

Terms of Reference

Lonsdale Recreation Reserve (S355) Committee

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1. Lonsdale Recreation Reserve

The Lonsdale Recreation Reserve is located in Mulwala and is bounded by Murray St, Inglis St, Hume St and Dunmore St.

1.1 Assets on the Recreation Reserve

There are a number of assets on the recreation reserve:

1. Club rooms and main building on reserve.

Operated under lease arrangement to Lake Mulwala Sports Club Limited ACN: 128 062 126 (15/19283). Lease expires 30/11/2023. The objectives for which the Club is established include:

- a) To maintain advance and encourage the game of Australian Rules Football, Netball and sport in general in co-operation with the Mulwala Football Club Incorporated; and
- b) To co-operate with the Mulwala Football Club Inc. to ensure that Lonsdale Reserve is maintained to suitable standards and to contribute financially to the maintenance and upkeep of Lonsdale Reserve.

Bookings are made through Football Netball Club.

2. Recreation ground (oval)

Council owned and managed / maintained. User groups are allocated use of the facility under a booking arrangement. Bookings are made through Council.

3. Bay 13 building

Council owned and managed / maintained. New facility completed in 2020. User groups are allocated use of the facility under a booking arrangement. Bookings are made through Council.

2. Committee establishment

The name of the Committee is the Lonsdale Recreation Reserve Committee (LRRC) and is established by Council under S355 of the Local Government Act.

2.1 Purpose

The purpose of the LRRC is undertake the following functions as delegated by Council:

- To provide input into the management of the Lonsdale Recreation Reserve grounds and facilities to Federation Council that reflect local views and issues of the user groups.
- To provide recommendations to Council on future plans
- To provide support for agreed activities

2.2 Limitations

The LRRC has no delegated authority to make decisions it can only refer or recommend matters to the Council for consideration.

The LRRC cannot approve expenditure of money, employ staff, speak on behalf of Council or make a policy on behalf of Council.

The LRRC does not have approval to authorise or run events on council owned facilities without prior approval from Council. All events require approval through Councils event management application process.

The LRRC has a bank account for the purpose of paying fees and share of electricity in addition to receiving moneys for the rotunda. This arrangement is to be reviewed to ensure the Committee is able to function efficiently and to comply with Councils financial and procurement standards and processes.

3. Composition of Committee

3.1 Membership

The LRRC primarily comprises of the following:

A maximum of two representatives from each user group with one vote per user group on decisions being made.

User groups will be determined at AGM.

For a list of current User Groups please refer to Schedule 7.

Each user group may then elect their own representative and fill out necessary nomination form except for General Public which must be voted in at AGM.

User groups wishing to join LRRC must submit expression of interest to the committee at least 2 weeks prior to AGM. Minutes of the AGM will be submitted to Council for approval.

3.1.1 Nomination

Council will call for expression of interests to fill positions within 3 months of the creation or renewal of the Committee.

A nomination/resignation form will be filled out when user groups change their elected representative. This form will be kept by secretary for records.

3.1.2 Vacancies

If the committee has a vacancy due to resignation or removal of a member, the vacancy can be filled by an agreed process. Applications will be considered at a Committee meeting and reported to Council following appointment.

3.2 Office Bearers

The Chairperson will be nominated by the committee.

The Chairperson is responsible for chairing meetings, and representing / advocating on behalf of the Committee and its work.

If the Chairperson is absent from a meeting the Deputy Chairperson will take the role. If the Deputy Chairperson is also absent, another Committee member will be elected to chair the meeting.

The LRRC will be elected by its members and the community.

The Secretary will be nominated by the Committee.

Where appropriate a Treasurer may be appointed by the Committee.

For details of the nominated Office Bearers please refer to Schedule 1.

For details of Officer Bearer Responsibilities please refer to Schedule 5.

3.2.1 Term of Office

The term of office for office bearers will be 1 year, any of whom who can be re-elected for a further twelve month term at the next Annual General Meeting.

3.2.2 Maximum period of office

The maximum continued period of office will be 5 years unless there is no one else willing to step into the role (subject to approval from Council).

Council may dissolve the Committee at any time.

3.3 Council Representatives

For nominated Council Representative details please refer to Schedule 1.

For details of the Council Staff Representative Responsibilities please refer to Schedule 6.

