

PROCEDURES MANUAL
FOR COUNCIL SECTION 355 MANAGEMENT COMMITTEES
TRIM 1723#216

WOLLONDILLY SHIRE COUNCIL

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1. FOREWORD

Since the Local Government Act was revised in 1993 a considerable number of changes in the running of Management Committees have taken place.

To reflect these changes and to ensure all the responsibilities and duties of the Management Committees are fully explained, Council has prepared this Procedures Manual. The Manual is set out reflecting the individual facets of managing a facility on behalf of Council by members of the Community.

Council acknowledges the great work and tireless efforts of individuals within the Community in presenting an efficient and effective management of the various Community facilities. Without the help of community spirited volunteers the provision of community facilities, both halls and playing fields would be restricted.

I place on record Council's appreciation for your efforts in delivering these services to the Community and commend to you this Manual to assist in understanding the requirements of the task.

2. INTRODUCTION

Under Section 355, 377 and 378 of the Local Government Act 1993, Wollondilly Shire Council is able to delegate some of its functions to a Committee of Council. Council appoints community members to manage facilities as Section 355 Management Committees.

The provision of Management Committees allows interested persons from the local community to have a greater involvement and control over the facilities provided in their area. This provides a two fold benefit by giving protection to the committee operating under the banner of Council and by providing Council with assistance in the carrying out of its functions.

Management Committees manage extremely valuable community facilities and services so it is imperative that they are managed to the optimum interest of the whole community. It is worth noting that duly appointed Committees in fulfilling their delegated responsibilities are acting as, and on behalf of, Council.

Wollondilly Shire Council currently has six Section 355 Management Committees which manage the following facilities:

- Bargo Sportsground and Community Centre
- Douglas Park Sportsground and Community Centre
- Tahmoor Sportsground
- Thirlmere Sportsground
- Victoria Park Sportsground
- Wilton Sportsground and Community Centre

3. DEFINITIONS

In this Manual:

- (i) "Council" shall mean the Council of the Shire of Wollondilly.
- (ii) "Committee" or "Management Committee" shall mean that body of persons appointed in accordance with Section 2.2 of this Manual.
- (iii) "Licensee" or "Licensed use" shall mean those bodies or organisations which have been granted, under separate lease or licence, exclusive or shared occupancy of a section of any facility.
- (iv) "Annual use" shall mean any user granted use of any facility on a year-to-year basis.
- (v) "Minor maintenance" shall mean all maintenance works within land, halls, and other buildings under the control of the Management Committee excluding those specified in the attached Schedule as being the responsibility of Council.
- (vi) "Seasonal User" shall mean those clubs or groups that use the facilities for a defined season.
- (vii) "Casual Hirer" shall mean those groups or individuals that have been granted use of the sporting or building facilities for a one off activity.
- (viii) "Tenant Body" shall mean any club, group or organisation which is granted use of any portion of the facilities on a licensed annual, seasonal or longer term basis.
- (ix) "Manual" means this Procedures Manual for Council Management Committees.
- (x) "Community Representative" shall mean those individuals that are not affiliated with any Tenant Body and are voted onto the Committee, by similar persons at the public meeting held to elect the Committee.
- (xi) "Relative" means:
 - (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse.
 - (b) the spouse or de facto partner of the person or of a person referred to in (i).
 - (c) "Unfinancial" means those representatives or organisations who have accounts outstanding with the Management Committee beyond the due date.

4. MANAGEMENT COMMITTEES

4.1 PROCEDURES FOR APPOINTING COMMITTEE

- (i) The Committee shall be formed at a public meeting in the district in which the facility is situated; preferably on the site of the facility.
- (ii) The public meeting may be called by Council or Management Committee by advertising locally, upon a request by residents or at Council's discretion.
- (iii) Notification will be forwarded to Council advising the names and appropriate details of the persons recommended for appointment to the Committee. This notification is to be made on Council's "Volunteer Application Form" **Appendix 6**.
- (iv) Upon Council resolving to accept the nominations of the persons proposed for membership of the Committee, Council will advise the Management Committee that they have been appointed to the Committee.

4.2 MEMBERSHIP OF COMMITTEE

- (i) An individual may hold membership of one (1) or more Management Committees within the Shire however may only represent one (1) body/group on any single Committee.
- (ii) Committee Membership will be open only to residents of Wollondilly Shire who are over the age of eighteen (18) years.
- (iii) The Management Committee will ideally consist of the Office Bearers and a similar number of other Committee Members. The Office Bearers will occupy the positions of:
 - President.
 - Secretary.
 - Treasurer.
 - Booking Officer

Wollondilly Shire Councillors will be ex-officio members of each Committee.

- (iv) Community representatives nominated for the committee must be residents of the Shire.
- (v) The Management Committee shall consist of:
 - (a) Up to three members of each organisation which is granted use of any portion of the facilities on a licensed, annual, seasonal or longer term basis. Each organisation is entitled to a maximum of two (2) votes.
 - (b) Up to a maximum of three other persons who are residents of the Shire and who are not affiliated with any Tenant body. This group is entitled to two (2) votes.

- (c) If a facility has no user group representatives nominated then the committee may be formed by Community representatives. Council will then consider the community representative make up of the committee and determine whether to form a committee. In this case all the representatives on the committee will be entitled to a vote.

4.3 ELECTION OF MEMBERS

- (i) Persons over the age of 18, may be nominated for membership of the Management Committee at the public meeting called for that purpose. The Community representatives of the Shire shall be elected by the community representatives present at the Annual or Quadrennial General Meeting.
- (ii) Representatives of the regular users of the facility may be nominated by these organisations at the Ordinary, Annual or Quadrennial General Meeting.
- (iii) The Management Committee may nominate a person for appointment by Council to fill any casual vacancy which may occur in its membership from time to time. Such appointments will cease on the date of the dissolution of the Committee.
- (iv) All members of the Management Committee are “caretaker” members until such time as appointed by Council.

4.4 APPOINTMENT & ELECTION OF MANAGEMENT COMMITTEES

4.4.1 Formation of Management Committee

- (i) The appointment of Management Committees is entirely at the discretion of the Council. The Committees are appointed and reappointed in accordance with the provisions of Section 355 and Section 377 of the Local Government Act 1993.
- (ii) Each Management Committee shall cease to hold office at the expiration of 3 months after the Council election next following upon the appointment of the Committee but shall be eligible for reappointment unless Council specifically resolved otherwise.
- (iii) A person shall cease to be a member of a Management Committee if:
 - (a) The member dies;
 - (b) The member becomes bankrupt;
 - (c) The member resigns from office by notification in writing to the Committee and Council;
 - (d) The member is absent for more than 3 consecutive meetings without leave from meetings of the Committee;
 - (e) Council passes a resolution to remove the member from the Committee;
 - (f) The member holds any office of profit under the Committee; or

- (g) The 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; or
 - (h) The member while holding that office is convicted of an offence referred to part 4 of the Crimes Act 1900 (offences relating to property); or
 - (i) The member is prohibited by Order under Section 230 of the Corporations Law from managing a corporation within the meaning of that Section; or
 - (j) The member becomes a mentally incapacitated person.
- (iv) Council has the right to remove any members of the Management Committee after consultation with the Committee.
- (v) A member can resign at any time. A member may nominate a tenure of office.

4.4.2 Election of Office Bearers

- (i) The Committee shall, from its own members, elect a President, Secretary, Treasurer and Booking Officer. These positions form the Executive of the Committee.
- (ii) The Committee may, from its own members, elect a Grounds Committee, Groundsman or caretaker to handle the allocation and/or maintenance of grounds or other sub-committees necessary to handle a specific function or report on a specific issue.
- (iii) For small Management Committees, a member can hold two positions.

Please Note: A Committee Member cannot occupy the positions of Booking Officer and Treasurer at the same time.

- (iv) The Committee may, from its members, elect additional positions such as:
- (a) Vice President.
 - (b) Assistant Secretary.
 - (c) Publicity Officer.
 - (d) Other positions as deemed necessary.
- (v) A maximum of two (2) relatives of any one family can be office bearers on the same Committee at the same time.

Only one (1) of those office bearers is to sign cheques on behalf of the same Committee at the same time.

This means that relatives of the same family can be appointed to the same Committee simultaneously but only two can be office bearers and only one can sign cheques during the time they are members.

- (vi) All Management Committees are required to advise Council of the details of the persons who are authorised signatories of the Committee’s bank account.

4.5 DISSOLUTION OF MANAGEMENT COMMITTEE

- (i) Any Management Committee may be dissolved by Council at any time.
- (ii) Council may wish to dissolve a Management Committee to carry out the control of the facility itself.
- (iii) Council may also dissolve a Management Committee if that Committee is not complying with the roles and responsibilities of the Committee.
- (iv) The Management Committee shall be dissolved in the event of membership dropping to less than four (4) persons, unless Council specifically resolves otherwise.
- (v) The Management Committee can also be dissolved by a vote of 75% of the voting members present at an Extraordinary Meeting convened to consider this option.
- (vi) Upon a resolution being passed in accordance with clause (b) and (c) and confirmation by Council, all assets and funds of the Management Committee shall, after payment of all expenses and liabilities, be handed over to Council.

4.6 PROCEDURE FOR RESIGNING FROM MANAGEMENT COMMITTEE

- (i) Where a member of a Management Committee resigns a written resignation will be presented to the Management Committee.
- (ii) Upon receipt of the resignation the Management Committee will call for nominations from the user group with which the member was affiliated and refer this nomination to Council for concurrence.
- (iii) Where the member is not a member of a user group, Council will be advised and will call a public meeting to be advertised in the local press seeking nominations to replace the community member who has resigned.
- (iv) Any nominations will be submitted to Council for approval.

4.7 LIABILITIES

Management Committee Members shall adhere to all requirements outlined in the Management Committee Procedures Manual, along with all Policies, Procedures, Guidelines and Requirements of Wollondilly Shire Council. Wollondilly Shire Council shall not provide support for Management Committee Members that are exposed to litigation or prosecution as a result of acting not in accordance with these Policies, Procedures, Guidelines or Requirements

5. VOLUNTEER APPLICATION FORMS

All volunteers to a Section 355 Management Committee must complete a Volunteer Application Form and submit it to Council for approval. (See Appendix 6). The second page of the application form "Contents of Engagement" is to be retained by the volunteer.

Volunteers are to be provided with and should make themselves familiar with Council's "Guidelines for Managing Volunteers". Appendix 6.

The volunteer may not commence volunteer activities or vote at Committee Meetings until their application has been approved by Council and the Committee has been notified in writing.

While undertaking activities on behalf of Council, volunteers have responsibilities for health and safety. In particular volunteers, through their actions or omissions are not to place themselves or other persons at risk while undertaking the activities they have been engaged to do.

6. RESPONSIBILITIES AND DUTIES OF MANAGEMENT COMMITTEES

6.1 CARE, CONTROL AND MANAGEMENT OF FACILITY

The Committee shall be responsible for the care, control and management of the allocated facilities including:

- (i) Health. [Section 22.1]
- (ii) Waste Disposal [Section 22.2]
- (ii) Cleanliness. [Section 22.3]
- (iv) Risk Management. [Section 18.1]
- (iv) Security. [Section 6.12]
- (vi) Minor Maintenance. [Section 13]
- (vii) Various Policies. [Section 22]

6.2 ANNUAL INFORMATION

The Management Committee will submit to Council the following information:

- (i) A recommendation of any new or maintenance works proposed for the period 1 July to 30 June. The recommendation should be submitted prior to mid December each year to enable it to be considered in Council's Budget deliberations. Any funding available for such works should also be included.
- (ii) Financial statements for auditing by Council in accordance with Council's requirements are to be provided by 31 July each year for the previous period 1 July to 30 June.
- (iii) A copy of the Minutes of the Committee's activities and operations together with the balanced financial statements which have been adopted at a meeting of the Committee by 31 July each year.
- (v) A current list of all tenant clubs or associations, plus a current list of contact addresses and telephone numbers for all tenant club Presidents and Secretaries to be forwarded by 1 March and 1 September each year.
- (vi) A current list of all Committee members including the address and phone number of the Committee to be forwarded immediately following nomination of the Committee and where there are changes to the data contained therein.
- (vii) A current list of all contents belonging to the Committee (not User Groups) for inclusion in Council's Insurance Policy, by 1 March each year.

6.3 INSURANCE COVER

The Committee shall carry out its Insurance responsibilities in accordance with [Section 18.2]

6.4 COMPLIANCE WITH COUNCIL'S REQUIREMENTS

The Committee shall undertake to ensure that the facilities are used in accordance with the Council's Local Laws, Regulations, and Policy relating to the use of these facilities and that they are not used to the detriment of the facility.

6.5 ADVICE ON FIELD ALLOCATION

For sporting fields, the Committee shall advise the Council's contact officer of the days and times when the sporting ovals have been allocated for use, to enable the Superintendent to ensure the proper maintenance of the grounds.

