	<b>Terms of Reference</b>	Version:	4
	<b>Rendelsham Community Hall Advisory Committee</b>	Date Adopted:	09 May 2023
		Next Review Due:	09 May 2027

## 1. NAME

The name of the Committee is the Rendelsham Community Hall Advisory Committee ('the Committee').

## 2. ESTABLISHMENT

1. The Committee was originally established by the Wattle Range Council ('Council') pursuant to section 199 of the *Local Government Act 1934*.
2. Following the introduction of the *Local Government Act 1999* ('the Act'), the Committee was established under section 41 of that Act.
3. As required by section 41 of the Act, the operation of the Committee has been reviewed by Council after each periodic election on:
  - a) 8 November 2005 (Refer to Folio 3564; Item 1.16)
  - b) 11 August 2010 (Refer to Folio 4421; Item 11.1.6)
  - c) 10 February 2015 (Refer to Folio 5666; Item 11.2.10)
  - d) 29 November 2022 (Refer to Folio 10381; Item 15.1.2).

## 3. PURPOSE

The purpose of the Committee is to provide advice to Council about the care, protection and improvement of Rendelsham Community Hall ('the Hall') located at Lot 76, 77 and 78, Julia Moore Street, Rendelsham.


Please note that Community Land Management Plans 7 and 14 apply to the land.

## 4. FUNCTIONS

The functions of the Committee include, but not be limited to:

- a) actively promoting the use of the Hall so its facilities are well utilised
- b) liaising and consulting with persons, groups and organisations in relation to the operation of the Hall
- c) carrying out any research or inquiries in relation to the facilities and amenities provided at the Hall
- d) considering the requirements of all users of the Hall, including patrons, hirers, artists and staff
- e) reviewing the fees for use of the Hall and making recommendations to Council
- f) promoting the rules, regulations or By-Laws applicable within the Hall so they are complied with by persons and groups using the Hall
- g) advising Council of any suggested changes to existing rules, regulations or By-Laws applicable to the Hall's operation
- h) carrying out such other tasks as directed by Council.

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## 5 POWERS

1. The Committee has no legal identity or authority separate from the Council.
2. The Committee cannot commit the Council to anything directly or indirectly.
3. The Committee will present the details of all recommendations for actions to Council for approval before any action is taken.

## 6 MEMBERSHIP

1. Council determines that the Committee shall comprise the following members:


Membership Position	Number of Positions	Conditions of Appointment
Community Representative	6	Preferred to be a person from the Wattle Range Council community or with significant interest in the Hall (determined by resolution of the Council).
Council Members	2	Must be a member of the Wattle Range Council (determined by resolution of the Council).

2. The Council has appointed the Mayor as an ex officio member of the Committee (29 November 2022, Folio 10381 Item 15.1.2) The Mayor will not be taken to be included in the membership of the Committee unless actually present at a meeting of the Committee.
3. At the Council meeting on 29 November 2022, Council also increased Council representation on the Committee from one Council Member to two Members.
4. Any person appointed pursuant to sub clause 1 shall be appointed for a term coincident with the four (4) year term of the Council.
5. A vacancy arises when any person appointed pursuant to sub clause (1) ceases to hold office or resigns. A further person may be nominated for appointment by the Council to fill the casual vacancy for the balance of the term of the person ceasing to hold office.
6. Members are required to act in accordance with the general duties requirements of section 62 of the Act and Volunteer Code of Conduct.
7. Following appointment, each member of the Committee will be required to complete an induction.

## 7. PRESIDING MEMBER

1. The Committee shall, by motion, appoint a Presiding Member from its membership. The Presiding Member will hold office for such term as determined by the Committee (and not exceeding the length of the Member's term).
2. The role of the Presiding Member is to:
  - a) call all meetings of the Committee in accordance with the Act, these Terms of Reference and as determined by the Committee

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- b) preside at all meetings at which he or she is present and ensure that the business of the Committee is conducted with propriety (including use of powers in accordance with regulations 28, 28A and 29 of the Local Government (Procedures at Meetings) Regulations)
- c) be the official spokesperson of the Committee to Council.

