

Handbook for Community Asset Committees

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1. About this Handbook

This Handbook for Community Asset Committees (the Handbook) has been developed to assist Community Asset Committees (CACs or Committees), whose primary role is to manage facilities such as recreation reserves and public halls.

All Community Asset Committees are delegated powers to act by the Chief Executive Officer of Council. These powers are set out in the Committees' Instrument of Delegation.

This Handbook provides additional information on the management of Council facilities, as well advice about where to seek further support and resources.

This Handbook and support resources are available on the Council's website www.indigoshire.vic.gov.au.

2. Contacting Council

2.1 Primary Council contact

Each committee has an assigned primary Council contact. This role should be contacted when the committee does not know who else to contact about a matter. Call via Customer Service on 1300 365 003.

Baarmutha Park	Coordinator Community Development
Beechworth Memorial Hall	Buildings & Property Officer
Chiltern Courthouse	Buildings & Property Officer
Chiltern Goods Shed	Manager Tourism
Chiltern Memorial Hall	Buildings & Property Officer
Coulston Park	Recreation Officer
Rutherglen Gold Battery Committee	Tourism Development Officer
Rutherglen Wine Bottle	Tourism Development Officer
Stanley Soldiers Memorial Hall & Athenaeum	Buildings & Property Officer
Wooragee Community Centre	Buildings & Property Officer
Yackandandah Public Hall Courthouse	Buildings & Property Officer
Yackandandah Sports Park	Recreation Officer

For information regarding the running of meetings or minutes, please contact the Governance Officer – 03 5728 8007

Council's Email: info@indigoshire.vic.gov.au.

Website: www.indigoshire.vic.gov.au

Key dates and reporting requirements

Item	Due Date
AGM Packs	15 October
Asset Maintenance Grant acquittal form	30 June
Minutes - to Committee and to Council	As soon as possible after each meeting (preferably within 2 weeks)
Financial report – for inclusion in agenda and minutes for each meeting, and includes: <ul style="list-style-type: none">• List of each account paid since last report• Total income received since last report.	Each meeting

3. Handbook updates

The Handbook will be regularly updated, and information sessions will be offered periodically to provide Committees with relevant information and to outline any amendments.

All members of Community Asset Committees are encouraged to attend the information session and Council strongly encourages the attendance of at least one member of each Committee.

It is further recommended that each Committee, at its next meeting after the information session, includes a discussion on the Handbook update and information session, to ensure all Committee members are informed.

4. Membership, Roles and Functions

4.1 Community Asset Committees (CACs)

The Council generally deals with two types of Committees that are responsible for the management of local sports facilities, reserves and public halls. These are:

1. CACs , established under section 65 of the *Local Government Act 2020* on both Council property and on Crown Land where Council is appointed by the Department of Environment, Land, Water and Planning – DELWP) as the managing body.
2. Committees of Management who are appointed by the Minister for Local Government, for the Department of Environment, Land, Water and Planning (DELWP) (.)

The powers, functions, obligations and roles of a Committee are assigned via an Instrument of Delegation. Generally, CACs are responsible for the day-to-day management and administration of facilities. The Handbook has been prepared specifically for Community Asset Committees.

Local Government Act 2020 Section 65

CACs are established under section 65 of the *Local Government Act 2020*. The following is extracted from Section 65:

(1) A [Council](#) may establish a [Community Asset Committee](#) and appoint as many members to the [Community Asset Committee](#) as the [Council](#) considers necessary to enable the [Community Asset Committee](#) to achieve the purpose specified in subsection (2).

(2) A [Council](#) may only establish a Community Asset Committee for the purpose of managing a community asset in the [municipal district](#).

Note

See section 47 for delegation to members of a [Community Asset Committee](#) by the [Chief Executive Officer](#).

Local Government Act 2020 - Section 47 Delegations by Chief Executive Officer

(1) The [Chief Executive Officer](#) may by instrument of delegation delegate any power, duty or function of the [Council](#) that has been delegated to the [Chief Executive Officer](#) by the [Council](#) to—

- (a) a [member of Council staff](#); or
- (b) the members of a [Community Asset Committee](#).

(4) A delegation under this section to the members of a [Community Asset Committee](#) is to be exercised subject to the terms and conditions specified by the [Chief Executive Officer](#), which must include the following—

(a) the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used;

(b) compliance with specified governance requirements to ensure appropriate standards of probity are met;

(c) specified monitoring and reporting of the activities and performance of the [Community Asset Committee](#).

(5) A member of a [Community Asset Committee](#) to whom a delegation is given under this section can only exercise the delegation while acting as a member of the [Community Asset Committee](#) at a meeting of the [Community Asset Committee](#).

(6) A [Chief Executive Officer](#) must submit an annual report to the [Council](#) in relation to the activities and performance of a [Community Asset Committee](#) in respect of which the members have been given a delegation under this section.

Instrument of Delegation

An Instrument of Delegation is a document which details the powers, functions, exceptions, conditions and limitations of the Committee. For Committees established under section 65 of the Act, the Instrument of Delegation is signed by the Chief Executive Officer. Each Committee's instrument of Delegation is available on Council's website at <https://www.indigoshire.vic.gov.au/About-your-Council/Committees-of-Council/Community-Asset-Committees> or by contacting Council.

4.2 Responsibilities of Committee and Council

Responsibility	Community Asset Committee	Council
Community Asset Committee Coordination		
Notify Council of Committee Membership Changes	✓	
Advertisement calling for applications to join the Committee		✓
Appointment of Committee		✓
Rules of Appointment and Instrument of Delegation to the Committee		✓
Formal Appointment / Rescission of Appointment		✓
Annual General Meeting		
Agenda preparation and distribution	✓	
Request to Council to advertise Annual General Meeting (on website)	✓	
Advertise Annual General Meeting (on website)		✓
Election of Office Bearers	✓	
Prepare and present Annual Report (including operating statement and statement of financial position)	✓	
Take minutes	✓	
Submission of AGM Pack to Council by 30 October each year. AGM Pack to include: AGM Minutes Annual report Financial Report Insurance items (Building Checklist & Contents Inventory) Hire Reports	✓	
Signing of minutes, Annual Report, by Chair and submission to Council within 14 days of AGM	✓	
Submit minutes to Council within 14 days of the meeting.	✓	
Regular General Meetings		
Agenda preparation and distribution (As per agenda format approved by Council)	✓	
Conduct of meeting	✓	
Prepare and present monthly reports	✓	
Prepare and present monthly financial reports	✓	
Take minutes	✓	
Confirming the minutes	✓	
Signing of minutes by Chair	✓	
Providing copy of minutes to Council within 14 days of the meeting.	✓	
General Administration		
Inwards and outwards correspondence	✓	
Record keeping	✓	
Advertising publicity and promotion of the facility	✓	