6.6 FACILITY SAFETY

The Committee shall ensure the fields or facilities are safe for use and shall ensure that users/hirers determine the fields or facilities are safe immediately before and after use. The Committee shall ensure that all user groups complete a *User Group Agreement* each year and forward a copy to Council for their records.

6.7 FIELD ALLOCATION

Prior to the commencement of each sporting season (eg. summer and winter seasons), the Committee shall submit to the Council a copy of the Committee's proposed ground allocations (any changes to the preceding season's allocations to be highlighted and explained). Where there is potential for excessive wear Council may need to discuss alternative allocations with the Committee.

6.8 VACATION OF GROUND

- (i) Where a ground is vacated by a tenant body during the season, the vacancy must be brought to Council's attention immediately and Council approval must be obtained before the ground is reallocated.
- (ii) Where the Committee wishes to allocate facilities to a Tenant Body for a period in excess of one year, a Licence Agreement shall be executed between the Committee and Tenant Body, and the Agreement shall not come into effect without the prior written approval of the Council.

6.9 HANDLING OF MONEY

All monies handled by the Management Committee must pass through an approved bank account. All monies paid out by the Committee must be paid by cheque (over \$20) and the cheque account must have a minimum of two signatories both of whom are to be office bearers of the Committee. For amounts under \$20, they may be paid from Petty Cash. Funds invested by the Committee may only be invested in banks, credit unions or government investments. (Section 17)

6.10 COUNCIL TO APPROVAL LIQUOR LICENCE

The Committee shall obtain prior written approval of Council for any application to the Licensing Court of NSW for any Liquor Licence sought for the facility (See Section 11.8)

6.11 POST OFFICE BOX

All Committees shall maintain, subject to availability, a Post Office Box to which all correspondence will be forwarded. Council will pay the cost of the Post Office Box

6.12 SECURITY

- (i) The Management Committee is responsible for the security of the facility and will ensure that adequate security systems are in place.
- (ii) The Management Committee is required to make regular visits to the facility especially where a Community Hall is involved to ensure that the facility is secure and where vandalism has occurred it is reported to Council and Police immediately. Or alternatively you can call the Police Assistance Line on 131444.
- (iii) Where the Management Committee considers there is a need for regular security patrols of the facility this matter will be referred to Council and Council will advise the Management Committee of its preferred security company. The costs of the patrol will be borne by the Committee.

7. RESPONSIBILITIES AND DUTIES OF OFFICE BEARERS AND COMMITTEE MEMBERS

The duties of the Office Bearers are as follows (See Appendix 3 for further information)

7.1 PRESIDENT

- Give adequate notice of Committee meetings to members.
- Chair the meeting impartially.
- Regulate meetings to ensure sufficient time is given for discussion and decision making.
- Provide members with adequate background information.
- Summarise decisions of Committee.
- Attend to any motion put to Committee.

7.2 SECRETARY

- Keep records other than financial.
- Communicate regularly with the President and other Office Bearers and delegate any action necessary.
- Refer copy of Minutes and Financial Statement to Council.
- Prepare and maintain an Assets Register of the items controlled by the Committee.

7.3 TREASURER

- Keep financial records for all incoming and outgoing transaction.
- Bank all monies received by the Committee in an approved bank account.
- Present to each Committee meeting a current financial statement which is to be formally adopted in the minutes and a copy of which is to be forwarded to Council with the minutes. The Financial Statement should include:
 - full details of cheques written before the meeting,
 - cheques submitted for approval by the committee,
 - Outstanding accounts (user group fees not paid), and
 - bank reconciliation
- Present to each Committee meeting all invoices received on behalf of the Committee and follow up on payments of invoices.
- Prepare and submit the financial books of the Committee to Council annually by 31 July.

7.4 BOOKING OFFICER

- Take enquiries.
- Enter bookings in Booking Diary.
- Send out application forms and Conditions of Hire forms and ensure both are signed by hirer for any period of hire.
- Give receipt for hiring fees and insurance cover.
- Issue key, ensuring hirer signs for receipt of key.
- Inspect facility before and after use for cleaning and damage prior to advising Treasurer for bond & key deposit reimbursement.
- Forward a copy of monthly bookings calendar to Council each month in advance in order that they may schedule sportsground and hall maintenance around user group activities.

The duties of other Committee Members include the following:

7.5 COMMITTEE MEMBERS

- Attend most committee meetings:
 - Be on time
 - Stick to Agenda
 - Contribute to discussion where appropriate
 - Be objective, listen to others views
 - Volunteer to carry out tasks as required
- Support Executive Committee Members in carrying out their jobs.
- Assist in the maintenance and management of the facility as required.

8. RESPONSIBILITIES AND DUTIES OF COUNCIL

8.1 FUNDING MAJOR IMPROVEMENTS

The Council shall be responsible for the planning, funding and construction of any new capital works on the land although it will consult (for the purposes of input) with the Management Committee on proposed capital works and may require a financial contribution from user groups where the works are deemed to be of benefit to any particular group or groups of users rather than to the community as a whole.

8.2 MAINTENANCE RESPONSIBILITIES

The Council shall be responsible for maintenance works in the facility as set out in [Appendix 2](#).

8.3 INSURANCE OF ASSETS

The Council shall fully insure all buildings and all fixtures, fittings, and contents as set out in [Section 18.2](#).

8.4 INSURANCE OF COMMITTEE MEMBERS

The Council shall insure the Committee in respect of Public Liability, Professional Indemnity and Workers Compensation as detailed in [Section 18.2](#).

8.5 NOTIFICATION OF FEES AND CHARGES

The Council shall notify the Management Committee of any proposed variation of ground hire fees proposed for the ensuing year by 30th June in each year.

8.6 IMPROVEMENT RECOMMENDATIONS

The Council shall consider with its annual estimates all improvements suggested by the Committee. Recommendations shall be submitted to the Council by mid December in the preceding year along with details of proposed work, cost of the work and the amount of funding (including approved grants and donations) that is available for the work. Council's Facilities & Recreation Division shall prepare a priority list of proposed works for the Council's consideration in the following year's Operations Plan. The priority list shall be based on identified need and on Council's ability to resource the projects including staffing and available sources of funding.

8.7 TRAINING OF COMMITTEE

The Council shall carry out the necessary training of Committee members and Office Bearers.

8.9 RENEWAL OF ENTERTAINMENT LICENCES

The Council shall renew Entertainment Licences with APRA for its facilities as required.

9. MANAGEMENT OF FACILITY

9.1 COUNCIL'S OVERRIDING AUTHORITY

Management of the facility is vested in the Management Committee by Council. Whilst the Committee has control of the facility, Council may exercise an overriding authority and could revoke the powers of the Committee.

9.2 LEGAL ACTION

The Committee is unable to enter into legal action. (Section 19.1).

9.3 BOOKINGS AND EXCEPTIONS

The Management Committee will be responsible for all bookings and hiring of the facility with the exception of:

- (i) Applications for consent to the consumption of intoxicating liquor in the facility are to be in accordance with (Section 11.8).

Council does not allow any exemptions for any particular organisation for taking alcohol onto Council's facility under a functions licence.

- (ii) Applications for permission to conduct fund raising events, carnivals, circuses, rodeos etc. These shall be referred to Council for approval for which a minimum of four months notice shall be given.

9.4 ENGAGEMENT OF PERSONS

Where a Management Committee wishes to engage persons for any reason Council should be consulted prior to such appointment being taken and then a Deed of Agreement may be entered into between Council and the Management Committee. Any employment of staff should be in accordance with Council's Equal Employment Opportunity Policy and the requirements of relevant Work health and safety legislation. (See Section 22).

9.5 LEGAL EXPENSES

Council is responsible for the payment of legal expenses in relation to preparation of such Deeds of Agreement by Council's Solicitors for (d) above.

9.6 DONATIONS

Committees are not permitted to loan or donate funds from its funds or borrow money on its behalf without the prior authority of Council.

9.7 APPROVAL OF COMMITTEES AND OFFICE BEARERS

Committees and Office Bearers must be approved by Council.

9.8 VARIATION OF DEVELOPMENT PLANS

Committees must not vary the overall design plan for the facility without Council's written approval.

9.9 PAYMENT OF COMMITTEE MEMBERS

Payment to a Committee Member is not permitted except for out of pocket expenses.

9.10 PROPOSED FEES

Fees proposed to be charged for use of the facility must be submitted annually to Council for approval. (Section 12.3).

9.11 MEMBERSHIP FEES

Fees are not to be charged for Membership of the Management Committee.

9.12 DISPUTES - EXTERNAL

- (i) Where individual residents or groups of residents of the Shire disagree with a resolution of the Management Committee, these bodies have the right to refer their grievances in writing to the Committee for reconsideration.
- (ii) Where the Management Committee refuses to alter its decision the individual resident or group of residents from within the Shire may refer their grievance to Council in writing for reconsideration.
- (iii) Where such notice in writing is referred to Council, Council will seek a report on the issue from the Management Committee. Upon receipt of the report the matter will be referred to Council for resolution.
- (iv) Upon Council adopting a resolution, the details of Council's deliberations will be advised to the Management Committee and the resident or group of residents who referred the matter to Council.
- (v) The members of the Management Committee are to acquaint themselves with the principles of Conflict Resolution as outlined in Appendix 4.

9.13 DISPUTES - INTERNAL

- (i) All disputes between members of the Committee are to be resolved within the Committee where possible.
- (ii) Where a dispute occurs within a Committee the resolution of the Committee as a whole will determine the outcome.

There will be no right of appeal when the Management Committee determines its resolution of a dispute, however as per Section 9.1, Council may exercise its overriding authority in some circumstances.

10. KEY ISSUES FOR COMMITTEES

10.1 HEALTH, SAFETY AND RISK MANAGEMENT

As a Committee of Council, the Management Committee has a duty of care to ensure the health, safety and welfare of persons using the facility.

The Committee's responsibilities in these areas are set out in [Section 18 - Risk Management and Insurance](#) and [Section 22 - Council Policies](#).

10.2 INSURANCE

Ensure that all users of the facility conform to the conditions outlined in [Section 18 - Risk Management and Insurance](#).

10.3 MAINTENANCE

As a general rule, the maintenance of Council facilities managed by Section 355 Management Committees is in accordance with the responsibilities as shown in [Appendix 2](#):

It is important to note that possibilities exist for partnership with Council in the maintenance of some facilities, e.g. a Committee may wish to put forward a proposal that Council supply the materials and the Committee provide labour in order to hasten a particular project. Innovative suggestions can be directed to Council's contact officers.

11. OPERATION OF THE FACILITY

Hiring a facility is central to the purpose of the Management Committee. Making the facility readily accessible to the Community, whilst at the same time raising funds for its maintenance and future improvements, are some of the main objectives of the Management Committee. The following guidelines form the basis for acceptable hiring procedures.

11.1 APPLICATION FOR HIRE AND CONDITIONS OF HIRE OF A COUNCIL FACILITY

It is essential that hirers complete an Application to Hire and sign a Conditions of Hire, which shows that they abide by the Conditions of Hire set out by the Committee, and in accordance with Council policies. **See Appendix 10 (a and b).**

11.2 FEES AND CHARGES

The schedule of fees and charges is set by Council on the recommendations of the Management Committees and the operating requirements of the facility. **Only Council has the power under the Local Government Act to set fees and charges.** It is suggested that Committees review their fees at least once annually and make recommendations to the Council's contact officer by mid February for assessment and inclusion in the annual review of fees and charges. Once Council has adopted the fees and charges, a list will be supplied to each Committee.

Under no circumstances are the Committees permitted to discount or waive hiring fees. Should the Committee consider there is a sound case for any adjustment to the fees, the Hirer may complete an Application for Reduction or Fee Waiver of Fees" and submit to Council for assessment

11.3 DAMAGE DEPOSIT

A damage deposit (Bond) is held by the Committee as a safeguard against possible damage to the facility or equipment, or in the need for additional cleaning. Hirers should be advised that this will be refunded by cheque if all conditions of the hire are adhered to.

