



# muswellbrook shire council

## DRAFT Section 355 Committee Guidelines

MSC22E

### Authorisation Details

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<b>Community Strategic Plan Strategy</b>	6.2 Ensure Council is well managed, appropriately resourced, effective, efficient, accountable and responsive to its communities and stakeholders		
<b>Delivery Program activity</b>	6.2.5 Implement a comprehensive and targeted business improvement program		

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☎ (02) 6549 3700   @council@muswellbrook.nsw.gov.au   📍 Campbell's Corner 60–82 Bridge Street Muswellbrook NSW 2333

📮 PO Box 122 Muswellbrook 2333   🌐 muswellbrook.nsw.gov.au   📺 📷 📱 muswellbrook shire council   ABN 86 864 180 944

# Table of Contents

1. Purpose and Delegations.....	4
1.1. Introduction .....	4
1.2. Purpose of these Guidelines.....	4
1.3. Delegation of Function.....	4
1.4. Role of Section 355 Committees .....	4
2. Committee Responsibility .....	5
2.1. Responsibility.....	5
2.2. Limitation of Powers .....	5
2.3. Accountability.....	5
2.4. Responsible Staff.....	5
3. Committee Procedures .....	6
3.1. Appointment.....	6
3.2. Committee Membership.....	7
3.3. Procedure for Obtaining New Membership .....	7
3.4. Election of Office Bearers .....	7
3.5. Meetings .....	8
3.6. Quorum .....	8
3.7. Agenda.....	8
3.8. Minutes .....	8
3.9. Annual General Meeting .....	9
3.10. Annual Report.....	9
4. Role Responsibilities.....	10
4.1. Chairperson .....	10
4.2. Secretary.....	11
4.3. Committee Members .....	11
5. Code of Conduct .....	12
5.1. Introduction .....	12
5.2. Conflicts of Interest .....	12
6. Financial Matters.....	13
7. Risk Management and Insurance .....	13
7.1. Property Insurance .....	13
7.2. Public Liability Cover .....	13
7.3. Personal Injury.....	14
7.4. Contractors insurance.....	14

7.5. Casual and Regular Hirers' Insurance Liability.....	14
7.6. Other hirers' insurance Liability .....	14
7.7. Definitions of Clause 7 .....	15
8. Care, Control and Management of a Council Facility .....	15
8.1. Conditions of Hire .....	15
8.2. Inclusion.....	15
8.3. Fees and Charges .....	16
8.4. Bonds.....	16
8.5. Keys and Security.....	16
8.6. Cleaning.....	16
8.7. Purchasing of Goods and Services .....	16
9. Dispute Resolution.....	17
10. Related Documents .....	17
Legislation and Guidelines .....	17
Policies and Procedures .....	17
Other Supporting Documents .....	17
11. Version History.....	17

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# 1. Purpose and Delegations

## 1.1. Introduction

Muswellbrook Shire Council ("Council") acknowledges and appreciates the important work undertaken by volunteers and community groups through the Section 355 committee framework. These guidelines are established to assist committee members in the operation of a Section 355 committee ("Committee"). A Committee and their delegated functions and members must be adopted by Council. Once adopted, the Committee must adopt and implement the guidelines set out in this document.

Due to the varied functions of each Committee across differing areas and assets, each Committee will have a separate delegation and terms of reference document outlining in detail the implicit roles and duties of the Committee. Consequently, these guidelines are to be applied as guidelines supporting the Terms of Reference relevant to each Section 355 Committee.

## 1.2. Purpose of these Guidelines

These guidelines are designed to implement the legislative requirements of the *Local Government Act 1993* (NSW) and other legislation, regulations, and guidelines imposed to ensure that both the Council and the Committees are legislatively compliant. Principally, the purpose of these guidelines is to outline the roles and responsibilities of both the Council and the Committee to allow for an effective and valuable partnership.

## 1.3. Delegation of Function

In accordance with Section 355 and Section 377 of the Local Government Act 1993 (NSW) ("Local Government Act"), Council is permitted to delegate certain functions to a committee of the council. Council uses this delegation to create Committees comprising members of the community to assist in the management, care, and control of Council assets.

Council may dissolve a Committee at any time.