Responsibility	Community Asset Committee	Council
Publicity and promotion	✓	
Community liaison	✓	
User group liaison	✓	

Responsibility	Community Asset Committee	Council
Policy and Planning		
Policy recommendation	✓	
Operational policy development	✓	✓
Policy monitoring and enforcement	✓	✓
Long term development planning (Master Plan)	✓	✓
Financial Management		
Annual budget preparation/recommendation	✓	
Acceptance of quotes within delegated limits (e.g. \$5000)	✓	
Acceptance of quotes outside delegated limits		✓
Accounts payable	✓	
Accounts receivable	✓	
Accounting	✓	
Fee setting, collection and retention	✓	✓
Submission of Profit and Loss Statement in AGM packs	✓	
Sponsorship collection and retention	✓	
Grants and subsidies	✓	
Leases and licensing		✓
Booking Administration		
Day to day administration	✓	
Booking enquiries	✓	
Setting of booking rules and user protocols		✓
Booking information	✓	
Booking approvals	✓	
Pre and post booking inspections	✓	
Fee collection	✓	
Usage monitoring	✓	
Maintenance, Cleaning and Minor Improvements		
Please refer to the Building Maintenance Guidelines – Responsibilities of Occupier (Committee of Management or equivalent) and Council		
Expenditure		
Rubbish and waste collection for facility	✓	
Water and sewer services and consumption charges for all buildings and structures	✓	
Power for all buildings and structures	✓	
Gas (natural and bottled)	✓	
Contents insurance premiums	✓	
Building insurance excess	✓	

Responsibility	Community Asset Committee	Council
Public liability insurance premiums		✓
Administration, stationary and office equipment	✓	
Public lighting		✓
Telephone and communications	✓	
Risk Management		
Occupational Health and Safety	✓	
Risk Management Inspections	✓	
Risk Management reports	✓	
Essential Safety Measures register update		✓
Emergency Evacuation Plans	✓	
Incident Reports	✓	

4.3 Obligations of the Committee

The Committee is required to:

- Provide written reports to Council on the operation of the facility as detailed in the AGM packs. See AGM templates on Council's [website](#);
- Adhere to requirements stated in the Instrument of Delegation;
- Resolve conflicts where these occur in the requirements of the community using the facility;
- Convene or cause to be convened such meetings, forums, seminars or other activities as may be deemed of value by the Committee to meet or assist in meeting its objectives;
- Liaise with the Council and its staff to ensure continuing co-operation and co-ordination of the facility;
- Ensure compliance with all Acts, regulations other legal requirements concerning safety at the facility;
- Not commit, or permit to be committed, any act which will render the operation of any of the Council's insurance policies invalid;
- Publicise and promote interest in the facility;
- Ensure that the facility is kept in a clean condition at all times and is used in a reasonable and lawful manner by organisation or individuals;
- Promptly report to the Council any breakage, damage or mechanical hazard which appears likely to give rise to a risk management issue or any abnormal damage to playing surfaces, surrounds or any other equipment.

4.4 Committee Membership

The size of Community Asset Committees will vary, but will provide for equitable representation of all user groups as well as community interest. As a general rule, Committees will comprise of between 5 and 11 members representative of the local community.

Appointment of New Members

New members are able to join the Committee at any time. Interested people should complete an application form (see Appendix 4) and forward this to the Committee. The Committee will consider applications and forward recommendations (with completed application form) to Council. The CEO will then consider the applications and make appointments accordingly. Council will advise the successful applicants by email (or mail if no email).

Under the Act, the CEO must formally appoint CAC members. No member is entitled to vote in a meeting until their appointment has been confirmed by Council.

Requests to increase the number of members in the Instrument of Delegation may be forwarded to the Chief Executive Officer for consideration.

To ensure that Council can maintain an accurate member database, it is important that Council is advised of any changes to member contact details. These will be requested as part of the AGM packs (see Council's [website](#)), but may be notified at any time as necessary.

A Committee member who is absent from three consecutive Committee meetings without approval of the Committee shall cease to be a member of the Committee.

4.5 Roles and Responsibilities of the Committee

Committee members hold various positions within the Committee and undertake a variety of roles and responsibilities. During the election of office bearers, a Council Officer can attend the meeting to assist you conduct the election of office bearers.

Office bearers are appointed each year at the Committee's Annual General Meeting (AGM).

The Chair

The Chair is the principal leader and has overall responsibility for the Committee's administration.

The main responsibilities of the Chair are:

- Chairing meetings of the Committee;
- Being well informed of all Committee activities;
- Being aware of the future directions and plans of members;
- Having a good working knowledge of the delegation and guidelines;
- Managing Committee meetings;

- Managing the AGM;
- Being a supportive leader to all Committee members;
- Ensuring that planning and budgeting is carried out in accordance with the wishes of the members;
- Facilitating discussion so that all members have an equal voice.

Specifically, during meetings, the Chair is responsible for ensuring:

- Meetings are correctly convened in accordance with the Instrument of Delegation;
- A quorum is present for the duration of the meeting (refer to [Section 5.2](#) for further details);
- Meeting decisions are properly minuted;
- Maintaining order;
- The meeting is conducted while keeping the discussion focused on the business of the meeting and to clarify points and ensure that everyone understands the decisions being considered.

The Chair may vote on any motion considered by the meeting. In the case of a tied vote, the Chair has a casting vote; this means that the Chair gets a second vote and may not necessarily vote the same way they voted initially.

If the Chair is absent from any meeting, the Deputy Chair will fill the role for that meeting. Should both the Chair and Deputy Chair be absent from any meeting the Committee needs to temporarily appoint another of its members to act as the Chair. Appointment of the acting chair must be undertaken by voting with the mover, seconder and outcome of the decision being recorded in the minutes.

The Secretary

The Secretary is the Chief Administration Officer of the Committee. This person provides the coordinating link between members, the Committee and outside agencies.