## 8. SECRETARY

1. The Committee shall, by motion, appoint a Secretary from the Committee's membership. The secretary will hold office for such term as determined by the Committee (not exceeding the length of them Member's term).
2. The role of the Secretary is to:
  - a) prepare the agenda and take the minutes of all meetings of the Committee;
  - b) forward a copy of each agenda and minutes to:
    - a. each member of the Committee and
    - b. the Council (council@wattlerange.sa.gov.au);
  - c) attend to all correspondence and deal with it as instructed by the Committee;
  - d) deal with the business referred by the Presiding Member of the Committee;
  - e) keep such records as instructed by the Committee

## 9. MEETING PROCEDURES

Procedures to be observed in relation to the conduct of Committee meetings will be (in priority order):

- a) as prescribed by the Act and *Local Government (Meeting Procedures) Regulations*; then
- b) as determined by Wattle Range Council (e.g., these Terms of Reference and any Council policy or procedure); then
- c) as determined by the Committee.

### 9.1 CALLING OF MEETINGS


#### Ordinary Meetings

1. The Members of the Committee will meet at least four (4) times per year at a time and place decided by the Committee (taking into account the availability and convenience of the members and purpose of the Committee).

#### Special Meetings

1. The Chief Executive Officer must call a special meeting of the Committee at the request of:
  - a) the presiding member of the Committee; or
  - b) at least two members of the Committee.
2. A special meeting of the Committee may be held at any time.

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## 9.2 NOTICE OF MEETINGS

1. Notice of meetings of the Committee will be given in accordance with sections 87 and 88 of the Act and regulations 23 and 24 of *Local Government (Procedures at Meetings) Regulations 2013*.
2. The agenda for Ordinary meetings of the Committee will follow the format provided by Council.
3. Notice of Ordinary meetings:
  - a. Will be given in writing (by email) to:
    - i. every Member
    - ii. Council ([council@wattlerange.sa.gov.au](mailto:council@wattlerange.sa.gov.au))
 at least three clear days prior to the meeting date.
  - b. The notice will include the date, time and place of the meeting and the meeting agenda outlining the business to be transacted.
4. Notice of Special meetings must be provided to Committee members at least four hours before the commencement of the meeting.

## 9.3 QUORUM

1. No business shall be transacted at a meeting of the Committee unless a quorum is present.
2. A quorum for a meeting is the number of members (ignoring any vacancy) of the committee divided by 2 (ignoring any fraction resulting from the division) and adding 1.


<i>EXAMPLE</i>	<i>Total number of members</i>	<i>= 8</i>
	<i>Quorum</i>	<i>= (8 ÷ 2) + 1</i>
		<i>= 5</i>

3. If there is not a quorum present within 30 minutes after the time appointed for a meeting or if, at any time after the meeting has commenced and before any business to be transacted is completed, there is not a quorum present, the meeting shall be adjourned to a future meeting to be advised in the usual manner.

## 9.4 PROCEEDINGS OF MEETINGS

1. The Presiding Member shall preside at all meetings of the Committee.
2. In the event the Presiding Member is absent from a meeting, the members present shall appoint (by motion) a member who shall preside for that meeting or until the Presiding Member is present.
3. In the event of the Secretary being absent from a meeting, the members present shall appoint (by motion) a member who shall act as Secretary for that meeting or until the Secretary is present.
4. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is cancelled, at the subsequent meeting.

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- Meetings of the Committee shall be conducted in a place open to the public, except in those circumstances described in point 6 below.
- Items may only be considered in confidence if the Committee considers it necessary and appropriate to receive, discuss or consider any information or matter that meets the criteria set out in section 90 of the *Local Government Act 1999*. Guidance from Council's Chief Executive Officer must be sought in relation to any items proposed to be considered in confidence. The Committee may order (through a motion) that the public be excluded from attendance at a meeting for the consideration of an item/s in confidence.

## 9.5 VOTING

- Only persons appointed as members of the Committee are entitled to vote at Committee meetings.
- All matters arising for a decision at a meeting of the Committee shall be decided by the majority of votes cast by the members present and entitled to vote on the matter.
- Council Member's present at a meeting must vote on a question arising for decision at a meeting, subject to a provision in the Act to the contrary.
- The Presiding Member has a deliberate vote on a question arising for decision at a meeting but does not have a second or casting vote.
- In the event of a tied vote, the status quo will apply.

## 9.6 CONFLICT OF INTEREST

- A Committee Member must not make improper use of their position to gain an advantage for themselves or another person with whom they are associated.
- Committee Members are required to declare general and material conflicts of interest in accordance with sections 73-75D of the Local Government Act.
- A disclosure of a conflict of interest must be recorded in the Committee minutes.