## 1.4. Role of Section 355 Committees

The Committees allow for interested members of the Muswellbrook Shire community to actively participate in the provision and/or management of Council facilities and services. The aim of each Committee is to accurately reflect the Council's vision and aims as informed by the community. This provides for a dual benefit by providing protection to the community members operating under Council delegation and providing Council with assistance in carrying out its function.

Research shows that the involvement of community members in managing community services and facilities is likely to lead to public decisions which are more equitable and sustainable and generally improve the liveability of local communities.

## 2. Committee Responsibility

### 2.1. Responsibility

Upon establishment of a Committee, the Committee will be responsible for those activities that the Council has deemed to be the purpose of the Committee. Terms of Reference for each Committee must be created and adopted by Council upon establishment of the Committee.

### 2.2. Limitation of Powers

In accordance with the Local Government Act, some powers are not delegable by Council. As such, a Committee is not authorised to make decisions concerning the following:

- a) employing or dismissing staff;
- b) the fixing of fees or charges;
- c) the borrowing of money;
- d) the allocation of Council funds for expenditure on other Council works, services, or operations;
- e) an application or notice to the Governor or Minister;
- f) acceptance of tenders required to be called by Council;
- g) the sale, lease, sub-lease, or surrender of land or other property vested in the Council;
- h) the payment or making of a gift to Committee members;
- i) this power of delegation; and
- j) any function under this Act or any other law that is required to be exercised by Council.

The powers and functions of a Committee are subject to limitations and conditions as imposed by law, resolution of Council, or in writing by the General Manager to the Committee, from time to time. If Council, in its sole discretion, considers a Committee not to be functioning in strict accordance with its powers described herein, the Committee may have its powers revoked by signed written notice from the General Manager or their representative.

### 2.3. Accountability

The Committee is accountable non-exclusively for its actions, decisions, and omissions to Council, user groups, and the community at large. Committees are required to:

- a) hold an Annual General Meeting ("AGM") to elect office bearers as discussed further herein;
- b) provide to Council a report, minutes, and annual financial statements as applicable and/or requested; and
- c) ensure that any affected persons are notified of the Committee meeting details.

In providing notification of the Committee's AGM, Committees must adopt the Advertisement for Annual General Meeting Template, generally in its approved form.

### 2.4. Responsible Staff

Council's Manager - Governance & Risk is the staff member responsible for the administration of Committees. In addition, the Council's finance staff will provide assistance to Committees with financial reporting requirements.

## 3. Committee Procedures

### 3.1. Appointment

A Committee must be formally appointed by Council by way of the minutes of the AGM being sent to Council for endorsement at an ordinary Council meeting. Similarly, upon establishment of the Committee, all members of the Committee must be formally appointed by Council in the same manner.

Committee membership is:

- a) open to all interested citizens residing in the Council area; or
- b) in relation to Committees established to provide specialist assistance to Council, by written invitation of Council;
- c) to include representation of the predominant user groups of the facility where applicable; and
- d) representatives of minor groups within the community, including schools, community groups, service providers, et cetera, provided such representative is over the age of fifteen (15).

Each Committee member is entitled to one (1) vote. Committee members must be appointed by Council prior to being able to vote or take part in a meeting of the Committee.

Council staff may be appointed by Council as office bearers for a committee as required, for example, as secretary, treasurer, publicity officer. With the exception of Council staff who are appointed as an office bearer, Council staff are considered observers and advisors and, while permitted to participate in Committee discussions and deliberations, are not entitled to voting rights. For the avoidance of doubt, Council staff appointed as office bearers are afforded the same rights and obligations as any other Committee member and are consequently entitled to one (1) vote.

A Committee member will cease to hold office upon the occurrence of one (1) or more of the following events:

- a) resignation;
- b) deemed resignation, being when a Committee member fails to attend three (3) consecutive meetings of the Committee without reasonable excuse;
- c) death;
- d) bankruptcy;
- e) resolution by Council of removal;
- f) failure to disclose a pecuniary interest;
- g) conviction of an offence referred to in Part 4 of the *Crimes Act 1900* (NSW); or
- h) mental incapacity.