The main responsibilities are:

- Arranging the meetings and preparing the Agenda at least 7 days prior to the date of the meeting;
- Keeping Committee members properly informed by sending them notices of meetings, copies of agendas, correspondence, reports, etc. as required;
- Receiving all incoming correspondence, if required, bring it to the attention of the Committee and/or where necessary writing and dispatching all outwards correspondence required by the Committee.
- A report listing all incoming and outgoing correspondence, along with progress reports on any works being done should be presented to Committee meetings;
- Preparing minutes and other associated documents, distributing copies to Committee members and providing a copy of the minutes to Council;
- Liaising with the Chair between meetings so the business of the Committee is attended to and, in consultation with the Chair, organise Special meetings as required;
- Carrying out follow-up action which arises from the business of meetings;

- Organising and delegating tasks;
- Maintaining all Committee records.

Treasurer

The Treasurer is responsible for keeping the Committee's financial records in good order. The financial year shall be 1 July to 30 June of the following year.

The main responsibilities of the Treasurer are:

- Maintaining a bank account of which the Chair, deputy chair, secretary and treasurer (and any other members as nominated by the Committee) shall be signatories, with any two to sign;
- Banking money received as soon as practicable after receipt;
- Paying accounts as authorised by the Committee;
- Providing original tax invoices, receipts, cheque butts, bank statements and all other supporting documentation to Council if requested;
- Reporting at each Committee meeting by presenting a simple financial report;
- Ensuring that annual financial statements are prepared for adoption at the Annual General Meeting;
- Presenting a financial report to the Annual General Meeting;
- Preparing the annual budget;
- Undertaking financial reporting as per the AGM pack requirements;
- Monitoring revenue and expenditure;
- Ensuring that accurate financial records are maintained;
- Ensuring that copies of all requested bank statements are forwarded to Council including term deposits.

Committee Members who are not office bearers

Committee members should work effectively and efficiently with the office bearers to achieve the best outcome for the Committee.

The main responsibilities of Committee members are:

- Attending all meetings and actively participating in decision making;
- Assisting to manage the facility if appropriate;
- Bringing to the Committee's attention any identified problems or issues;
- Actively participating in Committee activities and business.

4.6 Resignation of Committee Members

Members who decide to resign from an office bearer position but not from the Committee need to forward a letter of resignation to the Committee, which is to be accepted and recorded in the minutes. Notification of the resignation will also be forwarded to Council. In all cases a resigning office bearer must hand over all Committee records to the incoming office bearer.

Members who resign from the Committee will forward a letter of resignation to the Committee and in doing so should aim to give a reasonable amount of notice to take into account (if necessary) the

recruitment of a new member. The Committee must advise Council of any member resignation so that Council can coordinate the process of rescinding the appointment of the resigning member and advertising for a new member.

4.7 Removing a Committee Member

The CEO can remove a member from a Committee at any time, but this power is rarely used.

Committee positions can become vacant for any of these reasons:

- A Committee member is absent for three consecutive meetings without the Committee's approval;
- A Committee member becomes bankrupt;
- A Committee member is convicted of a serious offence;
- A Committee member becomes incapable of performing Committee duties (for example chronic illness).

4.8 Filling a Vacancy

A vacancy on a Committee should be filled if:

- The Committee can no longer function or perform its duties, e.g. the Committee has less than five people or a quorum no longer exists;
- The Committee wishes to fill the vacancy;
- The CEO wishes to fill the vacancy.

The candidate who fills the vacancy is appointed only for the remaining period of the current term of the Committee.

Vacancies are filled in the same way as the original appointment was made. Person(s) wishing to nominate as Committee members are required to complete the application form and submit to the Committee, who if recommended, will minute their acceptance of the application and forward the minutes to Council. The applicant does not become a member until the CEO formally appoints them.

5. Governance

5.1 Meetings

Annual General Meeting

The Committee shall hold an Annual General Meeting (AGM) on a date fixed by the Chair. It is expected that this will be undertaken between July and September each year in order to coincide with the requirement to report the Committees' activities annually to Council.

The business of the AGM shall be:

1. Welcome
2. Present
3. Apologies*
4. Disclosure of Conflicts of Interest
5. Confirmation of minutes of previous Annual General Meeting (AGM)*
6. Adoption of Annual Report*
7. Adoption of Annual Financial Statements*
8. Confirm fees and charges for coming year*
9. Set Meeting Dates for coming year
10. Emergency Evacuation Plan update
11. Regular / Seasonal user agreements
12. Certificates of Currency – public liability and contents insurance – user groups
13. Building inspection checklist
14. Contents inventory
15. Election of office bearers*
16. Confirmation of Committee members
17. Improvements to assist the work of the Committee
18. Meeting closed at:

The agenda template for an AGM is supplied on Council's [website](#).

AGM Reporting

A number of reports are to be submitted via the AGM packs and are due on 15 October each year. The report data will be compiled into a report on 'the Activities and Performance of Community Asset Committees' and presented to Council annually. This report is required under section 47(6) of the *Local Government Act 2020*. See Council's [website](#) for the AGM pack contents.

General Meetings

In addition to an AGM the Committee shall hold at least three general meetings during the year on dates determined by the Committee. Meeting dates for the coming year are to be set at the AGM so that they can be published to Council's website. Dates are able to be changed, however notification should be sent to Council so that the website can be updated accordingly.

The agenda template for a general meeting is supplied on Council's [website](#).

Special Meetings

Special Meetings of a Committee can be called in two ways. The Chairperson:

1. May call a Special Meeting on his/her own initiative; or
2. Needs to call a Special Meeting upon receiving from any three members of the Committee a written request that such a meeting be called.

The meeting will be held on a date and time fixed by the Chair, provided that, in cases where the Chair calls a meeting in response to a request, the meeting is held within 21 days of the Chair receiving such a request.

The Chair shall arrange for an agenda and notice of the meeting to be given to all Committee members. No other business shall be transacted at that meeting other than what is specified on the agenda.

If a Special Meeting is called then it is expected that Council will be notified so that the date, time and venue of the meeting can be published on Council's website.

5.2 Meeting matters

Notice of Meetings / Agenda

Prior to any meeting a notice of meeting, including an agenda is prepared. Usually the secretary, in consultation with the chair prepares the agenda, however all Committee members can nominate items of business to be included. Committees should use the standard agenda template, found on Council's [website](#).

Committee members should receive the agenda, including any reports to be considered at the meeting, and minutes from the last meeting at least 48 hours (preferably one week), before the meeting.

Once the agenda has been sent to Committee members, the order of business for that meeting, or the addition or deletion of items from the order of business, may only be altered by resolution of the Committee.

