



# City of Victor Harbor Recreation Centre Management Committee

## Terms of Reference

### 1. Title

“Recreation Centre Management Committee” (referred to as “the Committee”) shall be a Committee convened by the City of Victor Harbor (referred to as “the Council”) as resolved 23 March 2015 OC1112015.

This terms of reference needs to be read in conjunction with the following documents:  
Licence dated 17<sup>th</sup> March 1987 to the Minister of Education  
Licence dated 29<sup>th</sup> May 1987 to the Victor Harbor Citizens Band Inc.  
Licence dated 29<sup>th</sup> May 1987 to the Victor Harbor Youth Club Inc.

### 2. Purpose

The Committee is established for the purpose of providing advice to Council on the following:

- 2.1 Management of the Community Indoor Recreation Centre (the “Centre”) being the buildings and surrounds situated on that portion of land described in Certificate of title Volume Book 4234 Folio 65 including:
  - 2.1.1 The use of the Centre and its facilities.
  - 2.1.2 Policy and rules relating to the use of Centre.
  - 2.1.3 Hire fees for the use of the Centre and its facilities.
  - 2.1.4 Operating expenditure and income.
  - 2.1.5 Promoting the use of the Centre to ensure maximum use with a philosophy of access to the Centre facilities and participation in activities offered regardless of gender, age, race, religion, disability or location.
  - 2.1.6 Furnishing, equipment and maintenance.
  - 2.1.7 Work Health Safety obligations.

The committee shall not:

- Grant any lease of the premises or any parts thereof or otherwise restrict or delegate its care, control or management of the Centre.
- Make any alterations to the Centre or part thereof except in accordance with the plans and specifications approved by the Council.

### **3. Membership**

The membership of the Committee shall consist of:

#### **Regular User Group representation**

- ◆ One (1) representative and (2) proxy from each licensed user; and
- ◆ Up to one (1) representative and (1) proxy from each user group with regular bookings (subject to acceptance of annual invitation).
- ◆ City of Victor Harbor Mayor (ex-officio)

#### **Council Representative Positions**

- ◆ Two (2) elected members

The Committee may co-opt up to two (2) additional persons, if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Committee.

User Group Members are nominated by their club and appointed by Council and listed as per Schedule 1 to this Terms of Reference.

#### **3.1 Appointment of Chairperson and office bearers**

The Council shall appoint a Chair and a Deputy Chair who shall be Elected Members of Council. The Chair is to preside at all meetings of the committee at which he/she is present and in his/her absence, the Council appointed Deputy Chair shall preside.

#### **3.2 Term of Office**

Elected Members are appointed in November for a 2 year term or at the discretion of the Council.

User Group Members are nominated by their club and appointed by Council.

#### **3.3 Vacancies**

The filling of any vacancy occurring by resignation or removal of a member shall be at the discretion of the Council, usually appointing the replacement member as provided by the User Group.

#### **3.4 Removing Members**

The Council may at any time remove a member of the Committee but shall observe the principles of natural justice. Circumstances that may lead to a member being removed may include (but are not limited to):

- If the member engages in serious and willful misconduct;
- If the member is declared to be not of sound mind;

- If the member knowingly acts in serious breach of the Council's policies in force from time to time;
- If the member breaches any confidentiality or fails to declare a conflict of interest in any matter before the Committee.
- If the member is convicted of any criminal offence which prescribes a term of imprisonment or brings discredit upon the Council or the Committee;
- If the member fails to attend three or more consecutive meetings without formal leave of the Committee.
- If the member is consistently unsupportive of the objectives of the Committee.

### **3.5 Leave of Absence**

Any member absent for three (3) or more consecutive meetings without apology or leave of the Committee shall have their position declared vacant and Clause 3.3 shall be invoked.

## **4. Role and Responsibilities of Committee Members**

Refer 'Council Committee Meeting Procedures'.

## **5. Meetings**

### **5.1 Ordinary Meetings**

Meetings of the Committee will generally be held quarterly, with a minimum of four meetings per annum.

### **5.2 Quorum**

A quorum of the Committee shall constitute four members, one of whom shall be an Elected Member. If at the expiration of 15 minutes from the time of commencement of the meeting a quorum is not present, the Presiding Member will adjourn the meeting.

### **5.3 Notice of Meeting**

Committee Members are given a copy of the 'Notice of Meeting' and Agenda for ordinary meeting at least three (3) clear days before the date of the meeting.

### **5.4 Minutes**

Committee Meeting minutes will be supplied to each member of a Council Committee within five days after a meeting.

Resolutions of the Committee are to be presented to the next available formal meeting of Council as a representative report for endorsement before they can be enacted.

When Council decisions are required by the committee a specific report to Council from staff will be presented for resolution.