4. Key responsibilities of the Committee

The Committee has a number of responsibilities. In particular the Committee has responsibility to:

- Focus on its purpose for being established (refer 2.1)
- Meet the requirements of a S355 Committee of Council
- Keep Council informed of Committee activities.

For a detailed list of Committee responsibilities please refer to Schedule 4.

5. Key responsibilities of Committee members

Committee members also have a number of responsibilities. Key responsibilities are referred to below.

5.1 Code of Conduct

Members of the LRRRC are bound by the Federation Council - Council Code of Conduct. In this regard, each member will be provided with a copy of the document and required to sign an acknowledgement form indicating their acceptance of such.

5.2 Conflicts of interest

Members must declare any real or perceived conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where a Pecuniary Interest is identified the committee member must complete a Pecuniary Interest Return on the prescribed form and submit to Council.

A "pecuniary interest" is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or **another person with whom the person is associated**.

Note:

Pecuniary Interest Returns received by "designated persons" which includes delegates of councils or members of committees that exercise functions of the council that may give rise to conflicts of interest are required to be made publicly available.

These operate as a key transparency mechanism for promoting community confidence in council decision making, whether by councillors or by staff or others under delegation.

Completed Disclosure forms are considered Open Access information under the Government Information and *Public Access Act*, and are required to be made available to the public via Councils website or upon request, unless there is an overriding public interest against disclosure. In such cases, a return may have personal details redacted. Designated persons are responsible for requesting any redactions of personal information and to provide their reasons for request.

Where members or invitees at Committee meetings are deemed to have a conflict of interest, they may be excused from Committee deliberations on that issue. The Chairperson will have the final decision on the matter.

Council may revoke Committee membership if a member fails to disclose any pecuniary interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter and for the purposes of this provision "pecuniary interest" has the same meaning given to that term in Section 442 of the Local Government Act 1993. Please refer to the Office of Local Government 'At a Glance Guide for Council Committee Members and Delegates' 19/75861.

5.3 Use of Information

It is important that the community has confidence that any information gathered by Council and its Committee members is used only for Council purposes and for the purposes for which it was collected.

6. Meetings

6.1 Meeting schedule

Meeting schedules are to be determined by the Chairperson, in consultation with LRRC members.

For details of agreed Meetings schedule please refer to Schedule 2.

6.2 Meeting Arrangements

Arrangements for meetings are to be determined by the Chairperson and supported by the Secretary, in consultation with the members.

- the agenda and supporting material will be circulated at least five days prior to a meeting
- any supporting material or papers that are confidential will be clearly marked as such and remain confidential to members
- any general business items tabled during meetings will be short, requiring no more than five minutes' presentation or discussion
- meetings will be run in a fair and independent manner and support open and constructive dialogue
- minutes will be circulated within seven days of each meeting.

6.3 Agendas

The Secretary has responsibility for preparing the agendas and minutes for each meeting.

Each meeting will have an agenda, which must be prepared on the template provided and include:

- Welcome and apologies
- Declarations of conflict of interests
- Adoption of previous minutes
- Matters arising from previous minutes
- Reports on priority actions
- Risks
- Reminder of workplace health and safety requirements

6.4 Quorum

The quorum will be equal to 50% of the user group votes being represented at the Committee meeting and must include the Councillor representative and a Council staff member representative.

If a quorum is not reached within 20 minutes of the set starting time, the meeting will be adjourned to a date, time and place set by the Chairperson.

6.5 Decision making

Members must follow Council's Code of Conduct in their decision-making including, but not limited to, provisions concerning conflict of interests, gifts and benefits and general conduct.

Committees will strive for decisions based on agreement. When agreement cannot be reached, a decision will be made by a majority vote. Where the vote is equal, the Chairperson will have the deciding vote. A decision supported by a majority of the votes at a meeting with a quorum of members, is a decision of the Committee.

The Committee may elect to vote by either a show of hands or by secret ballot (depending on the issue being discussed).

6.6 Minutes

The Secretary will minute all Committee meetings. Minutes of the meetings, together with the notice of (and an agenda for) the next scheduled meeting, will be sent to all members within 10 business days after each meeting.

6.7 Other Attendees

Everyone is entitled to attend a meeting of the council and committees of the council.

Members of the public may attend meetings.

Members of the public (other than the nominated representative) have no voting rights.

Members of the public must issue a request to the Chairperson in advance if they wish to address the meeting.

The Chair's decision is final on whether an address is able to be scheduled for the meeting.

An address will be limited to 3 minutes.