Council will advertise Committee meetings on the Committees page of the website. Members of the public may attend Committee meetings and can also request copies of Committee agendas and minutes.

Meeting Attendance

Members may attend meetings in person, by phone or by video call. The method of attendance should be recorded in the meeting minutes.

Quorum

The quorum required for a Community Asset Committee meeting is the majority of voting members of the Committee. For example, if the Committee has 8 voting members, 5 are required to form a quorum. If the Committee has 7 members, 4 are required for a quorum. Guests, Council staff or other attendees that are not entitled to vote do not count towards the quorum.

If 30 minutes after the scheduled starting time of a meeting, a quorum has not been obtained, then the meeting and all business is to be deferred to another time.

If at any time during the meeting a quorum cannot be maintained, the chair will close the meeting and refer any unfinished business to a subsequent meeting.

Motions and voting

It is expected that a Committee will abide by normally accepted meeting procedures where decisions of the Committee involve the following matters of business:

- Noting of Apologies;
- Adoption of the Annual Report;
- Adoption of the Annual Financial Statement;
- Monthly/Quarterly Finance Report;
- Expenditure Commitments over \$100.

A motion before a meeting of the Committee is to be determined as follows:

- Each voting member of the Committee is entitled to one vote;
- Unless the procedures of the Committee otherwise provide, voting must be by show of hands; the Chair calls first for those in favour of a motion and then for those opposed to a motion, and then declares the result to the meeting.
- The motion is determined by a majority of the vote;
- In the event of a tied vote, the Chairperson has a casting vote.
- A quorum must be present for the duration of the meeting.

Those committee members with voting rights are specified in the committees Instrument of Delegation.

Addressing the Meeting

Generally, Committee members addressing the meeting must direct their comments through the Chair. A Committee member addressing the meeting shall not be interrupted by any other member, except

the Chair who has the right to provide any direction to the member regarding the conduct of that address (appropriate language, length of time taken, etc.).

Public Participation in meeting

Committee meetings are open to the public. The form of public participation at any Committee meeting is at the discretion of the Committee. The public can take part in discussions only at the invitation of the chair, but cannot propose motions or vote.

The Committee may resolve to close a meeting to members of the public ONLY if the meeting is discussing any of the following:

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- security information, being information that if released is likely to endanger the security of Council property or the safety of any person;
- land use planning information, being information that if prematurely released is likely to encourage speculation in land values;
- law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person;
- legal privileged information, being information to which legal professional privilege or client legal privilege applies;
- personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- private commercial information, being information provided by a business, commercial or financial undertaking that—
 - i. relates to trade secrets; or
 - ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;
- confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)
- internal arbitration information, being information specified in section 145;
- Councillor Conduct Panel confidential information, being information specified in section 169;
- information prescribed by the regulations to be confidential information for the purposes of this definition;
- information that was confidential information for the purposes of section 77 of the Local Government Act 1989;

To close a meeting to members of the public the Committee need to pass a motion outlining the reason and record it in the minutes.

Suggestions on managing public participation include:

- allowing question time at the start of any meeting
- accepting questions in writing for consideration either at the start of the meeting or as part of general business, and
- encouraging deputations and petitions.

The public can ask questions of the Committee (only in the time set aside in the meeting to do so), but it is not a forum for taking motions from the floor or voting on proposals. These actions can only be undertaken by the Committee members and any such business should be held over to the next regular meeting.

Resolutions by email

There may be occasions where an urgent, out-of-meeting decision is required. This may be due to COVID-19 social distancing restrictions, or other pressing matters (e.g. where the payment of an invoice cannot be delayed). In these circumstances, the decision may be made by email. Email decisions should be relatively insignificant, and will not take the place of a meeting.

- The Chair must receive a majority of votes in favour for the item to be endorsed.
- Votes are to be made by return email;
- The decision must be ratified at the next meeting, and noted in the minutes.

5.3 Minutes

Keeping of Minutes

Minutes of each meeting are to be recorded. Minutes form an official record of when the meeting was held, who attended, each motion passed and its outcome, and other matters.

The following details of the meeting should be included in the minutes:

- The date, time and place;
- The names of those present and the names of those who tendered an apology;
- All declarations of an interest or conflict of interest of any Committee member;
- The arrival and departure times of members, including any temporary departures during the course of the meeting;
- Every motion and amendment moved, including the mover (and seconder) of any motion or amendment;
- The outcome of every motion put to the vote;
- Any other matter that the Chair thinks should be recorded to clarify the intention of the meeting or reading of the minutes.

See Council's [website](#) for minutes template.

The Secretary should keep a minute book that will be passed on to the incoming secretary at the end of the secretary's term. The Secretary will also ensure that Council has been provided with all minutes so that they can be stored and archived in accordance with the *Public Records Act 1973*.

Confirmation of Minutes

Minutes of each committee meeting need to be:

- presented to the next meeting for confirmation (the motion endorsing the minutes of a previous meeting should only be moved and seconded by members who actually attended that meeting).
- signed by the Chair of the meeting at which they are confirmed.

A template for Committee Meeting Minutes is on Council's [website](#).

Distribution of minutes

The minutes of a Committee meeting need to be provided to each committee member and Council as soon as possible following the meeting.

Committee minutes are a public document (except where the meeting is closed due to the discussion of confidential items) and are placed on Councils website.

5.4 Referring Decisions to Council

Any decision of the Committee which is outside its delegated power cannot be implemented unless authorised by the CEO.

If the committee would like to make a recommendation to Council on a matter outside their delegated power the committee needs to pass a motion, this is then forwarded to Council, who may or may not choose to accept the recommendation.

In the event of any unresolved dispute arising, the matter shall be submitted to the Council in writing and any decision made thereon by the Council will be final.

Any requests to Council should be sent to info@indigoshire.vic.gov.au.

5.5 Sub-Committees

The Committee may form sub-Committees from among its members for the purpose of recommending on matters, any recommendations from the sub-committee need to be referred to a full Committee for decision.

Sub-Committees shall only be established by resolution of the Committee and only carry out those functions stated in such resolution. The members of the sub-Committee do not have any voting rights.

The Chairperson shall be an ex-officio member of all sub-Committees.

5.6 Conflict of Interest

What is a Conflict of Interest?

Being a member of a Community Asset Committee is a position of trust that involves obligations to the community and Council. It must be clear to everyone that you are not using your position to serve your personal interests or the interests of someone close to you.