11.4 FEES WAIVED OR DISCOUNTED BY COUNCIL

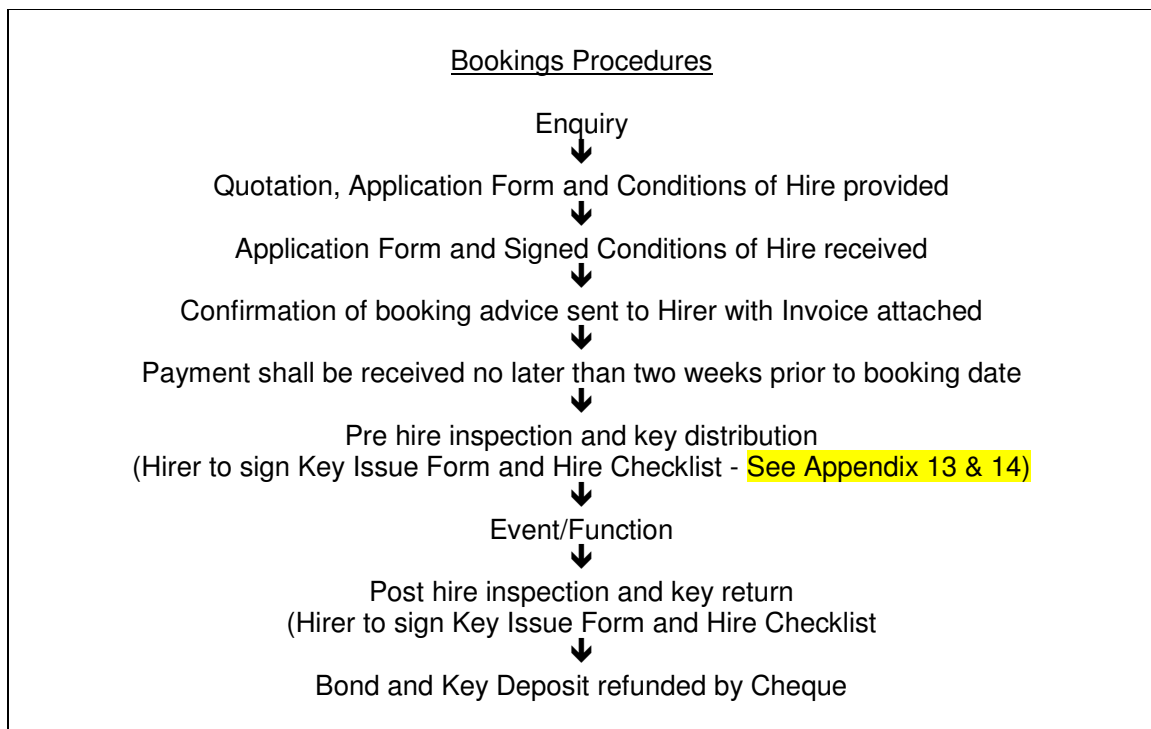
Should a Committee be unable to discharge its financial responsibilities due to discounts being applied by Council, it is advised to make a submission to Council requesting reimbursement.

Where fees of certain groups have been waived or discounted by Council, Committees are advised to keep a record in their booking diary for reference when preparing their next annual budget.

11.5 BOOKINGS

Each Management Committee will have a contact person who is responsible for the bookings of the facility. It is anticipated that the person's name and telephone number is well publicised for the benefit of the Community. To make a booking, a person or group contacts the Booking Officer and books the facility for a particular day and time. The Booking Officer will advise the hirer of the fees and deposits required and provide the hirer with an Application Form and the Conditions of Hire. All Hirers must complete an application form prior to their use of the facility and sign Council's Conditions of Hire. A copy of the hirer's completed Application to Hire and a signed copy of the Conditions of Hire along with relevant information should be recorded in the Booking Diary.

Upon confirmation of bookings, all hirers of Council buildings shall be notified of the maximum persons permitted in the facility at one time. This shall be reinforced at the pre hire inspection. Reference to safety signage and emergency procedures shall also be made at the pre hire inspection.



11.6 BOOKING DIARY

The Booking Diary is preferably a large hard cover (Financial Year) diary with one page for each day which shall be kept in an accessible place. All bookings are recorded in the Booking Diary at the appropriate date and should clearly show:

- (i) Date when preliminary booking was taken.
- (ii) Name, address and telephone number of the hirer.
- (iii) Type of function.
- (iv) Times of hire.
- (v) Hire charge and damage deposit (if any).
- (vi) Insurance charge – Casual hirers must pay the Casual Hirer's Insurance Fee to be covered for public liability under Council's policy unless they have their own public liability cover. All other hirer's must provide a copy of their own public liability insurance for a minimum of ten million dollars (\$10,000,000.00). The definition of a Casual Hirer is provided in [Section 11.7](#).
- (vii) Receipt number, amount paid and date of payments as they are received.
- (viii) Caretaker's comments on the condition of the Facility and equipment after the function.
- (ix) Cheque number, amount and date of issue when the damage deposit, or part, is refunded.
- (x) Amount forfeited if applicable.

11.7 INSURANCE FOR HIRERS

- (i) Casual hirers of the facility who do not carry their own public liability insurance are required to pay a fee per booking and are then covered by Council for the period of the hire.

Under Council's Insurance provisions, a **Casual Hirer means:**

any 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 times per calendar year.

- (ii) Funds collected for Casual Hirer's Insurance should be submitted to Council at the end of March, June, September and December together with the Insurance Return Form. [\(Section 18.2\)](#)

11.8 USE OF LIQUOR

Committees are responsible for advising hirers of conditions relating to the use of alcohol. These prohibit:

- (i) The consumption of alcohol in glass bottles at Sporting Facilities;
- (ii) the consumption of intoxicating liquor by persons under the age of 18 years;
- (iii) bringing bulk alcohol or kegs into a community facility; or
- (iv) selling alcohol on the premises without a Functions Licence.

Functions where alcohol is served will be required to have a Functions Permit, which can be obtained from your local Police Station. [\(See Appendix 15\)](#)

Hirers wishing to sell alcohol must obtain a Functions Licence from the Licensing Section of Campbelltown Police Station or Picton Court House. The application must be lodged by the hirer at least 14 days before the date of the function and can only be obtained by non-proprietary associations.

11.9 PERMITS

Firework Permits can be obtained from Work Cover. Council's Fire Control Officer must be notified 24 hours prior to the event.

Hirers who operate Amusement Devices on Council's facility are required to submit an application for Approval for Amusement Device in accordance with Local Government Regulations. [\(See Appendix 12\)](#)

11.10 LICENSING OF HALLS

To cover the way's in which music may be used in Council halls, licences under APRA are required. The Council shall apply for an APRA Licence for each facility as required.

Council Halls which use sound recordings are required to obtain an annual licence under the Copyright Act 1968. The licence can be obtained from the Phonographic Performance Company of Australia Ltd.

Some hirers who are holding performances may require an additional licence from these bodies. The hirer should be advised that they need to make their own checks with the appropriate licensing body to ensure their event is covered.

11.11 MAXIMUM CAPACITY OF HALLS AND BEST PRACTICE SAFETY

To ensure safety of those using Council halls, maximum capacities must be observed. Signs should be posted in Council hall's to indicate what the maximum capacity of the facility is. The maximum number of people permitted in a theatre or a public hall under the Building Code of Australia is one person per metre square.

In order to comply with legislated safety standards in public buildings, alterations cannot be made to premises without the prior approval of the Council. In halls, community centres, clubhouses and canteens emergency exit must have exit signs. Care must be taken to ensure that safety exits are not impeded in any way with steel bars, chairs, stored goods, or any other items.

It is essential that all electrical works are carried out by licensed contractors only as per **Section 13.3**.

A complete safety check of the facility should be carried out on a regular basis. Particular care should be taken to check that electrical appliances have been tagged and electrical cords are not frayed, damaged or presenting a trip hazard.

Fire fighting equipment is audited by Council Contractors twice each year which includes an Annual Fire Safety Inspection. An Annual Fire Safety Statement must be displayed at all halls, community centres and canteen facilities, which is to be erected and updated annually by Council. Please notify Council if your facility does not have a statement on display. The Committee can check individual fire extinguishers have been audited by checking the date stamp on the tag of the extinguisher.

The Committee should contact Council if they have any safety concerns not able to be remedied by the Committee.

12. FACILITY BOOKINGS

12.1 HIRING OF FACILITY

- (i) Hiring out of community facilities is a major purpose of the Management Committee. This ensures that the facility is accessible to the community and ratepayers do not need to travel distances to a central authority to gain access to these facilities.

Funds raised from hiring the facilities assist in the provision of maintenance and operating costs as well as providing for improvements to the centre.

In hiring out these facilities, compliance is required with all applicable legislation, including the following:

- Environmental Planning and Assessment Act 1979
- Local Government Act 1993.
- Liquor Act and Regulations 2003.
- Protection of Environment Act 1997.
- Work, Health & Safety Act 2011.
- Council's Insurance Policy.
- Anti Discrimination Act 1997.
- Disabilities Discrimination Act (Federal) 1992.

Together with any other laws and regulations governing the conduct of a Committee.

- (ii) An **Application Form** is required to be completed prior to use of facilities - **See Appendix 10(a).**
- (iii) **Conditions of Hire** are outlined in **Appendix 10(b)** and must also be signed and submitted by hirer along with the signed Application Form and a copy of the hirer's current **Certificate of Currency** for Public Liability.
- (iv) The hirer of a **Sporting Facility** must be provided with a copy of the **Wollondilly Shire Council User Agreement**. This document requires the signature of either the President or Secretary of the Club or group as acknowledgement that it has been read and understood. The Management Committee is required to forward a copy of these agreements from each user group to Council at the beginning of each season. **See Appendix 10(c).**

12.2 ALLOCATION OF PLAYING FIELDS

The following procedure will be followed for the allocation of playing fields.

- (i) Seasonal hirers must submit an application each year at least two (2) months prior to the commencement of the season nominating the dates and times of use of the playing fields.
- ii) Where playing fields are not being fully utilised, an advertisement will be placed in the local press three (3) months in advance calling for applications for the hire of the playing fields for the coming season.

- (iii) The closing date for all applications is one (1) month prior to the commencement of the season.
- (iv) Applications will be received by the Management Committee.
- (v) Allocations of the playing fields will be made according to the applications received with Regular Seasonal Hirers given priority. No allocations will be made to clubs who fail to submit an Application Form. All applicants will be advised of allocations and payment of the appropriate charges which will be paid as follows:
 - 50% - on receipt of invoice from Committee
 - Balance by two equal monthly payments of 25% over the next 2 monthsHire rights may be suspended until payment is received unless prior arrangements for payment are made with the Management Committee.
- (vi) Priority will be given to local Sporting Clubs who have the majority of their members residing in Wollondilly Shire.
- (vii) New clubs applying for fields must provide details of membership, club history, financial status and proposed use of the fields. Any special requirements must be requested on the Application Form and paid for in full prior to the use of the allocated sporting field.
- (viii) Where electricity is used the hirer is required to pay its proportion of the usage.
- (ix) The Management Committee must be notified of any changes to the Club's application within twenty one (21) days from the date of notification of field allocations. Clubs will be liable for payment for all fields allocated to them unless the Management Committee is notified.
- (x) Use of the grounds is prohibited outside the times and days nominated by the Clubs and approved by the Management Committee. The Management Committee retains the rights to hire fields outside times and days nominated by the Clubs. The Management Committee must be notified as soon as possible of any Special Events including Registrations, Presentations, Knockouts, State Competitions and Gala days etc.
- (xi) Where an application is rejected by the Management Committee, the hirer shall be notified in writing with an explanation for the rejection.
- (xii) Wherever possible only one (1) club will be allocated to each field on a Seasonal basis. Where usage patterns on a particular field are low, the Management Committee may allocate two (2) or more clubs to that field with each Club being considered as a Hirer under the Terms of these Conditions of Hire. Where regular hiring of fields exists additional hire will follow only after consultation with the preferred hirer. Sub rental by sporting bodies which have been allocated the use of a particular sporting field is prohibited.

12.3 SETTING OF FEES

- (i) The Management Committee is required to nominate Fees and Charges for the various components of the facility.
- (ii) The Committee's fee structure should meet the general operating expenses incurred in the daily operation of the facility.
- (iii) These proposed Fees and Charges will be forwarded to Council for consideration. Under the Local Government Act, Council alone has the power to set Fees and Charges.
- (iv) Committees are required to review fees annually upon notification for submission to Council to be considered in conjunction with Council's Annual Budget deliberations.
- (v) Upon adoption by Council of the Fees and Charges a list will be provided to each Management Committee for the individual items of hire in the facility.

12.4 WET WEATHER

- (i) If Sports grounds or their preparation have been adversely affected by the weather to the extent that use would be detrimental, the Council will determine the restrictions for use of the grounds.
- (ii) A decision concerning the use of the playing fields for the first day of weekend competition will be made prior to 4.00pm on the day prior to the weekend. For other days on the weekend, the Management Committee will have the authority to close the grounds.
- (iii) The Management Committee have the authority to close a ground due to wet weather but do not have the authority to reopen the grounds that have been closed by Council.
- (v) Council's wet weather line provides an up to date recorded message regarding the status of play for all Council's sportsgrounds.

WET WEATHER LINE 4677 1111

- (vi) If a decision is made to close grounds by the Management Committee the open/closed signs at the Facility are to be changed and the Committee is to immediately notify Council or its after hours number so the Wet Weather line may be updated.
- (vii) Any user group playing or training on a ground that has been closed by Council will be liable for all restoration costs if the grounds are damaged.
- (viii) Any user group permitting play on a rain affected ground will be responsible for the restoration costs if damaged and may lose the use of the grounds for the remaining season/s.