Should a Committee member vacancy arise, the Committee must, as soon as practicable, inform the Council in writing of same.

Council may, in its sole discretion, dissolve a Committee at any time. Unless otherwise indicated in a Committee's terms of reference, the term of office for Committees will be the same term as the current Council, with an additional three (3) month period after the General Election of Councillors.

## 3.2. Committee Membership

Committees must, without prior approval of Council, comprise, as a minimum, three (3) members, and, as a maximum, seven (7) members. Membership count is to be included in the terms of reference created upon establishment of the Committee, unless otherwise agreed by Council.

Council reserves the right to appoint up to two (2) Councillors to each Committee as voting members of the Committee.

Committee membership consists of office bearers and other Committee members.

If Committee membership is comprised of less than three (3) members, Council may allow the Committee a six (6) month period to re-establish a viable membership or, alternatively, dissolve the Committee and assume its obligations and responsibilities.

Committee members are expected to have access to a computer and possess the ability to use email as the primary form of communication.

Committee members are eligible for reappointment.

Any applications for Committee membership must generally be in the approved form, being the Committee Membership Nomination Form Template.

## 3.3. Procedure for Obtaining New Membership

When a membership position on a Committee becomes vacant or the Committee determines that it requires additional members, the Committee may:

- a) in urgent circumstances, recommend to Council interested persons for appointment and the reasons justifying the urgency of same (urgent circumstances only); or
- b) request Council advertise the membership position by such means as determined by Council (usual and preferred practice).

## 3.4. Election of Office Bearers

A Committee must elect from their members certain roles, at a minimum, to be undertaken. These roles include:

- a) chairperson (mandatory);
- b) deputy chairperson (optional);
- c) secretary (mandatory);
- d) treasurer (mandatory if the Committee handles funds);
- e) assistant secretary/treasurer (optional);
- f) bookings officer (optional); and
- g) publicity officer (optional).

With the exception of the appointment of Council staff as office bearers in accordance with clause 3.1, all office bearers are to be elected by majority vote at the Committee's AGM. All office bearers, unless otherwise directed by Council, are to hold their position for a twelve (12) month period or until a successor is appointed.

The details of all office bearers must be provided by written notice to Council as soon as practicable after appointment is made. For the avoidance of doubt, such particulars will include,

but are not limited to, position, name, address, contact number, contact email, and the user group represented (if applicable).

In the absence of a chairperson, either due to resignation or where no member is willing or able to perform such a function, the Mayor of the Council is by default the chairperson for the time being. The Mayor may delegate this position to a Councillor, Council staff member, or member of the subject Committee until this role is duly appointed.

### 3.5. Meetings

Meetings are to be conducted to standard guidelines (based on the Code of Meeting Practice), which are detailed in the following section and include:

- a) a quorum be present;
- b) the appropriate notice is given;
- c) business on the agenda is properly conducted; and
- d) correspondence and minutes are recorded.

Committee meetings are open to the public and may be held as often as necessary but must, unless otherwise stated in the Committee's terms of reference, be held quarterly as a minimum.

The Committee is responsible for determining meeting dates, location, and providing notice of such meetings to the local community by way of electronic means.

To enable Council to advertise Committee meeting details via the Council website, Committees must advise Council of the meeting details at least three (3) weeks prior to the nominated meeting date.

### 3.6. Quorum

A quorum will consist of a majority of Committee members.

### 3.7. Agenda

Committee meetings must adhere generally to the meeting procedures as outlined in the Agenda Template.

The agenda is an organised list of headings of the major items, in order, that will be discussed at the meeting. A copy of the agenda is distributed to the Committee members at the commencement of the meeting, or before, if possible. Late matters can be added to the agenda at the opening of the meeting as the chairperson calls for discussion on the agenda.

Each item of business to be discussed at the meeting needs to be put on the agenda.

Unfinished business and reports on actions taken since previous meetings are included in the agenda under 'Business arising from previous minutes'.

If items on the agenda are not discussed due to limitations of time, they are carried over to the next meeting agenda.