A conflict of interest is where a Committee member (or their family member/friend etc) may gain a benefit or suffer a loss due to the outcome of a decision being made by the committee.

Example

A committee are deciding on a contractor to develop their webpage. A committee member is one of the website developers under consideration. The committee member stands to gain if the decision is made to contract the work to them. They must declare their interest immediately before the matter is discussed, leave the room for the discussion and vote on the matter, returning only after it has been finalised. They must not engage in discussion on the matter at any point during or after the matter has been dealt with.

Who needs to have the conflict?

A conflict may arise with the Committee member themselves (direct conflict) or as an indirect conflict with an affected person. An affected person is someone close to the Committee member, such as:

- family member (includes spouse, parent, grandparent, sibling, child, grandchild, step-parent, step-sibling or step-child of the member or their spouse, or any relative that regularly resides with the committee member)
- friend
- colleague
- employer

Example:

The Committee that manages the use of the local hall is to consider a request from a stamp collectors club to hold a stamp fair. Person XX is a member of the stamp club and is the sister of a member of the Committee. This creates a conflict of interest for the Committee member (indirect interest). When the matter comes up at a meeting, the Committee member announces:

"I have a conflict of interest in this matter.

"I have a financial interest because my sister will probably have a stall at the fair.

"I will leave the meeting while the matter is considered".

He leaves the meeting and waits outside until he is called in by the chair after the decision has been made. The nature of conflict of interest and the fact that the Committee member left the room are recorded in the minutes.

Sometimes there are situations where a conflict of interest may exist but is not necessarily clear. If, after obtaining advice, the member is still not clear if a conflict exists, they must still treat it like a clear conflict, following the above declaration procedures.

How to Disclose Conflict of Interest

Once you have identified a conflict of interest, you must follow these steps:

If you are at the meeting where matter will be considered:

1. make a full disclosure of the interest immediately prior to the matter being considered.
2. leave the meeting room while the matter is discussed and before any vote is taken;
3. do not participate in any discussion on the matter before, during or after to the vote being taken.

If not intending on being at the meeting where matter will be considered:

1. must advise the Chairperson in writing, disclosing of the nature of interest; and
2. Do not participate in any discussion on the matter before, during or after to the vote being taken.

Declarations of conflicts of interest must be recorded in the minutes of the meeting and if in writing must be forwarded to Council for recording;

Council Officers and Council contractors are also required to disclose conflicts of interest they may have when providing a report or advice to the Council or to a Community Asset Committee.

Where to go for more help?

If you are unsure about whether you have a conflict or what to do, help may be sought from the following places:

- Council – contact the Governance Officer or the Chief Executive Officer;
- a lawyer or other suitably qualified person;
- the Municipal Association of Victoria;
- the Victorian Local Governance Association.

5.9 Duty of Care

Under Common Law, owners and managers must prevent members and visitors from being exposed to potentially harmful situations.

It is imperative that Committees acknowledge that they have a Duty of Care to all participants attending their facility and that the Committee is active in ensuring that the playing and social environments are as safe as reasonably possible.

Social activities within a sporting community play an important role. Committees need to remember that whilst patrons are attending such functions, they again have a responsibility to provide a safe environment.

Committees and clubs need to be aware of their legal obligations, specifically those relating to the serving of alcohol and providing a smoke free environment.

5.11 Record Keeping

There is legislation in place governing record keeping which Council must comply with. Therefore as a committee of Council there is an obligation to assist Council in this process.

This involves Community Asset Committees:

- Submitting records as required as per the Handbook;
- Making full and accurate records of the business of its Committee, and storing these Committee records responsibly in a readily accessible and secure place.
- Forwarding essential records to Council for retention and disposal

What records need to be kept?:

- Minutes of every meeting
- Agendas of every meeting
- Financial records (e.g. Committee Annual Report)
- Correspondence (inwards and outwards)

Essential records of the Committee should be identified and special care taken to prevent their loss or damage. **Such records should be duplicated, with the originals forwarded to Council and copies retained by the Committee.**

The records (including electronic) of a committee, however old, are public records.

Freedom of Information Act 1982

Under the *Freedom of Information Act 1982* (FOI Act), the community has the right to access documents and other information generated or held by a Committee, whatever form they may be in (electronic, written, e-mail, fax, etc.)

Any requests for a Community Asset Committee's documents under the FOI Act should be forwarded as soon as possible to Council for processing as a decision must be made on that request within 30 (in some circumstances 45) calendar days after it is received by the Committee. The Council will consult with the Committee and any relevant individuals before releasing any documents to the public.

*Privacy and Data Protection Act 2014*The *Privacy and Data Protection Act 2014* requires that Committees handle any personal information in a secure and responsible manner and manage the information in accordance with a set of 10 Information Privacy Principles (IPPs). For further detail regarding the 10 IPPs refer to the website for the Office of the Victorian Information Commissioner (OVIC) at <https://ovic.vic.gov.au/privacy/what-is-privacy/>.

6. Finance

6.1 Financial Delegation

The Committee must ensure the effective financial control of the Committee.

Committees are delegated to spend **up to \$5,000** (including GST) on any one transaction, project or contract. For spending exceeding \$5,000, Committees **must** obtain approval from Council – complete the Request Approval form in Appendix 4 and submit to info@indigoshire.vic.gov.au.

6.2 Financial Reports

Annual Financial Reports

At the conclusion of each financial year the Secretary/Treasurer of the Committee must present the financial statements including Profit and Loss Statement, for presentation to the AGM of the Committee. These reports are submitted to Council and are summarised in the annual report of CAC activities to Council.

The financial year for all Committees is from 1 July to 30 June each year.

Financial Reports at Each Meeting

At every Committee meeting, a financial report must be presented, including:

- A list of all accounts paid in the relevant reporting period;
- The total income received in the relevant reporting period.

This report must be recorded in the minutes.

6.3 Fundraising & Grants

The Committee shall have the power, on behalf of the Council, to raise funds, solicit and receive donations and secure government grants, in accordance with the objectives of the Committee, policies of Council and the budget.

The Committee shall have the power, on behalf of the Council, to hold or sponsor functions, stalls and other fundraising means, within the constraints of the budget, to enhance the objectives of the Committee.

The Committee may pay, from funds received the cost of minor maintenance, electricity, water charges or gas used, honorariums, petty cash and secretarial expenses as the Committee determines. Note: no voting Committee member may receive payments for a role on the Committee.