Note: wear and tear on grounds is compounded in Wet Weather conditions. To ensure that grounds remain in good condition, please ensure that user groups restrict the playing of games and training when the grounds are rain affected.

12.5 SCHOOL HIRE

- (i) Schools must apply to the Management Committee for permission to use the facility.
- (ii) All Schools must pay the appropriate fee as adopted in Council's Fees and Charges document. Please refer to the Fees and Charges document for payment procedures.
- (iii) Teachers are to ensure that the grounds are left clean and tidy after use. Schools may incur a charge to clean up a Sporting Field and surrounds if left in an untidy state.
- (iv) Schools are to ensure that they must have a Public Liability Insurance Cover of \$10,000,000 prior to using the Sporting Facilities. Council requires that evidence be sighted by the Management Committee.
- (v) A School Sports representative should sign a "Schools User Group Agreement" each year and provide a copy to the Management Committee prior to any use of sporting grounds or sporting facilities. (Appendix 11)
- (vi) Individual Clubs cannot accept bookings from schools.
- (vii) Any misuse of Sporting Fields by Schools is to be reported to Council and appropriate action will be taken by Council.

13. MAINTENANCE OF FACILITY

13.1 GENERAL

The Committee have responsibility for the overall cleanliness and maintenance of the facilities under their control:

For details of Maintenance Responsibilities Management Committees/Wollondilly Shire Council (See Appendix 2)

13.2 PURCHASING

The Management and User groups of the facility are able to take advantage of Council's purchasing power. There will be additional charges for GST and Council's on stores cost.

It is essential that any purchases of any item are to be used in conjunction with the use of Council's facility.

Management Committees must comply with Council's Purchasing Policy when purchasing goods and services (See Appendix 20). Purchases of Assets over the amount of \$500.00 must be included in the facilities Asset List (Section 17.5)

13.3 CONTRACTING

Should Committees need to engage the services of a contractor (e.g. a plumber or electrician) at standard commercial rates, written quotes and authorisation may be obtained by applying the following steps:

- Check documentation to ensure registered and licensed (Gold Licence, expiry date, name on licence).
- View the contractor's Workers Compensation and Public Liability Insurance (\$10 million cover). Council's insurance does not cover the contractor.

Any works over the value of \$150,000 needs to go to tender.

Council must undertake tenders on behalf of Section 355 Committees.

13.4 PROJECTS INVOLVING VOLUNTARY LABOUR

Concerns have been raised in the past regarding improvement projects being carried out by Management Committees which involve voluntary labour and which occasionally are unable to be completed within budget due to lack of funds or the voluntary labour being unable to assist.

In such cases, financial assistance has been requested from Council and such funding has not always been readily available. Therefore, to ensure that projects are not unnecessarily jeopardized, the following procedure will apply.

- (i) At commencement of the improvement project the total project is to be defined, inclusive of all works and materials, along with the sources of all inputs e.g. financial, material and labour.

- (ii) Council's financial involvement will be defined by Council, with the understanding that all matters to be paid for by Council will be ordered by Council.
- (iii) The expected financial contribution from the particular organisation is to be paid to Council prior to commencement of the project, and will be used by Council as first payment on the project.
- (iv) All other inputs to the project are to be the responsibility of the organisation with a clear understanding in writing that Council will not be responsible for any expenditure incurred by that organisation.
- (v) These matters are to be discussed at a joint meeting between officers of the Council and responsible members of the particular organisation.
- (vi) The discussions, source of funds and responsibilities for various parts of the project are to be confirmed by letter.
- (vii) These arrangements are to be reported to Council for approval.

13.5 ANNUAL MAINTENANCE ADVICE

13.5.1 Submission for Annual Maintenance and Improvements

The Council and the Management Committee needs to conserve the limited funds available for all its service and works throughout the community.

In setting priorities, Council identifies needs which are then funded in an annual budget which is formulated in February/March each year, adopted in June and implemented in the ensuing Financial year.

Expenditure on Council's various facilities may be caused by a number of factors:

- Urgent repairs due to damage, excessive wear, safety or security;
- Need to carry out licensing or statutory requirements;
- Periodic maintenance;
- Operating facility;
- Minor maintenance of facilities;
- Upgrade/improvement of facilities to meet Community expectations.

Of these, the first three are met by Council's existing budgeting provisions and regular inspections by Council Officers or the need for urgent repairs or works can be accommodated.

The latter three causes for expenditure largely rests with initiative from the Management Committee. Council has adopted a procedure which will allow for reasonable requests to be considered on an annual basis upon written submissions being made to upgrade or improve facilities.

Management Committees will be invited to make submissions each year for consideration by Council. It is felt that this will be in the best interests of both the Management Committees, the Community and the Council. **Appendix 21**

13.5.2 Minor Repairs

The Management Committee will be responsible for minor repairs. Where the repairs required are not considered minor, the need for repairs is to be immediately conveyed to Council's Facilities Coordinator by telephone and confirmed in writing. This advice will then be relayed to the relevant Council Officer for action.

Please see **Section 18.1 Risk Management**. Also see **Schedule for Maintenance Responsibilities Management Committee/Wollondilly Shire Council - Appendix 2**.

13.5.3 Advice to Council Regarding Necessary Works

Liaison between the Committee and Council is essential so that the Facility may be satisfactorily maintained and improved. Please contact Council's Facilities Coordinator for any inquiries your Committee may have.

14. MANAGEMENT COMMITTEE MEETINGS

14.1 GENERAL

The Management Committee should meet on a regular basis to discuss relevant business and make decisions affecting the facility.

An agenda is to be sent out to all Members, Ward Councillors and Council at least one week prior to the meeting.

Minutes of the matters discussed will be kept and a copy forwarded to Council within two weeks of the meeting being held, for information.

Any items requiring action by Council are to be the subject of a separate letter addressed to the General Manager and listed in the minutes.

A quorum will consist of half the total number of voting members plus one. Should this number of members not be in attendance at 30 minutes after the starting time, the meeting will be adjourned to the same time and place at the next scheduled meeting.

As per Section 453 of the Local Government Act, 1993, conflicts of interest are to be disclosed at a Committee Meeting and such disclosures must be recorded in the minutes. (See Section 19.2)

14.2 TIMING OF MEETINGS

Management Committees must hold at least six (6) meetings each year where a quorum is formed, however, it is recommended that Ordinary Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.

14.3 ORDINARY MEETINGS

Ordinary Meetings of the Management Committee are required to address Correspondence, Hiring of the Facilities, Finance Matters, Risk Management matters and Maintenance of the Facility.

The meetings will be conducted in accordance with Wollondilly Shire Council document "Code of Meeting Practice" - Appendix 9.

14.4 ANNUAL GENERAL MEETINGS

The Annual General Meeting will report on the activities of the Committee for the year and develop proposals for development and maintenance of the Facility for the following twelve (12) month period.

The Annual Financial report will be presented to the Committee for adoption and for forwarding to Council for auditing purposes.

The meeting will be conducted in accordance with Council's document "Code of Meeting Practice" - Appendix 9.

Agendas will be sent out at least one week prior to meeting and minutes kept of the meeting with a copy forwarded to Council within two weeks of meeting being held.

14.5 QUADRENNIAL MEETING

Council will advertise the Quadrennial Meeting of the Management Committee upon the Committee providing the time, date and location of the meeting.

Management Committees are to be appointed every four years, three (3) months after the Quadrennial Election of Council.

The meeting may appoint new members of the Committee or put forward the current members to Council for reappointment.

A report will be presented to the Committee on the achievements of the Committee over the duration of its incumbency together with the future aims and priorities of the current Committee for the guidance of the incoming Committee.

14.6 EXTRAORDINARY MEETING

An extraordinary Meeting of Committee may be called to discuss urgent business and matters outside the scope of an ordinary meeting requested by two members of the Committee.

An agenda will be prepared and circulated to all members of the Committee with at least two (2) days notice.

Minutes will be kept of the proceedings and a copy forwarded to Council outlining the reason for the Extraordinary Meeting.

This meeting will be conducted in accordance with Council's "Code of Meeting Practice" - [Appendix 9](#).

14.7 AGENDA FORMAT

The agenda of a meeting will be forwarded to Committee Members, Ward Councillors and Council at least one week prior to meeting, giving the notice of the proposed meeting as prescribed in [Section 14.1 and 14.6](#).

The items will include the following:

1. Welcome by President.
2. Apologies.
3. Declarations of Pecuniary Interest or Conflicts of Interest
4. Minutes of Previous Meeting.
5. Business Arising from Previous Meeting.
6. Correspondence - In/Out.
7. Business Arising from Correspondence.
8. Reports - Committee Executive.
9. General Business.
10. Date of Next Meeting.

See sample Agenda format [Appendix 5\(a\)](#).

14.8 MINUTE FORMAT

Minutes will be kept for all meetings of the Committee and a copy forwarded to Council within two weeks of the meeting being held, for notation, as prescribed in [Section 14.1 and 14.6](#).

Items to be addressed in the Minutes are as follows:

1. Attendance.
2. Apologies.
3. Declarations of pecuniary interest or conflicts of interest
4. Minutes of Previous Meeting.
5. Business Arising from Minutes.
6. Notation of Correspondence.
7. Business Arising from Correspondence.
8. Reports of Executive Members.
9. General Business.
10. Date of Next Meeting.

See sample Minute format [Appendix 5\(b\)](#).

14.9 COMMUNITY ACCESS TO PUBLIC INFORMATION

With the introduction of the Government Information Public Access Act [GIPAA] Council is legally required to ensure that open access information is publicly available, free of charge and placed on a website that is maintained by Council. This information includes Agendas and Minutes of meetings including Financial Reports of a 355 Management Committee that is appointed to manage a Council Facility.

As Management Committees are Committees of the Council, all members are legally required to comply with these new requirements.

15. MANAGEMENT COMMITTEE TRAINING

15.1 TRAINING COURSES

Training must be attended by all volunteers.

Council has the responsibility to ensure volunteers are provided with appropriate training which, depending on the activity, may include the following:

- Information on Council Policies and Procedures impacting on the Volunteers activities;
- Risk Management;
- Responsibilities of the Office Bearers, Committee Members and Council.

16. PLANS OF MANAGEMENT

16.1 PLANS OF MANAGEMENT

Council will prepare and update a Plan of Management for each facility.

All activities conducted within the facility must conform to any Plan of Management issued by Council.

See [Appendix 17](#) for further information.

17. FINANCIAL MANAGEMENT

17.1 INTRODUCTION

Committees appointed under Section 355 of the Local Government Act are subject to the same standards of financial accountability as Council, and it is therefore important that they manage their finances well. Committees who will be handling public funds, on behalf of Council, are encouraged to familiarise themselves with the following procedures, which will assist them to keep proper records and guide them through their day-to-day transactions.

Keeping proper records calls for attention to detail more than ability to add up. If proper records are taken at the time money is paid or received, keeping the books should only require one or two hours work a month. But if they fall behind, a long night's work will await you. (See Appendix 7 (a) - Financial Checklist for Management Committees)

The overall responsibility for keeping the books falls on the Treasurer, who should be someone who will keep the records up to date. The actual work is not hard, and this Manual aims to make it easier. But remember - there are no short-cuts, because the Committee must always be able to say where its money went. Duties of the Treasurer are shown in (Section 7.3 and Appendix 3)

17.1.1 Things You Need

Each Committee will open a cheque account at a local financial institution and operate the daily transactions from it.

This account is usually a cheque account which earns interest but does not attract high fee charges.

To record its financial transactions, each Committee should maintain these records, by keeping the following books:

- Booking Diary
- Receipt Book - supplied by Council.
- Cash Book - supplied by Council.
- Cheque Book - obtained from the bank.
- Assets Register
- Petty Cash Book - supplied by Council.
- Petty Cash Vouchers - supplied by Council.
- Bank Deposit Book.
- Bank Statement Folder.
- Cheque Payment Form Folder.
- Investment Register

These books are your tools of trade for keeping accounts. Each is simple to fill in, because it has a specific purpose. The next sections show you how to handle money and use these Financial Records.

17.1.2 Delegation of Authority

The Management Committee must open an account at a financial institution that has been approved by Council.

The signatories of the account are to be any two or three members of the executive of the Committee and Council's Manager – Financial Services and Team Leader – Accounting Services (See Section 4.4.2(vi)).

All approved signatories are to be notified to Council.

As well, the Committee must decide who is empowered to approve which payments. Unless the Management Committee decides otherwise, all payments are to be approved by the Management Committee prior to cheques being signed.

As all payments are endorsed by the Management Committee they are recorded in the Minutes. This is most simply done by receiving and accepting the Treasurer's Report, which is described later.