7. Use of facilities

7.1 Bookings for Facilities (Football Netball Club Rooms and Bay 13)

1. Football Club rooms and facilities

Use of these facilities is managed by the Football / Netball Club under the lease with Lake Mulwala Sports Club.

2. Oval

Use of the oval is managed by Council.

Events held on Council owned or managed land requires Event Organisers to submit an Event Application to Council for approval no less than four months prior to an event along with a completed risk assessment. The Committee is not able to approve events on any Council facilities.

There are some activities that are not covered by Council's insurance, or require an extension of Council's insurance to cover. These include some events, festivals, markets, fireworks, etc.

If your Committee is considering holding an activity, or hiring the facility for an event please contact the Council for confirmation.

Regular bookings:

Submit a user form for regular use or seasonal use of the oval to Council. Manager Recreation will consider request in establishing presentation schedule.

Eg. Football/Netball Club season / tennis season / cricket season

Short term bookings:

Depending on proposed use, submit user form or event approval form to Council. Manager Recreation to consider request.

Eg. Individual events and Tennis / Cricket eg. Cod Classic summer months

3. Bay 13 building

Use of the Bay 13 building is managed by Council.

Events held on Council owned or managed land requires Event Organisers to submit an Event Application to Council for approval no less than four months prior to an event along with a completed risk assessment. The Committee is not able to approve events on any Council facilities.

There are some activities that are not covered by Council's insurance, or require an extension of Council's insurance to cover. These include some events, festivals, markets, fireworks, etc.

If your Committee is considering holding an activity, or hiring the facility for an event please contact the Council for confirmation.

Regular bookings:

Submit a user form for regular use or seasonal use of the facility to Council. Manager Recreation will consider the request in conjunction with existing bookings.

Eg. Football/Netball Club season / tennis season / cricket season

Short term bookings:

Depending on proposed use, submit user form or event approval form to Council. Manager Recreation to consider request.

Eg. Individual events and Tennis / Cricket eg. Cod Classic summer months

Keys currently available with Mulwala Service Centre/Library bookings made through Mulwala Customer Service

8. Review of Terms of Reference

The LRRC must review and it's Terms of Reference on a biennial basis (every two years) or as needed for relevancy. Any proposed amendments must be to the staff representative responsible for the Committee, for consideration.

Schedule 1. Office bearers

The Committee has elected the following Office Bearers:

Chairperson: Rod Sissons

Phone: 0409 210 241

Email: rsissons@hotmail.com

Secretary: Bethany Robinson

Phone: 0439 393 610

Email: bethany.orr@bigpond.com

Treasurer: TBA

Phone:

Email:

Councillor Representatives:

The Councillor representative for the LRRRC is Cr. Andrew Kennedy

Phone: 0407 500 554

Email: andrew.kennedy@federationcouncil.nsw.gov.au

The alternative Councillor representative is Cr. Bronwyn Thomas.

Phone: 0427 433 123

Email: bronwyn.thomas@federationcouncil.nsw.gov.au

Note: The Councillor representative must not be a member of the Committee

Council Staff Representative:

The Council staff representative for the LRRRC is Darren Harvey, Manager Recreation.

Phone: 0419 713 257

Email: darren.harvey@federationcouncil.nsw.gov.au

Schedule 2. Meetings

Frequency

Meetings will be held 4 times a year on the 4th Wednesday of the nominated month and more frequently as required from time to time e.g. during major project works being completed, as agreed by all committee members and staff representative.

Time and Venue

Meetings will be convened to open at 5:30 pm at the Lonsdale Recreation Reserve (Bay 13).

Schedule 3. Committee Income/Expenditure

Note: Committee finances are expected to be included as part of the ongoing review of Section 355 Committees at which time this information will be included in the table below.

Allocation from Council:

Other Income sources:

Fixed Costs:

Bank Account and Signatories (If applicable)

Bank Account Name: Federation Council <Insert name of committee> Section 355 Committee

Bank Account Number:

Signatory 1.

Signatory 2.

Schedule 4. General Committee Responsibilities

Note: The list below is a standard list of responsibilities for committees.