### 3.8. Minutes

Each Committee must ensure that full and accurate minutes of their meeting are maintained. In particular, the minutes must record the details of each motion moved at a meeting and, if applicable, any amendments moved to it, the full name of the member moving the motion or amendment, the full name of the member seconding the motion or amendment, and whether



the motion or amendment is passed or lost. Each motion passed by the Committee must have a sequential identifying number and the year, e.g. 1/2023, 2/2023, et cetera.

As soon as practicable after the minutes of a meeting are confirmed at a subsequent Committee meeting or by email consensus, the chairperson must sign the previous meeting's minutes.

The signed minutes of each meeting must be emailed to Council on or before fourteen (14) calendar days after the chairperson signs same.

Upon receipt by Council of the Committee meeting minutes, Council will review same and the Committee may be contacted if required. Council will not act upon any motion in the minutes without first contacting the Committee to allow the members the opportunity to provide any further information, action, or comment.

The minutes of a Committee meeting must be generally in accordance with the Minutes Format Template.

### 3.9. Annual General Meeting

The AGM date must be set at an ordinary meeting of the Committee and publicly advertised at least fourteen (14) days prior to the AGM being held.

The AGM will report on the activities and achievements of the Committee for the previous twelve (12) month period, develop goals for the next twelve (12) month period, and confirm the details to be included in the annual report to Council. Consequently, the annual financial report must be adopted by the Committee to allow sufficient time to enable inclusion of same in the annual report to Council.

### 3.10. Annual Report

Council requires every Committee to provide an annual report inclusive of the following details:

- a) membership;
- b) position;
- c) achievements over the past twelve (12) months;
- d) goals for the next twelve (12) months;
- e) goals for the next five (5) years;
- f) goals for the next ten (10) years;
- g) longer term goals (if any);
- h) all income and expenditure; and
- i) submission of a financial statement (required on or before thirty-one (31) July of each year).

## 4. Role Responsibilities

Committee members are expected to have a certain degree of commitment to their role as a member. An advantage of a Committee is the possibility of a shared workload between the Committee members. The roles and responsibilities listed below are not in any way comprehensive, but are provided as a general framework for Committees. It is important that each member of a Committee understands their roles and responsibilities, and what the community's expectations are in relation to the Committee.

### 4.1. Chairperson

The chairperson's primary responsibilities include, but are not limited to, the following:

#### Prior to a Committee meeting:

- a) preparation of the agenda (note: this responsibility may be conducted in consultation with the secretary or any other member; or, alternatively, the chairperson may delegate this responsibility);
- b) management of the Committee's general responsibilities under these guidelines, including, for example, that proper notice of a meeting is provided and a quorum is present.

#### During a Committee meeting:

- a) chairing the meeting, opening, welcoming, and introducing members and guests (subject to the Mayor deciding, in their sole discretion, that they will be attending the meeting and chairing);
- b) keeps individuals and the meeting focused on the topics being discussed and encourages members to participate, ensuring adequate opportunity is given to members who wish to speak;
- c) ensures correct meeting procedures are followed and control of the meeting is maintained, keeping track of time (or delegates to someone to do this);
- d) ensures members are aware of decisions being made and that the minute taker has recorded decisions of the meeting;
- e) acts impartially and uses discretionary powers in the best interests of members and in accordance with the agreed standing orders, that is, The method of conducting meetings, and ensures statutory regulations and the organisation's rules are observed; and
- f) closes meeting after business at hand has been properly concluded.

The chairperson needs to be aware of certain issues and procedures, and the importance of establishing and maintaining a working relationship with Council, particularly regarding Government funding, the Committee budget (if any), and Council and community involvement and requirements.

The chairperson is responsible for assisting members of the Committee, and ensuring that they fulfil their respective roles. The chairperson is a 'spokesperson' for the organisation and is the one to communicate with government departments and other relevant bodies as applicable.

The chairperson may vote on a motion considered by the meeting and, in the event of a tied vote, the chairperson may exercise a second or casting vote.

## 4.2. Secretary

The secretary's primary responsibilities include, but are not limited to, the following:

### Prior to a Committee meeting:

- a) preparation of the agenda (note: this responsibility may be conducted in consultation with the chairperson or any other member, or, alternatively, the chairperson may delegate this responsibility);
- b) draw up the agenda (in consultation with the chairperson); and
- c) make copies of the agenda if required.