17.1.3 Principles to Follow

Keep financial records in accordance with this Manual.

Council's financial year is from 1 July to 30 June. It will be necessary for the accounts of Committees to cover the period 1 July to 30 June. The accounts will need to be completed and submitted to Council by 31 July each year following their adoption at a Committee meeting, if necessary, called to adopt the accounts. This will enable Council to incorporate the Committee's accounts into Council's accounts as required under the Local Government Act (1993).

Committees are to obtain a Certificate from the Bank showing the Balance of the Committee's account as at 30 June each year.

17.2 RECEIVING MONEY – SEE FINANCIAL FLOWCHART PAGE 50

17.2.1 What to Do

To receive and account for money such as payments for hire of the facility, you will need a Cash Tin and a Receipt Book.

The procedure is simple:

1. the money is taken as cash or cheques and counted or checked;
2. a receipt is written out in the Receipt Book; original is given to the hirer;
3. the money or cheque is put in the cash tin;
4. the money and the duplicate receipts are handed to the treasurer for banking and reconciling.

17.2.2 Banking

As soon as possible after the money is received from the Booking Officer and no longer than 7 days from receipt, the treasurer must bank the money. The Treasurer must then write up the Cash Book, add up the amount in the Cash Book and make sure this is equal to the amount receipted and banked. All income (cash and cheques) must be banked in the form in which it is received. Payments are not permitted to be made from cash receipts held awaiting banking.

In the deposit book, write the amount, the date of banking, and the range of receipt numbers pertaining to the deposit on the duplicate copy in the deposit book, or on the deposit slip butt. Ensure that the total of the receipts is the same as the total deposit amount.

In the Cash Book, write the amount banked in the Banked column of the Receipts page, beside the last entry. This amount should equal the total of the receipts entered since the last banking amount was entered.

17.2.3 Issuing Receipts

Receipts in triplicate must be written in ink for all income as it is received, irrespective of its source. Receipts must show:

- 1) Date of receipt;
- 2) Name and address of person from whom payment is received;
- 3) Total amount received in words and figures and whether as cash or cheque;
- 4) The reason or particulars for which the receipt was issued;
- 5) Signature of (authorised) person receiving the payment.

Only the original copy of the receipt is to be given out or posted to the hirer. The second copy of the receipt is to be given to the Treasurer for banking along with the cash/cheques collected. The third copy is to remain fixed in the book for audit purposes. Receipts are issued and entered into the cashbook in chronological order.

In the case of hall/sportsground bookings, the receipt number, amount paid and date of payment are immediately recorded in the Booking Diary. This provides a ready cross reference between bookings and payments, so it is clear if fees or deposits have been paid.

Personal cheques must be receipted to the name on the cheque. If, for example, a person pays by personal cheque for hall hire on behalf of a group or organisation, the receipt should be made out to the name on the cheque with a notation of the group or organisation he/she represents eg. Mr G Jones (of Bondi Soccer Club).

Where it is necessary for a receipt to be cancelled, all copies should be returned and clearly marked "CANCELLED" with the receipt being initialled by the authorised person on the Committee responsible for the cancellation. If an original receipt is lost or mutilated, a statutory declaration must be completed.

Change can not be given for cheques received. Immediately upon receipt, cheques should be crossed and marked "Not Negotiable".

17.3 Making Payments And Investments - [See Financial Flowchart Page 50](#)

17.3.1 Making Cheque Payments

The Committee will inevitably have bills to pay. The procedure for this is as follows:

1. An **invoice**, bill or receipt for reimbursement is received by the Treasurer.
2. The Treasurer makes sure the amount is correct and payable, and prepares a **Payment Voucher**.
3. The Payment Voucher is **authorised** by a delegated person or Management Committee meeting.
4. The Payment Voucher and the supporting documents (eg. invoice) are **stored** in a ring-folder or attached in a file - not kept loose.
5. The **cheque** is written, signed by two signatories, and sent (with an appropriate note if necessary). The date, amount, purpose and payee of the cheque payment should be recorded on the cheque butt.
6. Payments are recorded regularly in the **Cash Book**.

All payments of twenty (\$20) dollars and over shall be made by cheque and receipts for payments obtained and kept. Smaller payments may be made from Petty Cash.

All cheques are to be signed by at least two authorised cheque signatories, be crossed and marked "Not Negotiable" and made payable to the individual or order. Cheques should not be payable to "Cash", unless for the purpose of a properly established petty cash advance. Under no circumstances should a blank cheque be signed.

Cheque Payment Form

Payments are supported by a properly completed and certified cheque Payment Form.

The Payment Form will be accompanied by the relevant documents, such as invoice, delivery advice, or receipt (if provided). Invoices and all claims for payment of goods and services received or reimbursements for out of pocket expenses are to be retained.

The cheque payment voucher and supporting documentation are to be marked as "PAID" once the cheque has been drawn.

The Payment Form is then stored with supporting documents in a ring binder or file.

The Treasurer is responsible for keeping the Payment Form records, and presenting these to the Management Committee at each meeting for any member to examine, and for the Chairperson of the meeting to sign when the Management Committee has endorsed the payments.

17.3.2 Petty Cash Procedures

A Petty Cash float is useful if you need to have small amounts of money available for minor purchases or expenses, or for initial change at a function.

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To have a Petty Cash float you will need a Petty Cash Book, a Petty Cash Receipt Book and a Petty Cash Tin (do not use the Receipts Tin or the Receipts Book, as the money may get confused).

To set up Petty Cash, the Management Committee should resolve to have Petty Cash and set the size of the float (the amount initially cashed into petty Cash from the cheque account). The Management Committee should also decide who is responsible for Petty Cash - unless otherwise decided, the Treasurer will be responsible.

For security reasons, it is recommended that the Float be less than \$100.00.

(i) Spending Petty Cash

To purchase something out of petty cash, you can either take the money from the petty cash tin and pay for the item, or pay for it yourself and be reimbursed from petty cash.

In either case, Petty Cash Vouchers will be completed clearly indicating the particulars and cost, with dockets for each claim attached.

Once paid, the petty cash voucher and attached dockets must be marked "Paid". Any payment over \$20.00 will be made by cheque. Generally, petty cash claims are for minor expenses only.

Each petty cash voucher is to be numbered consecutively as each petty cash claim is made. The details are then recorded in the Petty Cash Book.

(ii) Giving Change

Sometimes it is sensible to use Petty Cash for giving change, say when selling tickets at the door of a function. In these cases, it is also sensible to count the petty cash before taking any money, just to make sure it balances.

After the function, count the petty cash again, subtract the amount you started with, and the difference is the income from the event. This amount should be treated as a Receipt, not as Petty Cash. Write the amount into the Cash Book and bank it, leaving Petty Cash as it was before the event.

Alternatively, the Management Committee may resolve to establish a separate Petty Cash float for a particular function. In this case, the whole amount in the function's Petty Cash Tin is banked and recorded in the Cash book, and the Petty Cash closed.

(iii) Petty Cash Accounting

The Petty Cash float can be maintained so that the float is reimbursed at regular intervals to “top it up” to the maximum approved amount, by the drawing of a cash cheque on the bank account. The reimbursement of Petty Cash can be done regularly (monthly) or when the amount left falls too low (say \$10.00).

Petty Cash should be balanced monthly or at time of reimbursement. This involves writing each Petty Cash Voucher into the Petty Cash Book, which records in five columns the date and number of the Petty Cash Voucher, the purpose of the payment, the amount, and the balance remaining in Petty Cash. The balance is calculated by subtracting the amount spent from the amount to start with. Make sure that the final balance is the same as the amount remaining in the Petty Cash Tin.

When the Petty Cash float is to be reimbursed, a cheque is drawn using the Cheque Payment Voucher and attaching to this the petty cash vouchers that are being reimbursed. The cheque details will be recorded in the Cash Book and presented to the Management Committee for endorsement, along with other cheques. The cheque is then cashed and put into the Petty Cash Tin, and recorded in the Petty Cash Book as a negative amount (because it is “unspent”). Subtract this “negative” expense from the balance remaining, and the balance of Petty Cash should again equal the float.

17.4 INVESTMENTS

As funds are accumulated, the Committee may wish to transfer amounts from the cheque account to investment or savings accounts which attract higher interest rates. However, surplus funds may be invested only in those forms of investment authorised by the Local Government Act.

Payments must not be made from an investment or savings account and withdrawals from these accounts must be immediately deposited in their entirety into the cheque account and all payments, including deposit refunds, made by cheque.

17.5 PURCHASE AND SALE OF ASSETS

Assets (essentially these are items which have a re-sale value) can be purchased by the Management Committee through its normal payment process of approval or payments, and normal records in the Cash Book and Payment Voucher are to be kept. Note that assets purchased by a Management Committee are the property of Council, though it is not Council’s policy to take assets away from the Facility that purchased them. Council must approve the purchase or disposal of any assets and this would normally be done by including the proposed asset purchase and/or disposal in the Committee’s annual budget.

An asset can be taken as an item which has a useful life and provides service potential or future economic benefit. Examples include: Plant, Equipment, Furniture, Fittings and Improvements.

Council’s anticipated threshold for asset recognition is \$500.00 which also applies to aggregated assets eg. if you have 10 chairs valued at \$150.00 each, then they can be brought to account as assets. 10 chairs \$1,500.00.

If an acquisition is under the threshold of \$500.00 or provides no future economic benefit or service potential, then it can be treated as an expense in that period.

When assets are purchased, they should be recorded in the Equipment column in the Cash Book so that they are easily distinguished. Committees may similarly sell assets they have purchased if these become redundant. The income from the sale is entered into the Receipts side of the Cash Book under "Sundries".

At the end of each year, the Committee will update their Assets List which shows what major items they own. Each year Council's Financial Services goes through the Council's Assets Lists and works out the level of depreciation for each item. To assist, Committees will be asked each year to submit details of all items purchased. In this process, Committees can advise Council of any item disposed of as well.

Management Committees may purchase assets for their facility by utilising Council's Purchasing Officer. (See Section 13.2).

17.5.1 Depreciation and Replacement Fund

Each year, when the Committee receives its Audited Accounts, any amounts shown for depreciation of Assets should be included in a special account set aside for the replacement of Committee assets.

17.6 KEEPING THE CASH BOOK

17.6.1 Description

The cash book is used to record the Committee's receipts and payments of money. A cash book consists of pages ruled into columns. On one page you write down details of your Committee's income (receipts of money), and on the next you write down payment details. Every month you rule across after the last entry, add up how much you have paid and received, and check that this tallies with the bank.

On the **Receipts** page, the columns are required for:

- date
- source of funds
- receipt number
- amount received
- date of banking

plus columns for frequent sources of funds, such as donations, interest, received amounts.

For facility hire, have columns on:

- date the facility was used
- amount paid for facility hire
- amount paid as damage deposit (bond)

On the Expenditure pages of the cash book, the columns to use are for:

- date
- payee's name
- cheque number
- amount paid

plus columns for the main uses for funds, such as deposits forfeited, facility cleaning, purchases of equipment and so on.

A “Sundries” column on both the Income and Expenditure pages would contain all income or expenditure not listed in specific columns and of a minor or irregular nature.

17.6.2 Using the Cash Book

Every time the Committee receives or pays money, the Treasurer records the date, source, amount, and receipt/cheque number in the Cash Book. It is best not to let too many transactions accumulate before writing them up in the Cash Book.

- Receipts and payments are entered consecutively in date and receipt number/cheque number order in the appropriate page of the cash book.
- One entry is written on each line, filling the relevant columns.
- The amount of the income or payment is actually entered twice - in the Total Amount Column, and in the column(s) for the type of income or payment.
- For example, a receipt of \$200 being \$150 hiring fee and \$50 deposit would show \$200 in the Total column, \$136.36 in the facility Hire Column, \$50 in the facility Deposit Column and \$13.64 in the GST column.
- If an incorrect entry is written in the cash book, it is neatly ruled through and initialled before writing the correct entry. Liquid paper correction fluids should not be used to alter an incorrect entry.

It is suggested that a new page be started in the cash book for each month, unless there are very few entries. To do this, rule off under the month, add up the columns, and on a new page start the next month with the first entry in each page being the balances (column table) brought forward from the previous month.

17.6.3 Recording of Deposits or Bond Moneys

In the Cash Book, deposits or bond moneys received (such as indemnity deposits, key deposits) are recorded in the receipts side of the cash book in Facility Deposits column. This money is to be banked.

When a deposit is refunded (by cheque), the amount paid is shown under the Facility Refunds column in the payment section of the Cash Book.

If a hirer leaves the facility in an unclean or damaged condition, a portion of the deposit may be forfeited and retained by the Committee. The payment entry in the Cash Book would be written up to show the deposit was refunded but a portion was taken in as income, as follows:

- The amount of the drawn cheque (that is, the actual refund) is shown in the Amount column.
- The total amount of the deposit paid is shown in the deposits refunds column.
- The amount forfeited is shown in the forfeited deposits column in brackets () to indicate that this amount is to be treated as additional income.