Responsibilities	Council	Committee
Governance / Safety / Risk		
Attend most Committee meetings	✓	✓
Participate in meetings – this involves: reading all agenda papers; being on time; sticking to the agenda; contributing to the discussion where appropriate; being objective, listening to others' views; volunteering to do some of the necessary tasks required.	✓	✓
Support the office bearers in carrying out their roles.	✓	✓
Assist in organising the Annual General Meeting.	✓	✓
Ensure the safety of the patrons, contractors and volunteers.	✓	✓
Supervise volunteers and keep a volunteer register.		✓
Comply with Council policies and all relevant legislation.	✓	✓
Provide input into the overall management of the facility / committee function.		✓
Comply with Council's adopted fees and charges, Work, Health and Safety and other legislation relevant to the operations of the facility.	✓	✓
Capital Works / Major Improvements		
Provide recommendations to Council for function improvements and/or upgrades to the facilities.		✓
Assist with the implementation of development plans for Lonsdale Recreation Reserve and any associated capital projects.		✓
Day to Day Facilities Management / Minor Maintenance		
Clean facilities (Wet and dry areas)	✓ As per User agreements.	

Responsibilities	Council	Committee
Replace consumables. (Light globes, toilet paper, cleaning supplies)		✓
Mow reserve grounds.	✓	
Water reserve grounds.	✓	
Control weeds and apply pesticide and fertilisers	✓	
Carry out scheduled inspection of all assets.	✓	
Report all maintenance and repair issues to Federation Council.		✓
Obtain quotes for works where needed.	✓	
Undertake minor repairs and replacement of worn or broken items. <i>Minor works is defined as a sensible and practical repair on a like for like basis for the continuance of preservation, protection, repair to and upkeep, day to day maintenance. All volunteers must have appropriate certification where required and wear appropriate PPE (Personal Protective Equipment).</i>	✓	
Provide information for Council website where applicable. Eg. Schedule of meetings.		✓
Ensure equity of access to the facilities for the local community.	✓	✓
Facilitate and convey effective communications between all user groups together with the involvement of all user groups in the on-going management processes.		✓
Event Management / Promotion / Fundraising		
Plan and undertake approved fund raising activities as required and in accordance with Council's event management policies.		✓
Identify relevant grant funding opportunities for Councils consideration.		✓
Scope projects and submit funding applications on behalf of Council.	✓	

Schedule 5. Office Bearer Responsibilities

Chairperson
Preparing the agenda in consultation with secretary.
Chairing meetings in accordance with Council's Code of Meeting Practice and agreed Terms of Reference i.e. required notice of a meeting is given and a quorum is present.
Ensures all decisions are recorded within delegated framework and that any decisions requiring council approval are noted and referred to council for a decision.
Represents / advocates on behalf of the Committee and its work.
Ensures all conflicts of interest are noted and disclosures by members of any pecuniary interest or conflicts of interest are received and submitted to council.
Providing a one page report to council annually by 31 July. The report must include as summary of key achievements of the Committee for the financial year (with photos where possible).
Secretary
To provide notice and agenda of meetings to Committee Members.
Dealing with all incoming and outgoing correspondence.
Tabling all correspondence at Committee Meetings for appropriate action.
Accurately recording minutes of each meeting and forwarding all minutes to the General Manager and to all members of the Committee.
Treasurer
Receipt of all moneys payable to the Committee and issuing receipts for same.
Keep correct accounts and books showing the financial affairs of the Committee.
Bank to the credit of the Committee all moneys received.
Submit financial statements at each Committee meeting.
Prepare and have audited: a Balance Sheet and Profit & Loss Statement of the Committee for presentation to the Annual General Meeting to Council.
Submit accounts for approval of payment by the Committee at each meeting.
Prepare and submit monthly GST returns to Council (if applicable).

Schedule 6. Council Staff Representative Responsibilities

Staff Responsibilities
Liaise with the Chair and other office bearers as required to progress matters related to the Committee.
Provide advice on matters of council business relating to the functions as delegated to the committee.
Ensure a copy of the minutes are saved in Councils Records Management system.
Ensure a report to council is submitted with approved minutes and any recommendations noted.
Ensure actions as decided at the meeting are followed up and monitored for action and completion.
Monitor and provide advice regarding any major issues and risks identified (Rating of Moderate or above must be reported and managed as per our Risk Framework).
Consult with relevant staff on any issues concerning the operations / governance of the committee.

Schedule 7. User Groups

Current recognised user groups include:

- Mulwala Football Club
- Mulwala Netball Club
- Mulwala Tennis Club
- Yarrawonga Mulwala Cricket Club
- Mulwala Progress Association
- Mulwala Public School
- General Public