### During a Committee meeting:

- a) take minutes;
- b) read minutes of previous meeting if necessary;
- c) provide a list of correspondence in order and summarise the important points; and
- d) record motions and/or decisions of the meeting, including the mover and seconder.

### After a Committee meeting:

- a) type minutes and distribute to Committee members as soon as possible;
- b) ensure that accurate minutes are kept;
- c) write correspondence as decided (this can be a shared role with another Committee member); and
- d) keep a record of action items and how they are progressing to report back to the committee at each meeting. Where possible, action items from a meeting should be distributed fairly amongst committee members.

### Outside of Committee meetings:

- a) keep a register of both internal and external correspondence, with file copies; and
- b) inform other Committee members of correspondence requiring urgent attention.

## 4.3. Committee Members

Committee members' responsibilities include, but are not limited to, the following:

- a) attend Committee meetings, except in circumstances of a reasonable excuse;
- b) participate in meetings – this involves:
  - i. being on time;
  - ii. sticking to the agenda;
  - iii. contributing to the discussion where appropriate;
  - iv. being objective, listening to others' views; and
  - v. volunteering to do some of the necessary tasks required;
- c) support the office bearers in carrying out their roles, for example, assisting with maintenance arrangements and the coordination of volunteers;
- d) assist in organising the AGM;
- e) attend and participate in fundraising days that may be held; and
- f) ensuring members of the Committee are accountable for their actions in relation to the activities of the Committee.

## 5. Code of Conduct

### 5.1. Introduction

The Council has adopted a Code of Conduct that is applicable to elected Councillors, employed staff, and Committee members. This Code of Conduct sets out the principles to ensure the business of Council is carried out in an efficient, honest, and impartial way.

As Committees are operating on behalf of Council, it is important for Committees to be aware of, and abide by, this Code of Conduct.

Appointed Committee members will be provided with a copy of Council's Code of Conduct. Committee members are taken to have read and understood the contents of this Code of Conduct. Members could be personally responsible for a breach of the Code of Conduct. Further, without precluding other forms of action, a failure to comply with the Code of Conduct could result in the member's removal from the Committee.

Council's Committees have the responsibility to ensure the following:

- (a). access is available to the entire community and is not denied because of ethnicity, gender, disability, or religion;
- (b). priority of use should be given to non-profit making community groups and organisations; and
- (c). that the facility not be aligned with, or advocate, or advertise for or on behalf of, a political party or individual person/s.

### 5.2. Conflicts of Interest

Pecuniary and Non-Pecuniary Interest may be defined as an interest that a Committee person has in a matter, as a member or employee of a company or other body, 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. Such other persons include the spouse or de-facto partner or relative of the Committee person. Pecuniary refers to possible financial gain, whereas non-pecuniary refers to any other type of interest.

Disclosure of Pecuniary and Non-Pecuniary Interests:

- (a). Interest should be declared and noted in the meeting minutes if:
  - (i) a Committee member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting; or
  - (ii) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter;
  - (iii) the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at the meeting.
- (b). A Committee must ensure that:
  - (i) particulars of disclosures made under this clause are recorded in the minutes; and
  - (ii) the minutes are available for inspection (that is, Committee meeting minutes are placed on Council's website).
- (c). After a member of a Committee has disclosed the nature of an interest in a matter, the member must not:

- (i) be present during the deliberation of the Committee with respect to the matter;  
or
  - (ii) take part in the decision of the Committee with respect to that matter.
- (d). For the purposes of the making of a determination by a Committee under subclause 5.2(c), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not be present during the deliberation for the purpose of making the determination.

## 6. Financial Matters

Committees are given authority to operate by Council and are subject to the same rules and regulations. These rules are set out in the Local Government Act, Local Government Regulations and Accounting standards, and must be adhered to.

Funds raised, received, or spent are subject to public scrutiny and accountability, including a responsibility to ensure that Committee funds are used in the manner for which they were intended and that a clear and full disclosure of the Committee's financial activities is available.

For those Committees handling funds, a financial report must be submitted to each of the Committee meetings.

The General Manager has the authority to direct Committees to process their financial records through the Council's financial system.