The Cash Book also provides for a separate page where deposits for the hire of the facility should be recorded.

Then write "R" (for Refunded) beside Receipt entry for the deposit to indicate that this deposit was refunded. It is often helpful to write the number of the refund cheque as a cross reference. When writing the refund cheque details in the Cash Book and on the cheque butt, it is helpful to note the receipt number of the deposit being refunded. It is also good internal control to note on the receipt that a refund (full or partial) has been issued.

These notations and cross referencing help to identify outstanding deposits when compiling a list of deposits still held at any specified time and especially at the end of the financial year.

The details of refunds for damage (indemnity) deposits should be noted in the Booking Diary.

The deposit book should list each individual cheque being deposited, cash in total and should have a summary of each day's deposits from the cash listed in the Deposit Book to add up to the total deposit.

17.6.4 Banking Reconciliations

At the end of each month, the Committee will obtain a Bank Statement for each of the accounts under its control and reconcile this with the Cash Book. All Bank Statements are to be retained. A bank reconciliation is really quite simple to do. It involves calculating from the Cash Book how much money you ought to have, and seeing if this is the same as the amount you do have. The steps are these:

- **Mark** in the Cash Book all cheque payments and bankings which are shown in the Bank Statement as having been made. Check the amounts are the same!
- **Enter** into the Cash Book any entries on the Bank Statement which are not already recorded - payments are likely to be bank charges for the month, and deposits are likely to be interest.
- **Rule off** the Cash Book under the last entry (for both receipts and payments), and add up the amount received and paid since you last ruled off. Make sure that the total of the amounts column equals the total of the other columns.
- **Write down** the amount in the bank at the time of the last reconciliation (generally the amount at the beginning of the month). Add the total amount of money received (according to the Cash Book) since the last reconciliation. Subtract the total amount paid (according to the Cash Book).
- **Add** the total amount for unpresented cheques and subtract the total of any unbanked receipts in the Cash Book (the last banked amount should be recorded in the Banking column, and all receipts after that should not yet have been banked).
- **Check** that the amount you have calculated is the same as the amount on the bottom of your Bank Statement. If not, repeat this process.

17.7 BUDGET/REPORTS

17.7.1 Annual Budget

The budget will be prepared for the period 1 July to 30 June each year to coincide with the period the Balance Sheet/Statement of Income and Expenditure are prepared. The Treasurer should contact Council to confirm any changes to the fees and charges for the next financial year'

However, the budget is prepared prior to 1 July whereas the Balance Sheet and other reports are prepared after 30 June. The Budget is to be prepared in conjunction with the management plan and must be completed by 1 March each year.

The budget should be prepared using the "accrual" accounting concept.

17.7.2 Treasurer's Report

The Committee's Treasurer will prepare a Treasurer's Report for presentation at each Management Committee meeting. The report should inform other Committee Members of the receipts and payments since the last report and include a banking reconciliation. A copy must be forwarded, with the Minutes, to the Council following each meeting.

17.8 ANNUAL FINANCIAL STATEMENTS

17.8.1 What are the Annual Statements?

(i) The Balance Sheet

The Balance Sheet essentially shows the financial worth of the Management Committee. Assets, liabilities and accumulated funds are separately disclosed - the net worth is the accumulated funds, that is, the assets less the liabilities.

Monies received by Committees, such as bond deposits on the hire of the centre, should be treated at year end as a sundry creditor since the monies will be repaid to the hirer upon satisfactory completion of the hiring terms.

(ii) The Income and Expenditure Statement

The income and expenditure statement shows how much the Committee received during the year, how much it paid out, and whether there was a surplus or deficit. This statement should be prepared based upon the concept of accrual accounting, so it will include items of expenditure incurred but not yet paid, and items of income earned but not yet received, as well as the actual receipts and payments.

(iii) The Auditor's Statement

The important aspects of the Auditor's report is that it clearly expressed an opinion that the financial statements represent a true and fair view of the Committee's results for the period and financial position as at the end of that period. Please note that Council's Auditor may at any time demand the Committee books for audit purposes and on such demand the books shall be handed over immediately.

(iii) Notes to the Treasurer

Notes to the Treasurer are written by the Auditor to provide additional information on any item in the financial statements. Examples would include a schedule of sundry debtors and sundry creditors, a list of capital expenditure for the period and list of deposits held.

17.8.2 Closing off the Books

Immediately before the close of the Committee's financial year (30 June), the Treasurer will pay all outstanding bills and try to collect any outstanding monies. In early July a bank reconciliation shall be done and an initial financial statement prepared by the Treasurer.

This financial statement should summarise the receipts and payments for the year using the headings on the columns in the Cash Book. The easiest way of doing this is to use pages at the back of the Cash Book to record the monthly totals of receipts and payments under the same headings used on the monthly pages. At the end of the year, simply add up the total for the twelve months for each column, and write these totals in a list.

Having written up the year's totals for receipts and payments, prepare a bank reconciliation for the year. This follows the same procedure described previously, except that the starting balance is the amount in the bank on the first of July, and the final balance is the amount at 30 June.

The books of account and other supporting documents shall then be forwarded to the Council for auditing by 31 July each year. Be sure to include references to any creditors and debtors that exist at year end.

This procedure will also be carried out prior to the Quadrennial Meeting for election of a new Committee in October of the election year.

17.8.3 Audit of Accounts

A copy of the Treasurer's report and Final Statements will be sent to the President of the Committee and Council.

The Auditor shall make a full and complete audit of the accounts of the Committee, using due care, skill and diligence, and shall certify whether in his/her opinion the statements of accounts are full and fair statements properly drawn up so as to exhibit a full and true view of the Committee's affairs and whether they are in accordance with the books of the Committee.

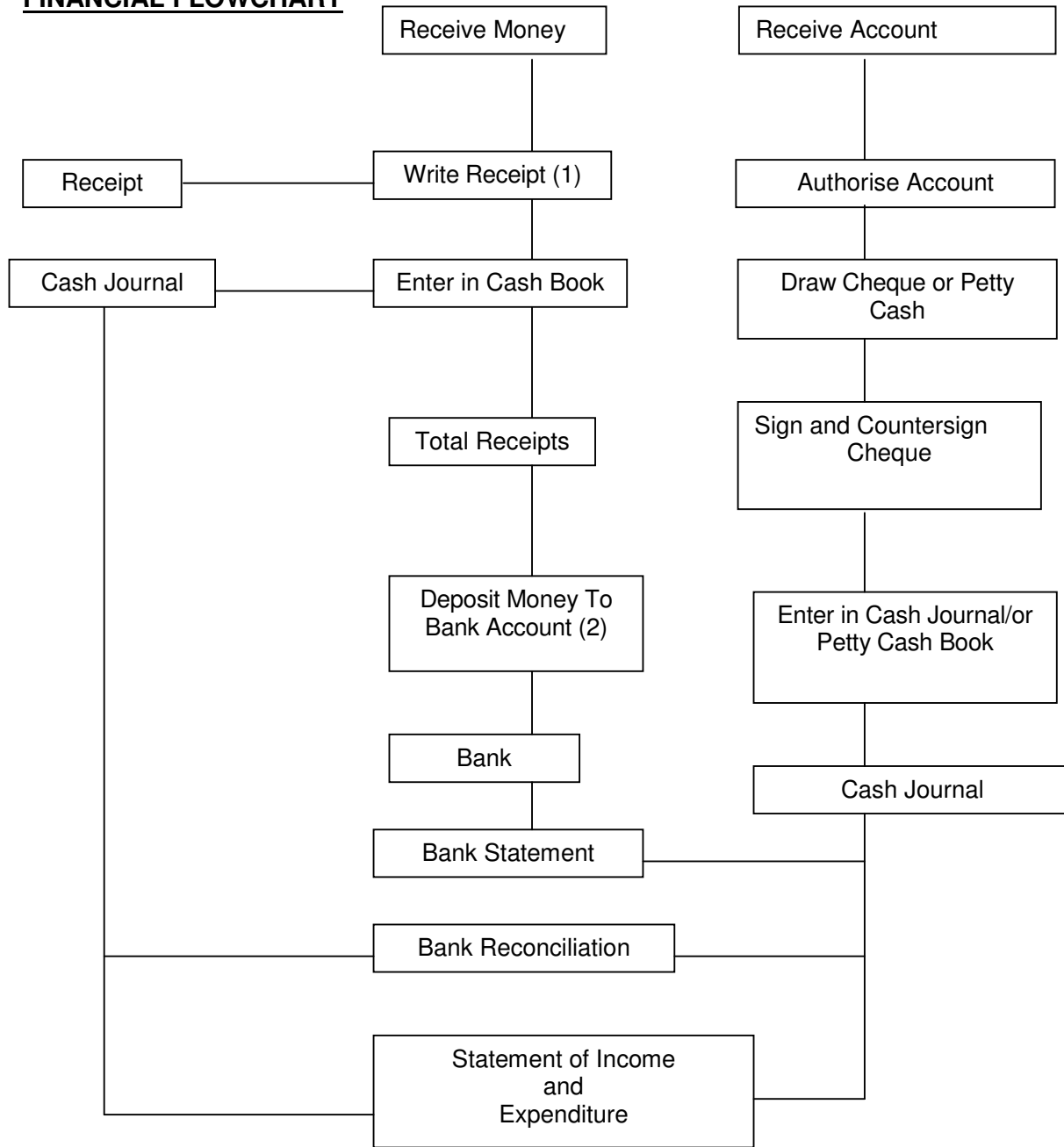
The financial and related records listed in **Section 17.1.1** must be available for audit after the end of each year and for any interim check which may be called by Council's Internal or External Auditors at any time during the year.

Prior to their submission for audit, the Treasurer, or authorised Committee member should ensure that the bank statements, savings pass books are updated, and investment and bank certificates (as at 30 June) are updated and certified by the Bank so that transactions up to and including the final date for the audit are recorded on the statements etc. and that all books and documents cover the whole of the period of the impending audit.

The Annual Financial Statements prepared by the auditor should include a Balance Sheet, Income and Expenditure Statement, Notes to the Treasurer, and Auditor's Report.

Should Committees or Treasurers require clarification or assistance with further information regarding any of these procedures, please do not hesitate to contact Council's contact officer and training will be arranged.

FINANCIAL FLOWCHART



- 1) Receipt should show details of split up of Funds Received, that is, amount for hire fees, bond, insurance etc should be itemised on the receipt. Receipt should be written as soon as funds are received and original given to payer.
- 2) Money received should be banked as soon as possible after receipt, that is, preferably on the same day or at least weekly.

18. RISK MANAGEMENT AND INSURANCE

18.1 RISK MANAGEMENT

Risk management is a process identifying hazards, assessing the potential for the hazard to cause loss and damage, to either persons or property and implementing preventative and precautionary measures to remove or reduce the risk of personal injury or property damage occurring .

As a Committee of Wollondilly Shire Council, the members have a shared duty of care with Council to provide a safe environment for persons using the facility being managed.

Accordingly, it is Council's responsibility to ensure that Management Committees are aware of and trained to undertake certain responsibilities with respect to Work Health and Safety (WHS) Issues as follows.

- Committees are provided with information, instruction and training to meet their obligations with respect to WHS.
- That WHS procedures are complied with in the area under their control,
- How to identify hazards that are under their control and are followed up on
- Committees are consulted on issues that may affect their health and safety

Management Committee members have a responsibility to:

- Take reasonable care of the health and safety of others at the facility
- Co-operate with Council in their efforts to comply with safety requirements and participate in hazard identification and reporting,
- Use equipment properly in order to provide for the health and safety of other people using the facility
- Not to obstruct attempts to reduce risks, or
- Not to refuse a reasonable request for assistance to prevent a risk to safety or health

A **Risk Assessment** should be carried out by the Committee prior to taking any volunteer activities. As with Committee Meetings, volunteers of the Committee must sign an **attendance register** for any volunteer work at the facility. (Appendix 18)

Any Committee member who as part of their Committee activities, is involved in direct contact with children where that contact is not directly supervised, must complete and sign a **Volunteer Employment Declaration** as per the *Commission for Children and Young People Act, 1998* and the *Child Protection (Prohibited Employment) Act, 1998*. . Forms need to be retained by the Management Committee for two years after the volunteer ceases volunteer activities.

18.1.1 Maintenance Activities Carried Out By Members Of The Committee.

Appendix 2 of Council's Operations Manual for Sec. 355 Committees lists various maintenance items and who is responsible for having those matters rectified.

Where it states the Management Committee as being responsible, the matter should be addressed as follows:

- If the work requires a licensed trades person such as electrical or plumbing work, then only a licensed person should carry out the work and not a member of the Management Committee.
- Minor maintenance activities that do not require the services of a licensed tradesman may be undertaken by any member of the Committee who is satisfied they have the necessary skills and equipment that is in good condition and fit for the purpose.

