



**LOWER CLARENCE SPORTS COMMITTEE**  
HAVING DELEGATED POWER UNDER THE LOCAL GOVERNMENT ACT, 1993

**CONSTITUTION**

**1. Interpretation**

Unless otherwise indicated:

“Council” means Clarence Valley Council

“Act” means the Local Government Act, 1993.

“Committee” means the Lower Clarence Sports Committee

**2. Relationship of the Committee and Council**

The Committee is appointed under s.355 of the Act to make recommendations to Council on the sporting interests in the Lower Clarence area.

**3. Membership of the Committee**

3.1 The Committee shall comprise:

- (a) one Councillor to be the Chairperson,
- (b) one Councillor as an alternate to the Chairperson
- (c) one delegate from each of the sporting association in the Lower Clarence area, and
- (d) two non voting staff members as delegated by the General Manager.

3.2 Delegates from sporting associations are to be nominated by their relevant Association. If any delegate is unable to attend, an alternate may attend any Committee meeting in his/her place with written concurrence from the Sporting Association.

3.3 A person remains a member until:

- a. death, or
- b. that person ceases to be a member upon:
  - (a) delivering a written resignation to Council,
  - (b) in the case of sporting association delegates, being replaced by their organisation as a delegate to the Committee,
  - (c) receiving written notification from Council that that person’s membership of the Committee has been terminated.

#### **4. Committee Chairperson**

Council shall nominate a Councillor to be Chairperson of the Committee and an alternate Councillor to attend during absences.

#### **5. Committee Secretary**

Council will provide secretarial and financial assistance to the Committee. Notwithstanding, the Committee may elect one of its number as Secretary.

#### **6. Conduct of Meetings**

- 6.1 At all meetings of the Committee the Chairperson shall occupy the Chair and preside. In the absence of the Chairperson, the Committee shall elect one of its number to preside at the Meeting.
- 6.2 A Meeting shall not proceed unless a quorum of at least one (1) more than half the number of members are present.
- 6.3 Meetings of the Committee shall be held as often as the Committee decides, but not less than one (1) every three (3) months without the written consent of Council.
- 6.4 All meetings of the Committee are open to the public and members of the public are entitled to attend those meetings. Meetings should be held in a location that is open to and accessible by the public. Members of the public attending meetings may not address the meeting without the consent of the majority of members present. Members of the public do not have a vote.
- 6.5 Decisions of the Committee shall be by majority of the members present at each Meeting and each member shall have one vote. In the event of voting on any matter being equal for or against, the matter shall be referred to Council for decision. The Chairperson shall not have a casting vote.
- 6.6 A record of minutes in the usual form shall be kept by the Secretary of all Meetings.
- 6.7 Members shall observe the provisions of the Act in relation to declarations of interest in business placed before the Committee. Members should also be aware of conflicts of interest that they may have and should not vote on any matter in which their private interest conflicts with the matter under discussion. An interest declared by any member shall be recorded in the Minutes of the Meeting.
- 6.8 The Secretary shall forthwith notify Council of any decision that needs to be referred to Council under paragraph 6.5,

#### **7. Powers and Duties Delegated to the Committee under s.377 of the Act**

- 7.1 The powers and duties of the Committee are:
  - (a) to work closely with Council to provide, manage and maintain satisfactory sporting fields and facilities within the Lower Clarence area,
  - (b) to liaise with local sporting groups to develop a co-operative approach to planning, constructing, maintaining and improving sporting fields and facilities within the Lower Clarence area,

- (c) to promote co-ordination, co-operation and friendship amongst local sporting groups,
  - (d) to generally promote and encourage sporting activity,
  - (e) to work with other local Sports Associations and Council to develop and maintain a fair and equitable system that ensures the sporting needs of all areas of the Lower Clarence are considered and prioritised,
  - (f) to determine the manner in which its annual grant from Council is to be allocated amongst Lower Clarence area sporting bodies and to recommend to Council payment of that grant in accordance with those recommendations, and
  - (g) not to interfere with the autonomy of any sporting body.
- 7.2 The exercise of these powers and functions by the Committee is subject to such limitations and conditions as may from time to time be imposed by law or specified by resolution of Council.
- 7.3 To forward to Council within seven (7) days after a Meeting, a copy of the Minutes taken at that Meeting.
- 7.4 No authority is extended to the Committee to:
- (a) engage any employees or enter into any contracts, or
  - (b) further delegate any of these powers and duties to any person or body.

## **8. Financial Assistance**

Each year Council will make provision for financial assistance to Lower Clarence sporting bodies. The Council shall advise the Committee of the amount of that funding and the Committee shall invite applications for that funding from those Lower Clarence sporting bodies whose delegates have attended at least 50% of the Committee meetings held in the previous 12 months. The Committee shall consider all eligible applications received and make recommendations to Council on the distribution of the funding.

## **9. Notice**

Any notice required to be given by Council under this Constitution may be:

- (a) sent to the last known address of the member, and
- (b) deemed to be received on the second day after posting.

## **10. Amendments**

- “Sports Council” amended to “Sports Committee” as per Council resolution 15.024/16 of 19 April 2016