

**Terms of Reference
Overarching Committee
Brighton Regional Sports Pavilion
March 2022**

1. Objectives of the Committee

To ensure that community needs are met, and the facility is managed in the best interests of the ratepayers and the community. In accordance with Councils strategic plan Goal 1 'Strengthen our Communities'.

2. The Committee Structure

The Committee shall consist of five members who represent the principal activities conducted at the Brighton Regional Sports Pavilion. The total number shall include an appointed Councillor who is the Chairperson of the Parks and Recreation committee to act on behalf of Council and in the best interests of the rate payers of Brighton Municipality who will be the Chairperson, the President of each sports club associated with the Sports Pavilion, an employee of Councils Asset Services department and an independent member.

The Committee shall elect or appoint a Secretary at the first meeting.

The Independent members position will be advertised within 30 days of the role being vacated.

The Independent members position applications will be reviewed by the committee and preferred applicant/s sent to Council to approve.

The Independent member will serve for a term of 2 years.

The Independent members fuel costs will be paid at ATO rates by Council.

3. Functions of the Committee

To advise and seek permission from Council, for any proposed major works the Committee considers necessary, prior to any action being taken.

Accept written applications for other sporting clubs that wish to join in the joint entity.

Endorse the constitution of the Club

Endorse heads of agreements between clubs

Resolve disputes between clubs

To advise of the Committee of any facilities maintenance

To provide feedback from clubs regarding the facility.

The Clubs to provide the Committee with their fees and charges each financial year to ensure consistency across all sporting entities for the use of the facility.

To provide Council with its fees and charges for the use of the facility.

The following matters should be taken into consideration when setting fees and charges:

- a report is to be kept of Community group use of the facility and the discounted fees given as a donation
- that funds may be required for future upgrading, development and/or replacement of assets
- that bonds should be set at a level to ensure that the cost of minor damage can be covered
- that commercial ventures are to be charged appropriate commercial rates.

Ensure that inventory is kept for each Club and Council items and updated when necessary.

Council must be advised in writing of any property that is due for replacement or is no longer required and will make the arrangements to disposed of it. Council is to respond within 14 days with an estimated time frame to rectify an issue or if the matter is urgent to respond as soon as possible.

4. Committee Meeting Procedure

Quorum

A Quorum of the Committee shall be one half of the Committee, plus one if each club is represented. A proxy must be an executive member of each sporting committee.

Voting

Where there is a split vote, all views should be submitted to Council.

Records to be kept by Committee Secretary

The Committee Secretary shall keep minutes at each meeting detailing: those present.

- an accurate record of any motion indicating the mover and seconder, including the word 'Carried' or 'Lost' after each motion,
- the attendance, time, date, and place of each meeting.

The Minutes of each meeting shall be confirmed at the subsequent meeting of that Committee.

Appointment of Acting Chairperson

If the Chairperson is not available for a meeting the proxy will be the deputy Chairperson from the Parks & Recreation committee. All other proxies are required to be an executive member of each sporting committee.

Frequency of Meetings

Meetings of the Committee must be held at least three times per year, or as required. (March, June, September, December)

Committee Minutes

Following the conclusion of a Committee Meeting, the draft Minutes shall be provided to Committee Members within a reasonable timeframe and to Council at the next Ordinary Council Meeting, for information only or action if required.

Notice of Meetings

Notice of each Committee meeting shall be given to each Committee member at least seven (7) days in advance unless impractical to do so by reason of an urgent matter requiring a meeting to be held more promptly. All members should have a chance to put forward any topics they wish to discuss for the agenda.

- If an urgent meeting is necessary, the Committee Chair is required to provide the notice of the meeting and the agenda at least five (5) days prior to the meeting date.

5. Alteration to Delegation and Terms of Reference

Council and the Committee may review the Terms of Reference at any time and submit any amendments to Council for consideration and endorsement but should be reviewed a minimum of every 2 years.

Sporting clubs can bring any submission to the committee.

6. Conflict of Interest

A Committee member who has a direct or indirect interest in any matter decided or under consideration by the committee must disclose the nature of interest to the Committee and this must be recorded in the Minutes.

Being a member of a committee is a position of trust that involves obligations to the community and to the Council. It must be clear to everyone that you are not using your position to serve your own interests or the interests of a close associate. For this reason, it is a requirement to disclose conflicts of interest and not participate in a decision (discussion or vote) if they have a conflict of interest.

Definition of a close associate of a committee member is:

- a) a body corporate of which the member is a director or a member of the governing body; or
- b) a proprietary company in which the member is a shareholder; or
- c) a public company in which the member is directly or indirectly a substantial shareholder; or
- d) a beneficiary under a trust or an object of discretionary trust of which the ... member is a trustee; or
- e) a business partner of the member; or
- f) the employer or an employee of the member; or
- g) a person from whom the member has received, or might reasonably be expected to receive a fee, commission, or other reward for providing professional or other services in relation to a matter being dealt with or to be dealt with by the Council committee; or
- h) the spouse or partner of the member, member's son or daughter; or
- i) the son, daughter, brother, sister, mother, or father of the member or of their spouse or partner.

Failure to disclose a conflict of interest may be attract a consequence to be determined at Councils discretion.

7. Confidentiality

All information discussed in an overarching committee meeting is to be kept confidential unless directed or agreed to by the meeting or Council then the information can be shared.