



Title:	Palais Theatre Community Fund Committee Terms of Reference
Venue:	Palais Theatre
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Approved by:	Live Nation Australia Venues and the City of Port Phillip – Insert Date

1) Background

Live Nation Australia Venues Pty Ltd and the City of Port Phillip, respectively Tenant and Landlord, are parties to the long term lease of the Palais Theatre (“Lease”).

Together, they want the operation of the Palais Theatre under that lease to add extra ordinary value to the local community, beyond the standard economic benefits typically delivered by a major entertainment venue.

As a mechanism to help achieve this, the venue Lease requires that:

- a Palais Theatre Community Fund (the “Fund”) be established;
- a separate bank account be created for it;
- Live Nation Australia Venues pays into the Fund, on a quarterly basis, the equivalent of \$0.50 per ticket sold in the Venue for events completed within that quarter; and
- Live Nation Australia Venues will use reasonable endeavours to undertake regular fundraising to raise additional money for the Fund.

The rate of \$0.50 per sold ticket is not intended as a ticket levy, but a financial commitment from Live Nation Australia Venues Pty Ltd to the community of Port Phillip via the Fund.

2) Purpose of the Fund

The Fund is for supporting community projects, programs and developments within the City of Port Phillip. Money from the Fund may also occasionally be allocated for discounted Palais Theatre event hire and discounted Palais Theatre event tickets for local charity and not for profit organisations.

3) Purpose and objectives of the Palais Theatre Community Fund Committee (the “Committee”)

The purpose of the Committee is to administer the Palais Theatre Community Fund, ensuring transparency and accountability in the allocation of funds, and optimise the benefit to the Port Phillip community.

To properly administer the Fund the Committee shall:

- review and consider the quarterly financial statements of the Fund provided by Live Nation Australia Venues Pty Ltd;
- create and implement a strategy for:
 - communicating to local schools, charities and other not for profit organisations
 - the purpose and opportunities that the fund may support
 - how an interested person or organisation may apply
 - what funding is available and when applications are due
- develop and observe a standardised and transparent process for soliciting, assessing and responding to requests for funding;
- receive and consider the input of the Palais Theatre Community Advisory Committee in determining upcoming funding priorities; and
- report on the progress and results of the administration of the Fund to Live Nation Australia Venues and the City of Port Phillip.

For the avoidance of any doubt, decisions relating to the operation, booking and delivery of events at the Palais Theatre are outside the role of the Committee.

4) Composition of the Committee

The Committee shall comprise:

- up to two members of Live Nation Australia Venues’ management team;
- up to two members nominated by the CoPP annually; and
- up to two community representative members as nominated by the Live Nation Australia Venues.

5) Process for selection of community representative members

The community representatives will be sourced via the following method:-

- The Palais Theatre General Manager will publicly advertise in local print media seeking expressions of interests to join the Committee.
- The expressions of interest will be assessed based on pre-established assessment criteria. Short-listed candidates may be interviewed by the Palais Theatre General Manager before a final decision.
- The appointment of the community representative Members to the Committee will be for a maximum period of 2 years, and after 2 years, the Palais Theatre General Manager, will undertake another recruitment process to identify up to two more suitable candidates.

- If any community representative resigns from the Committee within their term, the position will be filled, for the remainder of that term, by a person nominated from the previous applicant list.

6) Criteria for selection of community representative members

To maximise the value of the contribution of the Committee, interest is to be sought from residents who have:

- passion and enthusiasm for the issues and challenges related to the purpose of the Committee;
- the ability to appreciate a range of interests and factors impacting on the matters under discussion; and
- a demonstrated commitment to participative and consultative processes.

In selecting community representative members the Palais Theatre General Manager will seek to:

- achieve a mix of skills relevant to the purposes of the Committee;
- ensure a broad representation of the Port Phillip community; and
- create a forum for full discussion of relevant matters.

7) Applications for funding

Requests for funding shall only be accepted from people or organisations that reside within the City of Port Phillip or have long established ties to the local community or the Palais Theatre.

8) Decision making

The Committee is to administer the Fund in the best overall interests of the local community of Port Phillip.

Members shall act with integrity, impartiality and independence.

Specifically, they are not permitted in their actions and decisions as Members to be influenced by other interests or parties – including political and commercial.

Members are required to avoid conflicts of interest where possible, and disclose in writing to the Committee any potential or actual conflicts of interest as soon as they become aware of such.

Decisions are to be made by simple majority. Any funding requests resulting in tie of votes will be decided by veto of the Chair of the Committee.

The quorum necessary for the transaction of business shall be three, including at least one community member representative, one member from the Live Nation Australia Venues management team, and one member nominated by City of Port Phillip.

9) Allocation of funds process

Funds are to be allocated:

- on a periodic basis as determined in advance by the Committee;

- based on the availability of money in the fund and the funding priorities determined in advance by the Committee; and
- in accordance with the application selection process established in advance by the Committee.

Payments to successful applicants shall be made from the Fund's bank account by Live Nation Australia Venues, once authorised by the Committee.

10) Reporting to the Landlord

The Committee shall provide a written report to Live Nation Australia Venues and the City of Port Phillip annually on its progress in administering the Fund and on the allocation of money.

11) Payments to Committee members

Membership of the Committee is voluntary and is not remunerated. No payments (including honorariums or other remuneration) shall be made to Committee members, other than reimbursements for legitimate out of pocket expenses associated with administering the fund as approved by the Committee.

12) Frequency and Scheduling of meetings

The Committee will determine the appropriate frequency and scheduling of its meetings, which shall be not less than once a quarter. The meeting schedule for the year is to be determined at the first meeting each year.

13) Meeting Secretariat

The Palais Theatre General Manager or his/her nominee will produce agendas, take minutes and issue such information on behalf of the Committee.

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