All monies received by the Committee must be paid promptly into the bank account referred to in the Instrument of Delegation. Money must only be able to be drawn from that account on the signature of any two of the following office bearers:

- Chair;
- Deputy Chair;
- Secretary;
- Treasurer or any other authorised Committee member.

6.1 Receipts and Invoicing

The Australian Tax Office has ruled that **Committees cannot have a separate ABN** or separate registration for GST, the Committee must use Council's **ABN 76 877 704 310** when issuing tax invoices for hire/use of facility. A tax invoice template is provided on Council's [website](#).

6.2 Purchasing

The Committee is not authorised to purchase goods and services or enter into a contract or procure works exceeding the amount set out in their Instrument of Delegation. This limit is set to **\$5,000**. Committees are also not authorised to make any alterations or additions to any buildings or grounds that are part of the facilities managed by the Committee without first seeking permission from Council.

When Committees wish to incur expenditure above their delegated limit and/or make any alterations or significant additions to any buildings, they must get approval from Council.

Quotations

Committees should follow the below quotation procedures when spending funds.

Committees should follow the following principles when deciding where to make purchases, including:

- Cost effectiveness (including total cost and associated costs for maintenance over time)
- Fit for purpose (should be appropriate for use)
- Environmental consequences (to have the least impact on the environment)
- Benefits to the town/ area (provide benefits / support to local communities)
- Safety considerations

Spend Threshold	Purchasing Method	Minimum # of Quotes
Up to \$1,000	Verbal quotation	1
\$1,000 to \$2,500	Written quotation	1
\$2,500 to \$5,000	Written quotation	2

7. Management of the Facility

7.1 Use/Hire of the Facility

There are a variety of people/organisations that are able to utilise the facility. Use of the facility may be either on a seasonal, casual or long-term basis. Everyone that uses the facility for seasonal or casual use must complete a Booking Form and read the Conditions of Use. Booking Form templates are provided at **Appendix 4**

All users must have Public Liability Insurance and a Certificate of Currency that is valid for duration of the hire of the venue, must be attached to the application.

Hirers that do not have Public Liability Insurance are not able to use the facility.

However, users can request to use Council's Community Public Liability Insurance – please refer to Facility Hire Application – Casual Users section below.

Facility Hire Application – Casual Users

Users who do not have their own Public Liability Insurance may request public liability insurance through Council's Community Public Liability Insurance policy. It is not available to organisations, incorporated bodies or clubs – these groups are required to have their own insurance as part of their business registration.

Casual Users should complete the Community Public Liability Insurance Request Form (provided on Council's [website](#)) and lodge with Council for consideration. If the Community Public Liability Insurance Request is approved, users can pay the fee at any of Councils' Customer Service Centres in Beechworth, Chiltern, Rutherglen or Yackandandah.

In the event of a claim Council does not guarantee insurance coverage.

Council's insurance policies expire annually on 30 June. As part of the renewal process Council will request details about the number of insurance cover requests the Committee have received from casual hire bookings. These figures are used to determine the share of the insurance premium that needs to

be charged to your Committee. Once these figures have been obtained Council will invoice the Committee for the amount owing.

There are numerous exclusions to the insurance coverage provided by Council's policy. If there is an insurance claim in relation to any of the following activities, insurance IS NOT available through Council's policy.

Claims relating to the following activities are excluded from insurance:

Festivals and Markets

Sporting Activities

Grandstand

Sub-contractors

Child molestation

Acts of terrorism

Amusements (included but not limited to children's and animal rides, miniature trains and inflatable recreational equipment

Fireworks

Music concerts

Entertainers and performers

Security Personnel

Products liability for children's toys

Electronic data

Events where admission is charged

Consumption of alcohol at events

When alcohol is going to be consumed at an event it is important that the hirer checks with the Victorian Commission for Gambling and Liquor Regulation (www.vcglr.vic.gov.au) that they do not require a Temporary Liquor Licence. The general rule is that where there is a charge or associated charge for alcohol (e.g. free glass of wine on arrival to an event where attendees must pay an admission).....

Regular User Agreements

All regular user groups must have an agreement with the Committee for use of the facility.

This may be in the form of a:

- Regular User Agreement;
- Lease/licence; or an
- Occupant Agreement

Each user group MUST hold their own public liability and contents insurance and a current Certificate of Currency that is valid for the term of the agreement must be attached to the agreement.

Once the initial agreement has been completed and submitted to Council, user groups must further provide Public Liability and Contents Insurance Certificates of Currency annually.

Leases and Rental Agreements

Prior approval by Council must be obtained for any long-term hire / agreement. A long-term agreement is hires occurring regularly (monthly or more frequently) over 12 months or longer.

How to get consent on long term or >\$5,000 leases/agreements?

Complete the Request Approval Form provided at on Council's [website](#) and submit to Council (via email at info@indigoshire.vic.gov.au).

7.2 Building Inspections

Completion of the Building Inspection checklist is necessary to help meet requirements from Council's Insurer. A copy of the form are available on Council's [website](#). If the inspections are undertaken in the prescribed manner, insurance premiums can be reduced because Council's level of exposure to risks is minimised.

The Building Inspection Checklist needs to be completed every year and submitted to Council in the AGM packs.

7.3 Capital Works

Committees can undertake a process of identifying and prioritising works to be completed at their facility. Capital Works may be requested via the Request Approval Form. Council will consider, evaluate and prioritise all requests received from Committees. Those selected will then be referred for consideration for inclusion in Council's future budget(s).

Note: Committees will need to apply for any planning or building permit that may be required for any applicable works. For more information contact Council's planning or building teams.

Requests for Capital Works are due by 30 November for consideration in the next year's budget. The form is located on Council's [website](#).

7.4 Building Maintenance

There is a responsibility to adequately maintain community buildings, the purpose of such maintenance is to ensure buildings remain structurally sound and safe for their intended purpose and to maximise their life cycle.

Council will provide support for building maintenance as per the following table (which outlines the committee's responsibility and Council's) subject to the following:

- No guarantee can be given that works required can be funded by Council in any given year.

- On-going support for any building is subject to review based on use and need.
- Where insufficient funding is available, an occupier may choose to proceed with works on its own accord, subject to all works being approved by Council.

Any requests for works are to be in accordance with the following:

- All requests for major maintenance works on community buildings should be directed to Council. It should be noted that works on community buildings located on Crown Land require written permission of the Department of Environment, Land, Water and Planning (DELWP).
- Council operates a register of contractors for miscellaneous building maintenance works and will normally select the appropriate contractor for the works in accordance with this register.
- No directions should be given direct to contractors to undertake works
- Council will not accept requests for payment of works if prior approval is not obtained.
- Building and planning permits must be obtained for applicable works on all Council facilities.

