

Miners Rest Mechanics Institute Hall Community Asset Committee

Terms of Reference

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1. Background

- 1.1. By this Terms of Reference document, the Ballarat City Council (Council) establishes the Miners Rest Mechanics Institute Hall Community Asset Committee (Committee) pursuant to section 65 of the *Local Government Act 2020* (the Act). The Committee is established for the management of the Community Asset known as the Miners Rest Mechanics Institute Hall.
- 1.2. The members of a Community Asset Committee have the powers, duties and functions as contained in the Instrument of Delegation from the Chief Executive Officer under section 47(1)(b) of the Act and as set out in these Terms of Reference. These Terms of Reference set out the structure and basis on which the Committee can operate on behalf of Council.
- 1.3. These Terms of Reference are authorised by a resolution (R203/20) of Council passed on 12 August 2020.

2. Purpose

The Committee is established for the purpose of:

- 2.1 Encouraging use of the Miners Rest Mechanics Institute Community Hall by the local community and to promote the role played by the hall in enabling engaged participation in community life.

3. Objectives

The objectives of the Committee are:

- 3.1 Determine hiring fees for the hall
- 3.2 Develop a public awareness and advertising program relating to the Hall designed to increase community use of the hall.
- 3.3 Manage bookings for the hall.
- 3.4 Draft, with the agreement of Council, a hall hiring agreement.
- 3.5 Identify maintenance needs, prioritise maintenance actions and provide details of remedial actions in annual report to Council.
- 3.6 Be responsible for specific maintenance of the hall and grounds as outlined in the City of Ballarat Facility Maintenance Schedule (addendum1).
- 3.7 Ensure that Council is made aware of any matters that could have an impact on the hall or its users.
- 3.8 Operate, as far as possible, on a self-sufficient basis..

4. Roles and Responsibility

The role of the Committee is:

- 4.1 to exercise the duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation; and
- 4.2 oversee the effective operation of the hall.

5. Delegation of Powers, Duties and Functions

- 5.1 In order to fulfil and carry out its purposes and objectives the Chief Executive Officer may delegate to the members of the Community Asset Committee, pursuant to section 47(1)(b) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation passed at Council on 12 August 2020 (R206/20) and attached to these Terms of Reference.
- 5.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.
- 5.3 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules and the Committee Policy.

6. Membership

- 6.1. The Committee will consist of a minimum of 7 community members appointed by Council
- 6.2. The term of membership will be for a Council term. A re-appointment of committee members must occur by 30 June after each Council election
- 6.3. Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.4. Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 6.5. Council will revise the membership and voting rights of each Committee member as it sees fit.
- 6.6. The Committee will elect a Chairperson at its first meeting. The election will be conducted in accordance with Council's Governance Rules.
- 6.7. If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.

7. Meetings

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- Council's Committee Policy; and
 - At the Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet not less than four times a year or as agreed by the Committee from time to time.
- 7.3 A quorum of the Committee will be half of the members plus one.
- 7.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.

8. Reporting

The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:

- 8.1 Council's Governance Rules as determined by Council;
- 8.2 Council's Committee Policy;
- 8.3 the Committee's discretion, as exercised from time to time;
- 8.4 Minutes of Committee meetings must be forwarded to the Statutory Compliance Unit immediately after adoption by the Committee.
- 8.5 An annual report on the Committees activities and finances must be reported to Statutory Compliance no later than 30 August each year

9. Creation and Dissolution

- 9.1 By these Terms of Reference, the:
- 9.1.1 Committee is established; and
 - 9.1.2 powers, duties and functions of the Committee members, as set out in the Instrument of Delegation, are delegated.
- 9.2 These Terms of Reference
- 9.2.1 come into force immediately when the resolution of Council adopting them is made; and
 - 9.2.2 remain in force until Council determines to vary or revoke it.
- 9.3 The Committee must be dissolved by a resolution of Council.

- 9.4 These Terms of Reference may be reviewed at the Council's discretion from time to time.

Dated: 12 August 2020