Under no circumstances are Committee members to put themselves or anyone else at risk to carry out any activity, if you are not sure or are unable to assess the risk associated with carrying out an activity then please contact Council's Facilities Coordinator on 4677 1123 for further advice.

18.1.2 General

Councils and Committees of Council, which have a responsibility for public places and land uses, have a wide spectrum of potential liability.

The following guidelines are to provide guidance for Committees to use, to follow the due diligence process required to demonstrate that all reasonable steps are being taken to ensure that a facility is fit for purpose when handed over to a user/hirer.

18.1.3 Hazards

A hazard is a something that has the potential to cause injury to a person or damage to property.

A routine inspection process will alert Committees to potential risks to users of the facility, and can be carried out periodically and reported in writing accordingly. A copy can be forwarded to Council for action if required.

18.1.4 Fire Protection

All Council facilities are supplied with fire and safety equipment which include fire extinguishers, fire hoses and fire blankets This equipment is checked twice annually by an authorised contractor. However, the Committee should ensure that the equipment is in working order and if used irresponsibly by a hirer, deducted from the hirer's bond. The Committee should notify Council immediately if any equipment is found to have been misused, faulty or missing

18.1.5 Emergency Exits (Buildings)

By law, all emergency exits must be identified by an illuminated (exit) sign. Emergency exits and routes to them must be kept clear at all times. Exit doors should not be barred or locked at any time while the facilities are in use. Areas outside exit doors are also to be kept clear.

18.1.6 Smoke Free Environments

Smoking is not permitted inside any Council owned, leased or hired building or within ten (10) metres of the entrance to a building nor under an awning of the building.

Council's Outdoor Smoke Free Areas Policy (See Appendix 24(a)) prohibits smoking on all Council Sportsgrounds and sporting facilities and within ten metres of all playgrounds and play equipment.

18.1.7 Asbestos Register

Council is required by law to keep a register of the location of asbestos in all Council buildings. Before commencing any building repairs at a facility, it is essential that a check with Council's Facilities Maintenance Co-ordinator be carried out to verify the location of any asbestos within the building.

18.1.8 Inspections of Buildings and Facilities - Formal and Informal

Regular inspections are an important tool when it comes to managing risk.

Inspections can be defined as follows:

(i) Formal Inspections

Are inspections of buildings and facilities on a regular basis (e.g. Monthly, Quarterly or Annually) as determined by Council, bearing in mind the type of building or facility, its use(s), legal requirements and Council's human and financial limitations. Regular Formal Inspections must be carried out by professional staff and documented.

(ii) Informal Inspections

Are Inspections which are incidental in the course of Committee members/users duties e.g. entering a facility to empty bins, mow the grass, carry out maintenance, inspection for hiring, line marking, holding meetings etc. Where a problem is identified (e.g. a broken window), the committee member should attempt to clean up the debris as best as possible and if safe to do so temporarily make the window secure and then make arrangements for a professional to replace the glass.

Any problem or defect discovered in either the Formal or Informal Inspections is dealt with by the Committee (Refer Maintenance Responsibilities, Appendix 2) or User as per Council's maintenance responsibilities or if unable to be resolved, contact Council in writing at crm@wollondilly.nsw.gov.au or on 46 77 1143.

(iii) Safety Inspections by Hirers

It is the responsibility of the user groups/hirers to ensure that any field or facility is safe for the use immediately before and during its use. The reason for this is that the formal or informal inspections carried out by Council staff, professionals or Committee members may have occurred sometime prior to the facility actually being used and outside factors outside of the control of either Council or the Committee may have altered the environment from when it was inspected e.g. severe weather or vandalism.

All regular users of Council Sportsgrounds are required to complete and sign a **User Group Agreement** Form each year. **(Appendix 10(c))**

18.2 INSURANCE

18.2.1 General

In relation to 355 Management Committee functions, Council maintains the following insurance covers,

- 1) Public Liability Insurance.
- 2) Casual Hirer Insurance.
- 3) Personal Accident Insurance.
- 4) Property Insurance.

18.2.2 Notification of Incidents

The Committee should immediately report to Council any matter or incident notified to them which may give rise to a claim against Council. Initially gather as much information about the incident as possible then contact Councils Facilities Coordinator on 4677 1123 who will arrange for any remedial work(s) where appropriate and notify Councils Risk Management Officer who will initiate an investigation of the incident.

The third party's intention may be received as a telephone call or letter either direct or from a solicitor acting on a third party's advice and will usually contain the statement "seek compensation for loss(s) suffered" or something similar.

18.2.3 Public Liability Insurance

(i) Council Cover

Council carries a Public Liability Insurance Policy which provides cover for incidents relating to a third party(ies) personal injury or property damage for which Council or entities of Council such as 355 Management Committees are deemed to have had a duty of care to a third party.

(ii) Committee Responsibilities

The Management Committee is responsible for the care, control and management of the Council facility under Section 355 of the Local Government Act, it is considered, for the purposes of insurance, an activity of Council and therefore, claims arising from the Committees activities are covered under Council's Policy.

Claims may arise from allegations such as a person allegedly being injured from, falling in a car park, slipping on a wet floor, falling from a broken chair, getting an electric shock from faulty equipment etc.

In a general sense, Public Liability Claims are based on whether a Corporation or person was "negligent" and their actions (or inactions) directly led to or contributed to the incident. E.g. a water tap was "known" to be leaking on a floor in a tiled bathroom and had not been repaired or the area made safe and a user came into the facility, slipped and injured themselves.

However if the person slipped as a result of a drink being spilt during a personal function, and the Council or the Committee were not involved in the event nor did the Council facility contribute to the incident then it is not likely that the Council or the Committee could be held to be liable and the claim would be made on the organisation hosting the event.

This is why it is important that any sporting body, club, association, corporation or incorporated body hiring the facility carry their own Public Liability cover and that the Committee obtains a copy of a current Certificate of Currency to verify that cover is in place and that it covers the entity for the function being held particularly for events such as gala days, fairs and annual festivals.

The policy does not cover someone allegedly injured whilst playing sport on a Council oval, performing at a concert in a local hall, or being hit by a cricket ball whilst watching a cricket match. All claims are assessed on their individual circumstances and all incidents brought to the attention of the committee need to be reported immediately.

(iii) All incorporated bodies must have their own insurance cover. Council's Insurance Policy does not extend cover to the liability exposure of incorporated entities, individuals or non Council entities.

(iv) The Committee shall require all incorporated users and hirers of facilities to have Public Liability Insurance cover to a minimum value of \$10 million.

Where proof of such cover is not presented, the Committee shall withdraw the use of the facility until such time as proof of cover is presented.

The Committee shall keep copies of hirers current Public Liability Insurance and ensure copies are provided to the Committee from the hirer when policies are renewed.

18.2.4 Casual Hirer Insurance

- (i) A Casual Hirer means any 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 12 times per calendar year.

The policy strictly excludes cover for Sporting Clubs, Associations and all Incorporated Bodies. In these cases these groups should already have their own insurance policy to cover such events.

- (ii) If the user group is, for example, a mothers club and do not use the facilities more than 12 times a year (casually), the Council has set up this facility whereby the user group or individual can gain cover at a minimal cost to the user, as Casual Hirers Insurance.

The real intention of this cover is to provide liability cover for the organiser of the events for “one off hirers” such as birthday parties, wedding reception etc where someone is injured during the function, e.g. slips & falls from a spilt drink and in turn seeks compensation for their injury. Without this cover the organiser could be left personally liable for all costs associated with the claim.

Casual hirers of the facility are required to pay a casual hirers insurance fee per booking and are then covered for the period of the hire (unless they produce a copy of their own public liability insurance policy). Fees collected by the Committee for the hire of the facility should be submitted to Council at the end of March, June, September and December together with the **Casual Hirers Insurance Return Form - Appendix 16**.

18.2.5 Personal Accident Insurance

355 Management Committee members are covered for Personal Injury whilst engaged in or on any activity directly or indirectly connected with or on behalf of the Council including whilst travelling directly to and from such activity.

The policy covers non Medicare scheduled items and loss of wages up to a maximum of \$3,000 per week (total disablement) for 156 weeks from the date of the injury. However, by law it is not allowed to cover the “gap” between a scheduled Medicare item and the fee charged by a provider.

Please note that the weekly wage only applies if the volunteer earns an income from employment. Volunteers who are self funded retirees or on a pension are not entitled to the weekly benefit.

The Policy also covers reasonable out of pocket expenses directly attributable to the injury, e.g. domestic home help, fares to travel for medical appointments and the like.

18.2.6 Age Limitation

Compensation will not be payable for those under the age of 10 years old and over 90 years of age. Accordingly committee members are advised that only persons directly linked to Council i.e. committee members are covered, coverage does not extend to family members or friends.

18.2.7 Property Insurance

Council maintains insurance cover on the majority of its halls, sportsgrounds, buildings, parks and reserves fixtures. This includes contents insurance on equipment owned by Council or the Committee such as tables and chairs.

It does not, however, include equipment belonging to pre-schools, playgroups, sporting organisations or any other non Council entity which may be permanently stored at the hall or ground.

The Committee shall strongly advise each user of the facilities to maintain adequate insurance of all contents owned by the user and stored in buildings under the care, control and management of the Committee as equipment damaged or stolen not belonging to Council can not be claimed under Council's Policy.

Any new equipment purchased by the Committees should be notified to Council for inclusion in Council's schedule.

19. LEGAL MATTERS

19.1 LEGAL ISSUES

- (i) It is important for Management Committees to be aware that they are acting on behalf of Council and that legally any actions undertaken by the Committee within the scope of the delegations given to the Management Committee by Council and in accordance with the requirements of this manual, are deemed to be the responsibility of Council.

The Committee must also ensure that all activities carried out at the facility comply with the various State and Federal Acts such as those outlined in [Section 22](#)

- (ii) The Management Committee can act only within the terms of the delegations as outlined in S377 and S378 of the Local Government Act and in accordance with the requirements of the Operations Manual for Council Management Committees.

19.2 DISCLOSURE OF INTEREST

- (i) Details of the requirements for the disclosure of conflicts of interest by members of a Committee in any matter with which the Committee is concerned are contained in Council's Code of Conduct ([See Appendix 8\(a\)](#)).
- (ii) If a member has a pecuniary interest in any matter with which the Committee is concerned he or she must disclose that interest and refrain from taking part in the consideration or discussion or voting on any question relating to the matter. If the conflict of interest of the member is non pecuniary that interest must still be disclosed and the member must then decide whether or not to partake in any consideration, discussion or vote on any question relating to the matter.
- (ii) As per S453 of the Local Government Act, 1993 disclosures of pecuniary or conflict of interest must be recorded in the minutes of Committee meetings.
- (iv) If there is any doubt over whether to disclose an interest, it is highly recommended that the interest be declared and that the member should not take part in discussions or vote on the subject matters.
- (v) Interests of relatives of members are deemed to be the interest of those members, for example, a relative or acquaintance of a Committee Member receiving payment for working at the facility.

20. FUNDING FOR CAPITAL AND MINOR WORKS

There are several options for Funding available for Capital and Minor Works Requests for a facility. Please **See Appendix 21** for details or contact Council's Team Leader - Facilities and Recreation on 4677 8275.

These processes will give Management Committees and User Groups more time to plan about what new assets (if any) they might like to promote and give them time to discuss those proposals with Council, and obtain all necessary information and Council approvals prior to the closing date for applications.

21. CONTRIBUTION/OWNERSHIP

- (i) Sporting or Community groups contributing items for the permanent embellishment of the facility will be informed that such a contribution will become the property of Council and will not be for that group's exclusive use.
- (ii) Any items provided and funds raised by the Management Committees are the property of Council, however, Council will ensure where possible these items and funds will be put into the development of the Management Committee's facility.

22. COUNCIL POLICIES

22.1 HEALTH

The good health of all the participants using Council's facilities is paramount. All efforts are to be made to identify any areas of the facility which may endanger health and have these areas rectified ASAP.

Inspections by Council staff will be carried out on a periodic basis, however, the Management Committee must ensure that no avenue is open to affect the health of the users of the facility.

In order to reduce the risk of health problems associated with the operation of Council's facilities the following guidelines should be adhered to:

22.2 FOOD PREPARATION

- Food preparation and eating areas are to be kept in a clean and hygienic condition.
- Food is to be maintained at a temperature above 60°C or below 5°C.
- Ensure soap and disposable hand towels/hand dryers are available.
- Good personal hygiene is to be practiced by those handling food.
- Avoid unnecessary handling of food with bare hands - use tongs and forks.
- Ensure that cooked and raw food is stored separately to prevent cross contamination.
- Cooking utensils and equipment are to be kept clean.
- The necessary steps are to be taken to keep the food preparation and eating areas free of pests and vermin.
- New facilities or alterations to food preparation areas should comply with Council's Food Premises Code. [Appendix 22](#).