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Air conditioning and Heating Appliances	<ul style="list-style-type: none"> ▪ Service and repair when required. 	<ul style="list-style-type: none"> ▪ Replacement of unit.
Building	<ul style="list-style-type: none"> ▪ Determine and document the specific need of the building relating to <u>any</u> requests to Council for building alterations. ▪ Prepare plans and obtain quotes for requests for minor improvements. 	<ul style="list-style-type: none"> ▪ Assess all requests submitted. ▪ Undertake works required to bring premises and surrounds to appropriate standards to meet the required regulations. This excludes items identified as the lessee's responsibility in a lease or other document. ▪ Preparation of long-term development plans ▪ Design of major building alterations or major structural works.
Cleaning	<ul style="list-style-type: none"> ▪ Keep premises in clean, sanitary and tidy condition. 	
Ceilings, walls and skylight (internal)	<ul style="list-style-type: none"> ▪ Cost of repairs due to major or continual misuse. ▪ Regular cleaning. 	<ul style="list-style-type: none"> ▪ Major repair and/or replacement due to structural faults/age.

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Curtains/Drapes/Blinds	<ul style="list-style-type: none"> ▪ Repair costs. ▪ Replacement costs. ▪ Supervision of installation of replacement items. ▪ Regular cleaning. 	
Disposable/consumables eg toilet paper, soap, paper toweling etc	<ul style="list-style-type: none"> ▪ Committee responsibility to replace as required. 	
Doors, (including cupboard doors)	<ul style="list-style-type: none"> ▪ Regular cleaning and repair of internal/external doors due to major or continual misuse. ▪ Minor adjustments. 	<ul style="list-style-type: none"> ▪ Replace whole of facility locks, upgrade to master key system
Electrical wiring, fittings and lights.	<ul style="list-style-type: none"> ▪ Additional or security lighting. ▪ Cost of repair and replacement of electrical wiring if damage is due to major or continual misuse. ▪ Repair and replacement of all light globes. ▪ Regular cleaning of all light fixtures. 	<ul style="list-style-type: none"> ▪ Replacement of all building wiring from main supply to switchboard ▪ switchboard replacement / upgrade ▪ Replacement of light fittings.
Fire Extinguishers	<ul style="list-style-type: none"> ▪ Fill when discharged and replace if stolen. 	<ul style="list-style-type: none"> ▪ Service/annual inspection and maintenance charge.
Floor surfaces and coverings	<ul style="list-style-type: none"> ▪ All regular cleaning and maintenance of floor coverings, carpet and tiles. ▪ Floor stripping and resurfacing. 	<ul style="list-style-type: none"> ▪ Replace to essential areas when excessively worn or dangerous.
Fly screens	<ul style="list-style-type: none"> ▪ Maintain and replace fly wire. ▪ Install additional fly screens. 	

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Garbage	<ul style="list-style-type: none"> ▪ Normal fee for service waste collection. 	
Glass	<ul style="list-style-type: none"> ▪ Replace broken or cracked windows arising from misuse. ▪ Regular cleaning. 	<ul style="list-style-type: none"> ▪ Replace due to breakage arising from structural fault, age.
Emergency Lights and exit signs	<ul style="list-style-type: none"> ▪ Inspection and replacement of globes. 	<ul style="list-style-type: none"> ▪ Replacement of fittings. ▪ Required testing under essential services measures.
Grounds and pathways	<ul style="list-style-type: none"> ▪ Keep all entry/exit areas clear and sweep regularly. ▪ Maintain paths in a safe condition free of trip points. ▪ Maintain all grounds associated with building by cutting the grass, minor pruning, replacing bushes and flowers if required. ▪ Repair fences. ▪ Remove dead foliage. ▪ Seed grassed areas. ▪ Provide and replace sand and tanbark. ▪ Seek Council approval for any modification to the grounds. ▪ Supply and apply mulch. ▪ Weed garden beds. ▪ Maintenance of garden hoses, and sprinklers, etc; ▪ Cleaning and weeding of pavement and driveway. 	<ul style="list-style-type: none"> ▪ Replacement of essential pavement, driveway, and car park; retaining walls and ramps. ▪ Replacement of essential/required fences.

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Internal electrical equipment, lighting and appliances e.g. fans, kettles, food processors, stage lighting	<ul style="list-style-type: none"> ▪ Replacement as required of minor kitchen appliances. ▪ Required test and tagging. 	
Keys and locks	<ul style="list-style-type: none"> ▪ Replacement of lost or damaged keys. ▪ Supply of keys for user groups. ▪ Repair and replacement of locks including new master key system if required. 	<ul style="list-style-type: none"> ▪ Replace whole of facility locks, upgrade to master key system
Painting	<ul style="list-style-type: none"> ▪ Internal painting if damaged through major or continued misuse or colour scheme changes etc. ▪ Touch up painting of damaged areas – internal and external. ▪ Decorative painting. 	<ul style="list-style-type: none"> ▪ Internal and external painting for structural integrity reasons.
Permanent fixtures	<ul style="list-style-type: none"> ▪ Regular cleaning of all fixtures. ▪ Repair and/or replace if damaged through major or continual misuse. ▪ Repair and replace pergolas, sandpits and playground equipment. 	<ul style="list-style-type: none"> ▪ Replace when required the following items – <ul style="list-style-type: none"> – hot water service – sinks and toilets – verandahs attached to the building.
Pest control	<ul style="list-style-type: none"> ▪ Keep all areas in a clean and hygienic state. ▪ All pest control as required both internal and external. ▪ Termite inspection and treatment (major damage to be reported to Council). 	

