	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

## 1. NAME

The name of the Committee shall be the Beachport Recreation Centre Management Committee (hereinafter called 'the Committee').

## 2. ESTABLISHMENT

1. Established in terms of the Joint Use Agreement between the Minister of Education, Employment and Training and the then District Council of Beachport, dated 19<sup>th</sup> May, 1993 (herein after referred to as "the agreement") and contained in the Schedule to this Charter.
2. The Committee is a controlling authority established by the Wattle Range Council (hereinafter called 'the Council') pursuant to Section 199 of the Local Government Act, 1934 on 16<sup>th</sup> November, 1999 (Refer to Folio 1364; Item 9.1.2)
3. The Committee was further reviewed by the Council pursuant to Section 41 of the Local Government Act, 1999 (hereinafter referred to as 'the Act') on 8<sup>th</sup> November 2005 (Refer to Folio 3565; Item 1.17).
4. The Committee was further reviewed by the Council pursuant to Section 41 of Act on 10<sup>th</sup> August 2010 (Refer to Folio 4421; Item 11.1.6).
5. The Committee was further reviewed by the Council pursuant to Section 41 of the Act on 10<sup>th</sup> February 2015 (Refer to Folio 5664; Item 11.2.5).
6. The Committee was further reviewed and amended by the Council pursuant to Section 41 of the Act on 9<sup>th</sup> June 2015 (Refer to Folio 5710; Item 11.2.4).

## 3. PURPOSE FOR WHICH THE COMMITTEE IS ESTABLISHED


The Committee shall be formed for the purpose of managing, operating and administering on behalf of the Council, the use of the Beachport Recreation Centre and its facilities (hereinafter referred to as the Premises) as defined in the agreement for the Beachport Community in accordance with the terms and conditions contained within the agreement (refer to Section 4.1 of the agreement).

## 4. FUNCTIONS

The functions of the Committee shall be to undertake any action, as appropriate, in pursuance of the above purposes. Such actions will include, but not be limited to, the following:-

1. To carry out any research, investigation, survey or inquiry relative to the facilities and amenities provided at the Beachport Recreation Centre.
2. To consider, and advise Council of the requirements of all users of the Beachport Recreation Centre.
3. To liaise and consult with persons, groups and organisations in relation to the operation of the Beachport Recreation Centre.
4. To actively promote the use of the Beachport Recreation Centre and do all in its power to have its facilities fully utilised.
5. To regularly report to, and consult with, the Council on the progress and performance of the Committee and its purposes.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 Wattle Range COUNCIL	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

6. To recommend to Council the need to appoint a representative of an organisation or organisations as additional members to the Committee from time to time.
7. To carry out such other acts, and to do all such other things as are incidental to, or conducive to the attainment of the objects and the exercise of the powers of the Committee.

## 5. POWERS


The Council pursuant to Section 44 (1)(b) of the Act delegates to the Committee, for the purpose of achieving its objects, and subject always to the provisions of the Act, the following powers;

1. Expend funds in relation to the Grounds operation within the limits of the Halls budget as adopted by the Council.
2. Establish, alter, vary or amend any fees and any charges for the use of the Hall and facilities.
3. Authorise the purchase of materials, as appropriate, and required for the Halls operation.
4. With the written approval of Council the Committee may employ and/or contract such staff as is deemed necessary for the functions of the Committee.
5. To employ, engage or retain professional advisers, if required.
6. To enter into contracts for the supply of goods and services for the purpose of running and maintaining of the Hall and improvements.
7. To make and have control over all bookings for the hire, use and utilisation of the Hall and its facilities.
8. To operate in accordance with the provisions of any Regulations, as adopted by the Council.
9. To set the fees for the hiring of the said Premises by members of the Beachport Community PROVIDED THAT all hire fees shall be approved by the Council in writing; and
10. To promulgate such rules of behaviour as it deems necessary to ensure that any user of the Premises will do or permit to be done in the Premises anything which in the opinion of the Committee may be or become a nuisance or annoyance or which may cause damage to the Premises and the equipment therein or to any member of the public.

## 6. MEMBERSHIP

1. The membership of the Management Committee shall comprise seven (7) persons being from time to time:-
  - a) Two (2) representatives nominated by the Council;
  - b) Three (3) representatives nominated by the Beachport Community;
  - c) The Principal for the time being of the Beachport Primary School; and
  - d) The Chairperson (or nominee) of the Beachport Primary School Council Inc.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 <b>Wattle Range</b> <b>COUNCIL</b>	<b>CHARTER #2</b>	Version:	4
	<b>Beachport Recreation Centre Management          Committee</b>	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

2. Any person appointed pursuant to sub clause (1) hereof shall be appointed for a term coincident with the four (4) year term of the Council.
3. Any person appointed pursuant to sub clause (1) hereof shall cease to hold office if the organisation they represent goes into recess or is wound up or dissolved in accordance with the provisions of the Associations Incorporation Act 1985, or if that person ceases to be a member of the organisation they represent.
4. Provided, however, that upon any person appointed pursuant to sub clause (1) hereof ceasing to hold office, a further person nominated by the respective organisation shall be appointed by the Council to fill the casual vacancy for the balance of the term of the person so ceasing to hold office.
5. Each member of the Committee will undergo an induction once appointed, which will include (but not limited to) an explanation of the following matters:
  1. Committee Charter
  2. Risk Management, (Refer to Clause 21)
  3. Occupation Health Safety and Welfare requirements, including the LGAMLS Claim Process (refer to Clause 22).

## 7. REGISTER OF INTEREST

The provisions of Chapter 5; Part 4; Division 2 of the Local Government Act, 1999 do not apply to members of the Committee.