22.3 TOILETS AND SHOWERS

Toilets and Showers are to be kept in a clean and hygienic condition.

22.4 EFFLUENT DISPOSAL

- No primary treated effluent should be discharged to the surface of the ground.
- Effluent disposal systems must be managed and maintained in a way that does not create a public health risk or pollute any water courses.
- Septic tanks should be desludged every 3 to 5 years.
- All approvals issued for effluent disposal systems should be adhered to.

22.5 Waste Disposal

22.5.1 Sportsgrounds

Council will supply a limited number of fixed garbage bins at the facility in accordance with the attached schedule.

The removal of waste from the fixed bins will be the responsibility of Council. The provision of larger removable bins and commercial waste bins is the responsibility of the Management Committee unless otherwise agreed to by Council. Commercial waste bins can be arranged through Council from Council's Waste Management Contractor.

22.5.2 Public Halls

The supply of waste containers and the removal of waste is the responsibility of the Management Committee.

Commercial 240 litre mobile garbage bins of larger commercial waste bins can be arranged through Council from Council's Waste Management Contractor.

22.5.3 Public Place Recycling

Council in cooperation with the Resource NSW and the Environment Protection Authority is working towards the introduction of Public Place Recycling within the Macarthur Region.

Council in consultation with Management Committees will be pursuing the provision of recycling facilities for the public within sportsgrounds and public halls.

22.6 CLEANLINESS

The Management Committee will be responsible for the general cleanliness of the whole facility including the halls, playground areas, sporting field and surrounds.

22.7 NO SMOKING

Council has resolved that all buildings and vehicles/plant are to be "Smoke Free" and as such the Committee is required to enforce this Resolution and ensure that all smoking is carried out in the open and in accordance with Council's Outdoor Smoke Free Areas Policy which prohibits smoking on all Council Sportsgrounds and sporting facilities and within ten metres of all playgrounds and play equipment.. (Appendix 24(a)) "No Smoking" signs can be obtained from Council's Facilities and Recreation Section.

22.8 SUN PROTECTION POLICY

Council has a Sun Protection Policy which requires all Council employees, volunteers, and engaged contractors to take due care in protecting their skin from the sun/ultra violet light.

The Committee is therefore required to ensure this policy is followed by Committee Members who are engaged on Committee business or staff or engaged contractors working on the facility. (Appendix 24(b)).

22.9 EQUAL EMPLOYMENT OPPORTUNITY

Discrimination means being treated less favourably and unfairly.

The Anti Discrimination Act 1977 (NSW) is designed to promote equality of opportunity for all people. Under the Act, it is illegal to discriminate on the grounds of:

- sex;
- pregnancy;
- marital status;
- physical or intellectual impairment;
- homosexuality (male or female, actual or presumed);
- race, colour, ethnic or ethno-religious background;
- age (but only in relation to compulsory retirement).

Harassment is also illegal under this Act: [\(Appendix 24\(e\)\)](#)

- Racial Discrimination Act 1975.
- Sex Discrimination Act 1984.
- Human Rights and Equal Opportunity Commission Act 1986.
- Affirmative Action (Equal Opportunity for Women) Act 1999.
- Disability Discrimination Act 1992.

Discrimination or unfair treatment may be direct or indirect. Direct discrimination occurs when, for example, a person is refused a job or access to your facility simply because they have a disability. Indirect discrimination occurs when requirements (selection criteria, for example), practices or policies which seem neutral have an effect which actually results in disadvantaging particular groups of people.

Both direct and indirect discrimination are against the law. The anti-discrimination laws cover both your employment practices and the way in which your services/programs or facilities are provided. Are they accessible and available equally to everyone?

The Management Committee, as the employer, is legally responsible for any of its staff/members who act in a discriminatory way.

22.10 KEY ISSUES

The Management Committee needs to understand what direct and indirect discrimination is.

The Management Committee needs to understand the impact of anti-discrimination law on its hiring practices and policies and the way in which the facility's services are provided.

Council has an Equal Employment Opportunity Policy which will require the Committee to comply with this policy in the selection of staff, contractors or election of Committee members. [\(Appendix 24\(d\)\)](#)

22.11 ILLEGAL DRUG AND ALCOHOL USE

Council has a policy on the prohibited use of illegal drugs and alcohol by Council staff. This policy therefore would also apply to Council's Management Committees when carrying out their duties as Committee members. [\(Appendix 24\(c\)\)](#)

Please refer to

Part 2: Appendix to the Procedures Manual for S355 Management Committees for all appendices.

APPENDIX

- A1. Contacts
 - (a) List of Councillors 2012-2016
 - (b) Council Contact Personnel
 - (c) Council Contact Information
- A2. Maintenance Responsibilities: 355 Management Committee/Wollondilly Shire Council
- A3. Position Description of Committee Executive:
 - (a) President
 - (b) Secretary
 - (c) Treasurer
 - (d) Booking Officer
- A4. Dealing with Conflict
- A5.
 - (a) Standard Agenda Format
 - (b) Standard Minute Format
- A6.
 - (a) Volunteer Application Form
 - (b) Guidelines for Managing Volunteers
- A7. Financial Management
 - (a) Financial Checklist of Management Committees
- A8.
 - (a) Wollondilly Shire Council - Code of Conduct
 - (b) Wollondilly Shire Council – Complaint Handling
- A9. Wollondilly Shire Council - Code of Meeting Practice
- A10.
 - (a) Application for Hire of Sporting Facilities, Halls & Community Centres, Parks & Reserves
 - (b) Conditions of Hire for Sporting Facilities, Halls & Community Centres, Parks & Reserves
 - (c) Wollondilly Shire Council User Agreement
- A11. Wollondilly Shire Council Schools User Agreement
- A12. Approval for Amusement Device Form
- A13. Hall Hire Checklist
- A14. Key Issue Form

- A15. SAMPLE – Public Hall Function Permit Form
- A16. Insurance Forms - Casual Hirers Insurance Return Form
- A17. Plans of Management Information Sheet
- A18. Attendance Register
- A19. Section 355, 377 and 378 of the Local Government Act, 1993
- A20. Purchasing Policy
- A21. Funding for Capital and Minor Works : Proposed Project Guidelines
- A22. Food Handling Guidelines for Temporary Events
- A23. NSW Government Events Starter Guide
- A24. Council Policies and Procedures (not already included above):
 - (a)- Wollondilly Shire Council – Outdoor Smoke Free Areas
 - (b) Wollondilly Shire Council - Sun Protection
 - (c) Wollondilly Shire Council - Illegal Drug and Alcohol Use
 - (d) Wollondilly Shire Council - Equal Employment Opportunity
 - (e) Wollondilly Shire Council - Harassment
 - (f) Wollondilly Shire Council - Risk Management
 - (g) Wollondilly Shire Council – Reduction or Waiver of Council Fees And Policies
 - (h) Wollondilly Shire Council – Safe use of Ladders Procedure

COUNCIL CONTACTS

Business hours (8.00 am – 4.30pm); Front Reception hours (8.00am – 4.00pm)

Contact with the appropriate Council Officers can be made by contacting Wollondilly Shire Council – 62-64 Menangle Street, Picton – Phone: 4677 1100.

After Hours

Contact can be made with the Council's After Hours Emergency Number twenty four hours a day. Please leave a message and wait for after hours staff to contact you.

Phone: 4677 1100

Council's After Hours Call out Staff will attend to any emergencies, should the Management Committee be unable to handle the problem.

Please note that the After Hours Call Out facility should only be used for emergency situations. All other contact should be made during normal business hours.

Requests for Maintenance

All requests for maintenance should be directed to Council's Customer Request Maintenance team. Reporting maintenance requirements to this line will ensure your request is documented and assigned to the correct Council Officer for action.

Phone: 4677 1143

Email: crm@wollondilly.nsw.gov.au

Facilities & Recreation Team

Facilities Coordinator	4677 1123
Manager – Facilities & Recreation	4677 8250
Team Leader - Facilities & Recreation	4677 8275
Facilities Maintenance Coordinator	4677 8231
Project Coordinator	4677 8171
Accounting Team Coordinator	4677 8252
Parks Superintendent	4677 8241
Risk Management Officer	4677 1139
After Hours Emergency Number	4677 1100
Wet Weather Line	4677 1111

Senior Officers

General Manager	4677 1126
Deputy General Manager	4677 1108
Deputy General Manager TRIM 5205#98	4677 1125

MAINTENANCE RESPONSIBILITIES
355 MANAGEMENT COMMITTEE/WOLLONDILLY SHIRE COUNCIL

The following is a list of responsibilities for maintenance of Council's sportsgrounds, tennis courts and public halls.

The list is not necessarily complete, but is a guide to minimise confusion as to what is Council's responsibility and what is the Management Committees or User Groups.

Broadly speaking, the Management Committee is responsible for minor maintenance and Council for major maintenance.

Last Update: May 2013

Function	Whose Responsible	Remarks
1. Playing surfaces (sportsgrounds):		
- worn areas such as goal mouths	MC/User Group	
- repair of holes in surface	MC/User Group	
- line marking	MC/User Group	
- watering systems	Council	
- furniture such as posts, goals	User Group	
- grass cutting - * in program ** out of program	*Council **User Group	
- aerating	Council	If budget allocation available
- fertilising	Council	If budget allocation available
- liming	Council	If budget allocation available
- top dressing	Council/MC	If budget allocation available
- turf cricket wicket	MC/User Group	
- cover/uncover cricket wicket	User Group	
- cleaning/maintenance/replacement of synthetic grass	MC/User Group	
2. Fencing:		
- minor replacement	MC	
- minor rewiring	MC	
- tightening, etc.	MC	
- major work	Council	Subject to Funds
3. Garbage bins		
- removable bins	MC/User Group	
Fixed bins	Council	
* replacement/repair of	Council	
4. Lighting (External):		
- Security Lighting	Council/Integral	
- Floodlights -		
* lamps replacement	Council	
* replace whole lights	Council	
* focusing light	Council	
- Pole and associated wiring	Council	
- Switchboard	Council	
5. Service Costs:		
- Electricity	MC/User Group	If budget allocation available
- Council Rates	Council	
- Insurance Costs (building, fire, etc)	Council	
- Insurance Costs (public liability, contents)	User Groups	
- Water/Sewer Rates & Charges	MC/Council	Council percentage of sportsgrounds
- Telephone	MC/User Group	

Function	Whose Responsible	Remarks
5. Service Costs (continued)		
- Garbage Rates	MC	
- Effluent Charges	MC	
- Gas	MC	
6. Buildings:		
- Public toilets		
* cleaning	Council	
* maintenance	Council	
* repairs	Council	
- Allocated buildings - cleaning	MC	
- Minor maintenance such as:		
* replace globes	MC	
* replace fittings	MC	
* power points	MC	
* heaters	MC	
* broken glass	MC	
* doors/locks	MC	
* panel damage	MC	
* minor floor sanding/polish	MC	
* pest control (minor)	MC	
* pest control (major)	Council	
* blocked drains	MC	
* blocked septic system	MC	
* furniture repairs	MC	
* contents (stoves, fridges etc)	MC	
* small electric wiring	MC	
* general plumbing including hot water service	MC	
* internal painting	MC	
* guttering cleaning/repairs	Council	
* roof repairs	Council	
* emergency lights	Council	
* major electrical work	Council	Replace Existing Only
* major plumbing	Council	Replace Existing Only
* major panel repairs	Council	
* guttering replacement	Council	
* roof replacement	Council	
* major floor refurbishment	Council	
* complete repaint external	Council	
* Malicious damage/Vandalism/Graffiti	Council	
7. Grounds:		
- General ground cleaning	MC	
- Hall ground maintenance/cutting (including gardens)	MC	
- Carpark/access road repairs	Council	
- Tree Maintenance	Council	
- Removal of Trees	Council	Dead or Dangerous
- Malicious damage/ Vandalism/Graffiti	Council	

Function	Whose Responsible	Remarks
8. Tennis Courts:		
- Surface maintenance	MC/Club/Council	Subject to agreement/Budget Allocation if Available
- Surface replacement	MC/Club/Council	Subject to agreement/Budget Allocation if Available
- Fitting/furniture	MC/Club	Subject to agreement
9. Netball/Basketball Courts		
- Surface maintenance	MC/Club	
- Fitting/furniture	MC/Club	

NOTE: Where functions are the responsibility of the Management Committee and are unable to be carried out by the Management Committee, then Council or a contractor can carry out the work at a cost to the Management Committee. If Council becomes aware of work needing to be carried out, then the Management Committee will be advised by Council of the nature of the Work.

In the case of a safety or emergency situation, where the responsibility is the Management Committee's and Council is unable to contact the Management committee, then Council will carry out the work at a cost to the Management Committee.