## 7. Risk Management and Insurance

### 7.1. Property Insurance

Council facilities are covered for risks such as fire, theft, and malicious damage. Committees should be aware of the excess applicable to this policy, which is currently \$20,000.00.

### 7.2. Public Liability Cover

The appointed Committee members are covered by the public liability policy of Council (currently \$20million).

Members of the Committee should note that they are only covered by third party injuries as a result of negligence which is insured under Council's public liability insurance when acting within the scope of their delegation.

This Policy also covers Council and the Committee against claims made by members of the public for personal injury or injury to personal property arising from a negligent act or omission of Council and/or the Committee.

This insurance does not preclude the Committee from due diligence, and Council policies must be adhered to.

The Public Liability Policy for Council and Committees is subject to a claims excess, which is currently \$12,500.00 per claim.

### 7.3. Personal Injury

Committee members may be covered when injured whilst undertaking duties relating to their role in the Committee.

### 7.4. Contractors' insurance

Council's insurance does not provide any cover for Contractors. Where members of the Committee have authority to appoint contractors, the types of insurances that should be held by contractors (available to be sighted by Council, if required) include Workers Compensation, Public Liability, and where a vehicle is being used on Council property, Third Party Motor Vehicle insurance.

### 7.5. Casual and Regular Hirers' Insurance Liability

A Casual and Regular Hirers' Policy (\$20 million) exists in order to cover persons using Council facilities on a non-permanent and not-for-profit basis.

For example, weddings, birthday celebrations or the like are covered under Council's Casual hirer's insurance Policy.

For a Casual or Regular Hirer, the claims excess is \$1,000.00 for each and every claim, payable by the casual or regular hirer.

A record by the Committee of the history of bookings is essential for a claim to be made.

Note: Fundraising for an individual, a charity, or community organisation or group will be covered under Council's Casual Hirer's Policy if the hirer:

- (a). is not a sporting group, club, association, corporation, or incorporated body;
- (b). is not a sole trader or registered business;
- (c). is not making a personal financial gain from the activity;
- (d). is not undertaking an activity of a commercial nature;
- (e). is not a large (for example, the hall's capacity) evening event where alcohol will be permitted;
- (f). provides the Committee with a signed statement from the hirer and beneficiary that identifies the hirer and the intended beneficiary who will be receiving all proceeds made from the activity; and
- (g). the hirer acknowledges that they are responsible for the claims excess, currently being \$1,000.00 for each and every claim under the policy arising from the event.

### 7.6. Other hirers' insurance Liability

Persons or groups, not defined in 7.5 must have, and provide the Committee with proof of, their Public Liability insurance policy, including policy schedule and product disclosure statement (PDS), in the sum of not less than \$20 million if they fit into one of the following categories:

- (a). creates an income or profit from the activity, for example, yoga, art, Pilates classes charging a fee for service, workshops by charging door entry, participation fee, prepaid fee;
- (b). makes a personal financial gain from the activity;
- (c). a sole trader or registered business;
- (d). a corporation or incorporated bodies; or



(e). sporting body, club, or associations of any kind.

It is the Committee's responsibility to ensure that users of the facility that meet any of the categories in this clause have adequate Public Liability insurance.

*If there are situations not identified above where a hirer of the facility does not have its own Public Liability Insurance and there is uncertainty as to whether the hirer meets the "Casual or Regular Hirer" or "Other Hirer Guidelines" the matter must be referred to Council to confirm with its insurer.*

## 7.7. Definitions of Clause 7

<b>Casual Hirer</b>	Person or group of persons (not being a sporting body, club, association, corporation, or incorporated body), who hires a council facility for non-commercial or non-profit making purposes, less frequently than once per calendar month or twelve (12) times per calendar year.
<b>Regular Hirer</b>	Person or group of persons (not being a sporting body, club, association, corporation, or incorporated body), who hires a Council facility for non-commercial or non-profit making purposes, more frequently than once per calendar month or twelve (12) times per calendar year.
<b>Personal Injury</b>	<ol style="list-style-type: none"> <li>1. Bodily injury, death, sickness, disease, disability, shock, fright, mental anguish, and mental injury;</li> <li>2. False arrest, false imprisonment, wrongful eviction, wrongful detention, malicious prosecution, and humiliation;</li> <li>3. Assault and battery not committed by or at the direction of the Casual or Regular hirer unless committed for the purpose of preventing or eliminating danger to person or property.</li> </ol>

## 8. Care, Control and Management of a Council Facility

Hiring a facility and making it readily accessible to the community is central to the purpose of most Committees.