## 8. PRESIDING MEMBER

1. The Committee shall appoint a Presiding Member to be chosen by the members of the Committee from amongst their own number and shall hold office for such term as may be determined by the Committee.
2. The Presiding Member shall preside at all meetings of the Committee and in the event of the Presiding Member being absent from a meeting, the members present shall appoint a member who shall preside for that meeting or until the Presiding Member is present.

## 9. DUTIES OF THE PRESIDING MEMBER


The Presiding Member shall –

1. Call all meetings of the Committee in accordance with Clause 10;
2. Preside at all meetings of the Committee at which he or she is present and preserve order there at so that the business may be conducted in due form and with propriety;
3. Upon confirmation of the minutes sign them in the presence of the meeting; and
4. Be an official spokesperson for the Committee.

## 10. CALLING OF MEETINGS

1. The Members of the Committee shall meet at least four (4) times per year.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 Wattle Range COUNCIL	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

2. The Presiding Member may convene a special meeting of the Committee at his or her own volition and shall convene a meeting upon the written demand of at least two members of the Committee.
3. Subject to the provisions of Clause (4) hereof, notice of every meeting shall be given in writing to every member at least four (4) days prior to such meeting. Notice shall be deemed to have been given a day following posting, or delivery of such notice. The notice shall contain the date, time and place of the meeting and the business to be transacted thereat.
4. The Presiding Member may call a special meeting of the Committee at any time provided that notice of such meeting shall be given to all members at least four hours before the commencement of the meeting.

## 11. QUORUM

No business shall be transacted at a meeting of the Committee unless one more than half the members, if there is an even number of members, or a majority of the whole number, if there is a uneven number of members, is present.

## 12. PROCEEDINGS OF MEETINGS

1. The meeting procedures of the Committee may be determined by the Committee.
2. Every meeting of the Committee shall be open to the public but, if the Presiding Member is of the opinion that a matter should be discussed in private, he or she may, after advising all present at such meeting of the reasons for forming such opinion and with the agreement of a simple majority of members present at the meeting, cause all persons not being representatives or officers or others attending at the Presiding Member's pleasure to withdraw from the meeting.


## 13. VOTING

1. All questions arising at a meeting of the Committee shall be decided by the majority of votes cast by Committee members present at such meeting.
2. Every member of the Committee shall have a deliberate vote at meetings of the Committee. In the event of an equality of votes, the Presiding Member shall have a casting vote in addition to his or her deliberate vote.

## 14. ADJOURNMENTS

1. The representatives present at any meeting may from time to time adjourn such a meeting.
2. If at any meeting there is not a quorum present within 30 minutes after the time appointed for the 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.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 Wattle Range COUNCIL	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

## 15. SECRETARY

1. The Committee shall appoint a Secretary to be chosen by the members of Committee from amongst their own number who shall hold office for such term (not exceeding four years) as maybe determined by the Committee.
2. In the event of the Secretary being absent from a meeting, the members present shall appoint a member who shall act as Secretary for that meeting or until the Secretary is present.

## 16. DUTIES OF THE SECRETARY

The Secretary shall;

1. Attend all meetings of the Committee;
2. Attend to all correspondence and deal with it as instructed by the Committee;
3. Deal with the business referred by the Presiding Member of the Committee;
4. Keep the minutes of all meetings of the Committee setting out all reports received and resolutions passed out other business transacted by the Committee and forward a copy to each member of the Committee and the Council;
5. Keep such records as instructed by the Committee from time to time.

## 17. NOTICE OF MEETING

The Committee Shall present copies of their Notice of Meeting and Agenda in the format provided by Council to the Council no less than 3 clear days for information and consideration.

## 18. MEETING MINUTES

The Committee shall present copies of their meeting minutes in the format provided by council to the Council no more than 5 clear days for information and consideration.

## 19. ANNUAL REPORT

The Committee shall prepare an annual report. A copy of the report is to be presented to the Council by 31st August following each operating year.

## 20. DIRECTION BY COUNCIL


The Committee is subject to the direction and control of the Council. A direction given by the Council must be in writing.

## 21. RISK MANAGEMENT

The Committee shall comply with and adhere to Council's Risk Management Policy, Volunteer Code of Conduct and Volunteer Policy.

Council may undertake a risk assessment of a Committee event to ensure that all risks are reduced to a minimum and accounted for.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 Wattle Range COUNCIL	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

## 22. INDEMNITY & OHS&W

The Committee shall notify Council in all instances where –

- a) A Committee Member is involved in an accident where they suffer an injury or an incident that could have resulted in an injury while undertaking a Committee task; or
- b) A Member of the public is involved in an accident where they suffer an injury or an incident that could have resulted in an injury in the vicinity of the Committee's responsible area.

## 23. AMENDMENTS, ALTERATIONS AND ADDITIONS TO THE RULES


These rules may be amended, altered or added to by a resolution of the Council made pursuant to Schedule 2 clause 3(5) of the Local Government Act, 1999.

## 24. 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	Adopted Amendment	Folio 4421; Item 11.2.5
4	9 June 2015	Council	Adopted Amendment	Folio 5710; Item 11.2.4

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				

 Wattle Range COUNCIL	<b>CHARTER #2</b>	Version:	4
	Beachport Recreation Centre Management Committee	Date Adopted:	9 June 2015
		Next Review Due:	November 2018

## SCHEDULE

**Joint Use Agreement between**  
**the Minister for Education and Child**  
**Development**  
  
**and the**  
  
**Wattle Range Council**  
  
**18<sup>th</sup> November, 2014**

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/17.14.1/6	Public	Corporate Services	Director Corporate Services	4 Yearly (After Every General Election)
Printed copies of this document are uncontrolled, refer to Council's Intranet to verify this is the current version.				