## 9.7 ADJOURNMENTS

- The Committee Members present at a meeting may (by motion) adjourn the meeting to a specified date, time and location.

## 9.8 MEETING MINUTES

- Minutes of meetings should follow the format of the template provided by Council.
- The Minute must include:
  - the names of the Committee members present at the meeting
  - each motion carried at the meeting
  - any disclosure of a conflict of interest made by a member, and
  - details of the making of an order to keep information confidential (including the duration or circumstances that the order will cease (thereby releasing the information) and the reason for making it.

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- A copy of the Minutes of a meeting must be provided to the Council (emailed to council@wattlerange.sa.gov.au) within 5 clear days after a Committee meeting so they can be placed on the Council's website.

## 10 DIRECTION BY COUNCIL

The Committee is subject to the direction and control of the Council. A direction given by the Council (or its delegate) must be in writing.

## 11 RISK MANAGEMENT & WHS

- The Committee shall operate in accordance with and adhere to Council's Policies, Procedures and other relevant documents.
- Council may undertake a risk assessment of a Committee event to ensure that all risks are accounted for and reduced to be as low as reasonably practicable.
- Committee Members shall notify Council in all instances where:
  - a Committee Member or volunteer is involved in an incident where they suffer an injury or a near miss while undertaking a volunteer task; or
  - a member of the public is involved in an incident where they suffer an injury or near miss in the vicinity of the Hall.
- In accordance with section 41(12) and (13) of the Act, no civil liability attaches 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 member's or Committee's powers, functions or duties. Such a liability that would attach to a member of a Committee attaches instead to the Council.

## 12 OTHER LEGISLATIVE CONSIDERATIONS


- The provisions of Chapter 5; Part 4; Division 1 of the Act regarding Register of Interests do not apply to members of the Committee.
- The Committee is not subject to the operation of Part 2 of the Local Government (Procedures at Meetings) Regulations 2013.

## 13 REVIEW

These Terms of Reference will be reviewed at least once every four years, preferably following a general election.

These Terms of Reference may be amended, altered or added to by resolution of the Council.

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## 14 ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	7 November 2006	Council	Adopted	
2	10 August 2010	Council	Adopted Amendment	Folio 4421; Item 11.1.6
3	10 February 2015	Council	Amended	Folio 5666; Item 11.2.10
4	9 May 2023	Council	<p>Reviewed and amended to be consistent with amendments to the <i>Local Government Act 1999</i>.            Changed to Terms of Reference.            Updated member numbers according to Council resolution (Folio 10381; Item 15.1.2).            Amended based on changes discussed at Committee Meeting on 21 March 2023.            Name changed to reflect advisory role.</p>	Folios 10539-10540; Item 15.2.4

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# Wattle Range

## COUNCIL

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### RENDELSHAM COMMUNITY HALL ADVISORY COMMITTEE

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#### **NOTICE OF MEETING:**

A Meeting of the Rendelsham Community Hall Advisory Committee will be held at  
<Name of Building and Full Street Address of Meeting Location>, on <Day> <Date> at  
<Time>.

.....  
**PRESIDING MEMBER/SECRETARY**

#### **DISTRIBUTION LIST:**

1. Committee Members
2. Wattle Range Council - [council@wattlerange.sa.gov.au](mailto:council@wattlerange.sa.gov.au)
3. Wattle Range Council Director of Engineering Services



# AGENDA

1. PRESENT:
2. APOLOGIES:
3. CONFLICT OF INTEREST DISCLOSURE – General & Material Conflicts
4. CONFIRMATION OF THE MINUTES:
  - 3.1 Rendelsham Community Hall Advisory Committee Meeting; <Date of meeting>  
RECOMMENDATION: That the minutes be taken as presented and confirmed.
5. MATTERS ARISING FROM THE MINUTES:
6. CORRESPONDENCE:
  - 6.1 <Correspondence Title>  
<general description of correspondence>.
7. GENERAL BUSINESS:
  - 7.1 <General Business Title>  
<general description of general business>
8. NEXT MEETING:  

The next meeting of the Rendelsham Community Hall Advisory Committee will be held on <Day>, <Date> at the <Name of Building and Full Street Address of Meeting Location> at <Time>.