## **6. Presiding Member**

The Council shall appoint a Chair (Elected Member) to preside at all meetings of the committee at which he/she is present and in his/her absence, the Council appointed Deputy Chair (Elected Member) shall preside.

## **7. Voting**

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.

Each member of the Committee present at any meeting shall have one (1) vote on any matter.

The Chair or acting Chair shall have a deliberative vote only.

## **8. Finance**

A record of the financial transactions of the Committee shall be maintained by Council's finance department.

The Committee may expend funds within the Council approved budget limitations and the business/operational/marketing plans of the Council.

Any variations to the budget shall require Council approval.

The Committee shall not operate any separate bank accounts unless authorised by the Council.

## **9. Goods, Services and Charges**

The Committee may request the Council Administration to issue purchase orders for the supply of goods and services, which conform to the approved budget.

Receipting, purchasing and tendering shall be conducted in accordance with Council's internal control procedures.

## **10. Public Access to Documents**

Members of the public have access to all documents relating to the Victor Harbor Recreation Centre Management Committee unless prohibited by the confidentiality provisions of Section 91 of the Local Government Act 1999.

## **11. Reporting**

The Victor Harbor Recreation Centre Management Committee shall report to the next available meeting of the Council. The Committee's yearly activities shall be reported in Council's annual report.

## **12. Auditor**

The Committee must cooperate with Council's Audit Committee, established pursuant to Section 126 of the Local Government Act 1999 and comply with the requirements within Council's Internal Control Manual.

## **13. Dissolution**

The Council may at any time abolish the Committee. Such an action by the Council may be initiated for the following reasons:

- The Committee has fully achieved its purpose for establishment;
- The Committee has become unproductive;
- The Committee can no longer attract membership;
- The Council has determined the Committee no longer serves the service priorities and/or core business of the Council;
- Legislation has changed the roles and responsibilities of the Council;
- Council resolves to management of the Recreation Centre through an alternative model (eg contracted management model).

## **14. Alteration of the Charter**

The Council may, at any time, either on its own initiative or at the request of the Committee, alter, delete, or add to any provision of this charter.

## **15. Adoption of Terms of Reference**

- 15.1 These are the functions and rules of the Recreation Centre Management Committee and have been approved by the Council, by resolution passed on the 24 day of September 2001 and as amended on 27 February 2006, 20 November 2006, 13 March 2007, 9 July 2007, 11 March 2008, 10 November 2008, 18 October 2010, 29 November 2010, 28 March 2011, 26 September 2011, 29

January 2013, 25 February 2013 and 24 February 2014 and as amended on 23 June 2014.

- 15.2 Administrative amendment: Change to Clause 6.7 to Local Government (Procedures at Meetings) Regulations 2013 - 16 May 2014.
- 15.3 Revised Terms of Reference presented to the Management Committee 12 May 2015.
- 15.4 The Recreation Centre Management Committee reinstatement as a Section 41 Committee was endorsed at Council on 25 May 2015. The Minutes of the meeting held on 12 May 2015 was endorsed by Council.
- 15.5 The removal of Mayor as Ex-Officio from all Section 41 Committees was endorsed at Council on 26 March 2018 – OC1552018.
- 15.6 Amended to reflect resolution (OC2582018) of Council on 28 May 2018
- 15.7 Amended to reflect resolution of Council on 26 November 2018
- 15.8 Amended to reflect resolution (OC6452018) on 22 July 2019
- 15.9 Amended to reflect resolution (OC6072019) on 23 September 2019
- 15.10 Amended to reflect resolution (OC7452019) on 28 October 2019
- 15.11 Amended to reflect resolution (OC1722020) on 23 March 2020
- 15.12 Amended to reflect resolution (OC5532020) on 26 October 2020

# SCHEDULE 1

## Recreation Centre Management Committee Committee Membership

Member	Representative	Appointed	Expires
City of Victor Harbor	Cr Nick Hayles	24 Nov 2020	Nov 22
City of Victor Harbor	Cr Brayden Mann	24 Nov 2020	Nov 22
Victor Harbor City Band	Laura McLeod	23 Sept 2019	
Victor Harbor Youth Club	Dan Aubin Zoe Rowsell (Proxy)	23 Sept 2019	
Victor Harbor High School	Jacobus Geelan Kate Burdett (Proxy)	23 Sept 2019	
Great Southern Amateur Basketball Association	Sue Baxter Gary Clarke (Proxy)	23 March 2020	
Victor Harbor Volleyball Association Inc	Natalia Hoyos	23 Sept 2019	
Mayor – Ex-Officio	Dr Moira Jenkins	22 July 2019	Nov 22

### Office Bearers

Chairperson	Cr Brayden Mann
Deputy Chairperson	Cr Nick Hayles