### 8.1. Conditions of Hire

It is essential that hirers sign a Hire Agreement which demonstrates their agreement to abide by the Conditions of Hire set out by the Committee and in accordance with Council policies. It is best practice for a Committee member to ensure each hirer understands their obligations when hiring the facility, explaining the conditions with the hirer if required.

### 8.2. Inclusion

The Committee is acting on behalf of Council, and it is important to uphold the principles of equity, accessibility, and inclusivity. Consideration of disability and inclusion is managed under the *Disability Inclusion Act 2014* (NSW), which requires all government departments and certain public authorities, including councils, in NSW to have a Disability Inclusion Action Plan.

For Committees, this means that inclusion needs to be considered in all areas of planning and operation of the relevant hall or facility. Critical areas requiring consideration include access to the hall and facilities (including toilets and kitchen), making written and web materials available

to sight and/or hearing-impaired people, and supporting access to sporting and recreation opportunities.

### 8.3. Fees and Charges

The schedule of fees and charges is set by Council, taking into the consideration the recommendations of the Committee and the operating requirements of the facility.

Only Council has the power under the Local Government Act to set fees and charges. Committees are to review their fees annually and make recommendations to Council. The Committee will be contacted by Council each year prior to the adoption of the Budget with regard to the fees applicable for the following financial year. Figures submitted should show the GST (Goods and Services Tax) exclusive amount to which Council will add the ruling rate of GST. Once Council has adopted the fees and charges, a list will be supplied to each Committee.

The Committee is not able to provide subsidies or waive hire fees. Requests concerning fee reduction must be referred to Council.

### 8.4. Bonds

As a safeguard against possible damage, the Committee may hold a bond for the facility or equipment, or to cover the need for additional cleaning, where appropriate.

Hirers should be advised that this bond amount will be refunded if conditions of hire are satisfactorily met.

Abnormal costs associated with the hire of the facility will be deducted from the bond, including the GST proportion. This may include extra removal of garbage, extra cleaning, etc.

### 8.5. Keys and Security

Committees are encouraged to manage keys and access to the facility in an efficient manner. This may include installing a key safe for key pick-ups and drop offs. If a key safe is used, the combination should be changed regularly for security purposes (for example, weekly).

A complete change of locks may be required if there are too many outstanding or lost keys distributed throughout the community. The Committee should manage keys with the utmost security in mind. Key deposits or bonds collected may help fund a change of locks from time to time.

### 8.6. Cleaning

The Committee has the responsibility for the overall cleanliness of the facility under its control. The Committee is responsible for the employment of the cleaner and this should be contracted out to a professional cleaner with the appropriate public liability insurance and an ABN, in accordance with Council's Procurement Policy and Procedure.

### 8.7. Purchasing of Goods and Services

Under the Local Government Act, Council can assist Committees by purchasing goods to be used in association with a function of the Committee. The benefit this provides to the Committee is that the item would be free of GST and utilise the purchasing power of Council to reduce costs.



Council is required to authorise a Committee to purchase goods and services in accordance with Council's Procurement Policy and Procedure.

## 9. Dispute Resolution

The General Manager is the interpreter of this policy.

## 10. Related Documents

### Legislation and Guidelines

- Local Government Act 1993 (NSW)
- Local Government (General) Regulations 2021 (NSW)
- Crimes Act 1900 (NSW)

### Policies and Procedures

- Code of Conduct
- Code of Meeting Practice
- WHS Policy
- Procurement Policy
- Procurement Procedures

### Other Supporting Documents

- Advertisement for Annual General Meeting Template
- Committee Membership Nomination Form Template
- Agenda Template
- Minutes Format Template

## 11. Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	26.10.2021	Manager Governance	Adopted by Council on 26 October 2021, Minute Number 156.
2	10.11.2021	Governance Officer	Updated position title and formatting.