.3 All members, excluding Council Officers, shall have full voting rights
- 5.4 Two (2) External Members consisting of;
  - 5.4.1 *One (1) Victorian Police local representative*
  - 5.4.2 *One (1) Independent consultant*

- 5.5 Ten (10) Community Members including representation from the following industries:-
- 5.5.1 *Venue representatives*
  - 5.5.2 *Tertiary Education representative*
  - 5.5.3 *Higher Education representative*
  - 5.5.4 *Musician representatives*
  - 5.5.5 *Production / Event Management representatives*
  - 5.5.6 *Transport representative*
- 5.6 Any Councillor can attend the meeting as an observer.
- 5.7 The tenure of members shall be at the discretion of Council, however, members are appointed until such a time that a draft Live Music Strategy is prepared for Council.
- 5.8 All enquiries from the media, relating to the Committee are to be directed to the Chair of the committee or Council Officers.
- 5.9 The Ballarat Live Music Strategy Advisory Committee is an advisory body to Ballarat Council. The Committee has no authority to:
- 5.9.1 consider any matters outside its terms of reference
  - 5.9.2 represent Council in any communication with the public or the media
  - 5.9.3 direct Council staff in performance of their duties
  - 5.9.4 commit Council to any arrangement or expenditure
  - 5.9.5 expend funds on behalf of Council.

## **6. MEETINGS**

- 6.1 Committee meetings must be conducted in accordance with:
- 6.1.1 Council's Meeting Procedure Local Law;
  - 6.1.2 Part 4, Division 2 of the LGA;
  - 6.1.3 The Committee's discretion, as exercised from time to time; and
  - 6.1.4 Council's Community Consultation and Participation framework.
- 6.2 The Committee will meet monthly or as agreed by the Committee from time to time.

- 6.3 The Chairperson will chair all Committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the Committee.
- 6.5 Council will appoint an officer to provide support to, and liaise with, the Committee.  
The officer's role will include:
  - 6.5.1 Maintaining a Register of Committee members, their date of appointment reappointment, official positions held as a Committee member;
  - 6.5.2 Advising Committee members of term completion dates and their eligibility for reappointment as relevant;
  - 6.5.3 Acting as the contact point between Council and the Committee; and
  - 6.5.4 Assisting with meeting the Committee's reporting requirements.
- 6.6 A quorum of the Committee will be half of the members plus one.
- 6.7 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote.
- 6.8 Sub Committees, if required by the Committee, may meet between general meetings and as authorised by the full Committee.

## **7. REPORTING**

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
  - 7.1.1 Council's Meeting Procedure Local Law;
  - 7.1.2 Part 4, Division 2 of the LGA; and
  - 7.1.3 The Committee's discretion, as exercised from time to time.
- 7.2 The Committee must prepare and present to Council a report of its activities at least once per year.
- 7.3 Where requested by Council, the Committee must report its activities and performance to a meeting of Council.
- 7.4 In accordance with section 80A of the LGA when a Councillor attends the Advisory Committee Meeting, this is deemed to be an "Assembly of Councillors".
- 7.5 Consequently, an Assembly of Councillors Record must be completed as soon as possible by the officer in attendance or Committee Chairperson and forwarded to the Governance Unit for inclusion in the report to Council.  
(Note – this only applies when a Councillor is in attendance.)

## **8. CREATION AND DISSOLUTION**

- 8.1 These Terms of Reference:
  - 8.1.1 Come into force immediately the common seal of Council is affixed to it;
  - 8.1.2 Remain in force until the adoption by Council of the Ballarat Live Music Strategy.