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Plumbing	<ul style="list-style-type: none"> ▪ Repair leaking cisterns, pans, urinals. ▪ Replacement and minor repair of internal surface plumbing fittings such as toilet seats, taps and washers etc. 	<ul style="list-style-type: none"> ▪ Replacement of damaged or corroded major plumbing fittings, toilet bowls and cisterns. ▪ Replacement works required for drainage purposes, including sewerage, drains, water pipes and pits. ▪ Replacement of gas pipes. ▪ Replacement of water supply systems.
Roof, skylight, external walls, spouting and down pipes	<ul style="list-style-type: none"> ▪ Remove leaves from guttering and roof. ▪ Maintain storm water pipes and clear minor blockages. ▪ Repair minor roof leaks. 	<ul style="list-style-type: none"> ▪ Reflash all roof penetrations ▪ Replace gutter/downpipes. ▪ Replace large sections of stormwater pipes. ▪ Replace whole roof.
Security and fire alarm system.	<ul style="list-style-type: none"> ▪ System bills and operating costs. ▪ Manage usage and costs of the system. ▪ Installation costs of new system. ▪ Call out and service costs 	<ul style="list-style-type: none"> ▪ Replacement costs of existing systems if deemed required by Council.
Signage	<ul style="list-style-type: none"> ▪ Maintain and replace all internal/external signs relating to the committee. 	<ul style="list-style-type: none"> ▪ Identification signage to be provided by Council where required.
Smoke detectors	<ul style="list-style-type: none"> ▪ Repair and replacement of batteries as required. 	<ul style="list-style-type: none"> ▪ Installation where hard wire system is required.
Telecommunications, systems (fax, photocopiers, phones).	<ul style="list-style-type: none"> ▪ Purchase, service and maintenance cost. ▪ Replacement costs. 	

Building maintenance responsibilities		
Item	Occupier's Responsibility	Council's Responsibility
Trees	<ul style="list-style-type: none"> ▪ Tree pruning and lopping. ▪ Inspections to identify and report hazards/risks to Council. 	<ul style="list-style-type: none"> • Large trees lopped to meet security/safety requirements where considered dangerous and as identified by occupier.
Whitegoods eg. refrigerator, dishwasher	<ul style="list-style-type: none"> ▪ Service and maintenance costs. ▪ Replacement costs. ▪ Testing and tagging. 	
Windows	<ul style="list-style-type: none"> ▪ Repair minor window damage. 	<ul style="list-style-type: none"> ▪ Replace windows as structurally required.
Vandalism	<ul style="list-style-type: none"> ▪ Repair incidental building damage from vandalism up to a value of \$1,000. <p>Note: Generally in cases where the repair is over \$1,000, an insurance claim will be made. The excess, currently at \$1,000 will be the responsibility of the Committee.</p>	<ul style="list-style-type: none"> ▪ Repair major building damage from vandalism over a value of \$1,000. <p>Note: Generally in cases where the repair is over \$1,000, an insurance claim will be made. The excess, currently at \$1,000 will be the responsibility of the Committee.</p>

Grant Acquittal

Committees who manage Council facilities receive a Council grant to assist in the maintenance of the building. The grants must be acquitted each year by submitting the requested information. Grant acquittal forms are due to Council by 30 June.

Control of White Ants in Buildings

Committees must be active in their control of white ants. If a Council asset is found to have white ant infestation contact must be made with Council as soon as possible. Council will then negotiate repairing the damage, subject to Council's budgetary provision. Contact must be made with Council who will refer the report on to Council's Building Maintenance team.

7.5 Tree Management

The Committee is responsible for ensuring trees do not interfere with any electric power lines that run through or into the facility, even if no power from that line is used by the facility. This applies only to distribution lines (i.e. ordinary lines) and not transmission lines (i.e. the large steel structures carrying high-voltage lines).

If you have a tree management issue contact Council's Operation Department for advice.

7.6 Fire Prevention Works

Facilities in rural areas may need to carry out fire prevention works prior to the summer months.

As a first step, Council's Operations Department should be contacted.

7.7 Security

A Committee needs to make sure its facilities are as safe as possible for all types of users. A facility may meet safety standards for its intended use, but be unsafe for de-facto uses and activities that by default it attracts. If a person is injured undertaking such activities, even though they are (strictly speaking) trespassing, they can sue the Committee if the injury has been caused by the negligence of the Committee or its members or volunteers.

Similarly, a Committee may unwittingly create what is known as an "attractive nuisance" and has an obligation to ensure others cannot enter the site after hours and injure themselves.

Any Committee facility that is to be closed for a period should also be secured. The emphasis in this type of security is not to prevent theft, but to minimise unauthorised use of a facility or area outside supervised times.

7.8 Essential Safety Measures Inspections and Logbook

Council will provide an Essential Safety Measures (ESM) logbook in each facility. The logbook is generally installed in a red cabinet at a prominent location near the facility entrance.

The Committee of Management is responsible for inspections with periodical completion of the Essential Safety Measures logbook in the following areas:

1. *Part 2.1 Paths of Travel to Exits* – Every 3 months
2. *Part 2.2 Discharge from Exits* – Every 3 months
3. *Part 2.6 Exit Doors* – Every 3 months
4. *Part 12.1 Mechanical Ventilation* (where kitchen exhaust canopies are installed) – Monthly.

Council is responsible for organising inspections (using contractors) with periodical completion of the Essential Safety Measures logbook in the following areas:

1. *Part 4.1 Emergency & Exit Lights* (where installed) – Every 6 months
2. *Part 5.1 Fire Hydrant System* (where installed) – Every 6 months
3. *Part 5.2 Fire Hose Reels* (where installed) – Every 6 months⁶
4. *Part 5.4 Fire Extinguishers - Portable* (where installed) – Every 6 months

The Committee of Management needs to provide access as required for the contractors that Council organises to undertake the above inspections. Contractors will generally liaise directly with the Committee of Management on access arrangements.

7.9 Emergency Evacuation Plan

The aim of the Emergency Evacuation Plan is to enable the optimum coordinated response of all residents to any given emergency point, in the shortest possible time to minimise the loss of life and/or injury to persons and to minimize the damage to property.

A laminated A3 size copy of the Emergency Evacuation Plan is required to be displayed in a visible location in the facility.

If you currently do not have an Emergency Evacuation Plan please notify Council for assistance.

Emergency Management Procedures

The Committee will ensure that the Essential Safety Measures Inspection Log Book, Emergency Action Guide and Evacuation Plan are reviewed annually during the AGM.

All users need to be familiar with the emergency management and inspection procedures for the facility.

Training of personnel

It is important that all committee members are familiar with the site emergency procedures.

Any hirers or contractors also need to be familiar with site emergency procedures through information relayed via a Committee member. In some instances it is appropriate to conduct an evacuation exercise annually to test accuracy of the processes implemented.

Crisis/Disaster Management

If a crisis or disaster occurs, the Committee should immediately report the crisis to the appropriate local authorities, including Council. A crisis situation could be major fire, serious injury or death, or similar. Council will then be able to provide advice to help manage the crisis.

8. Risk Management

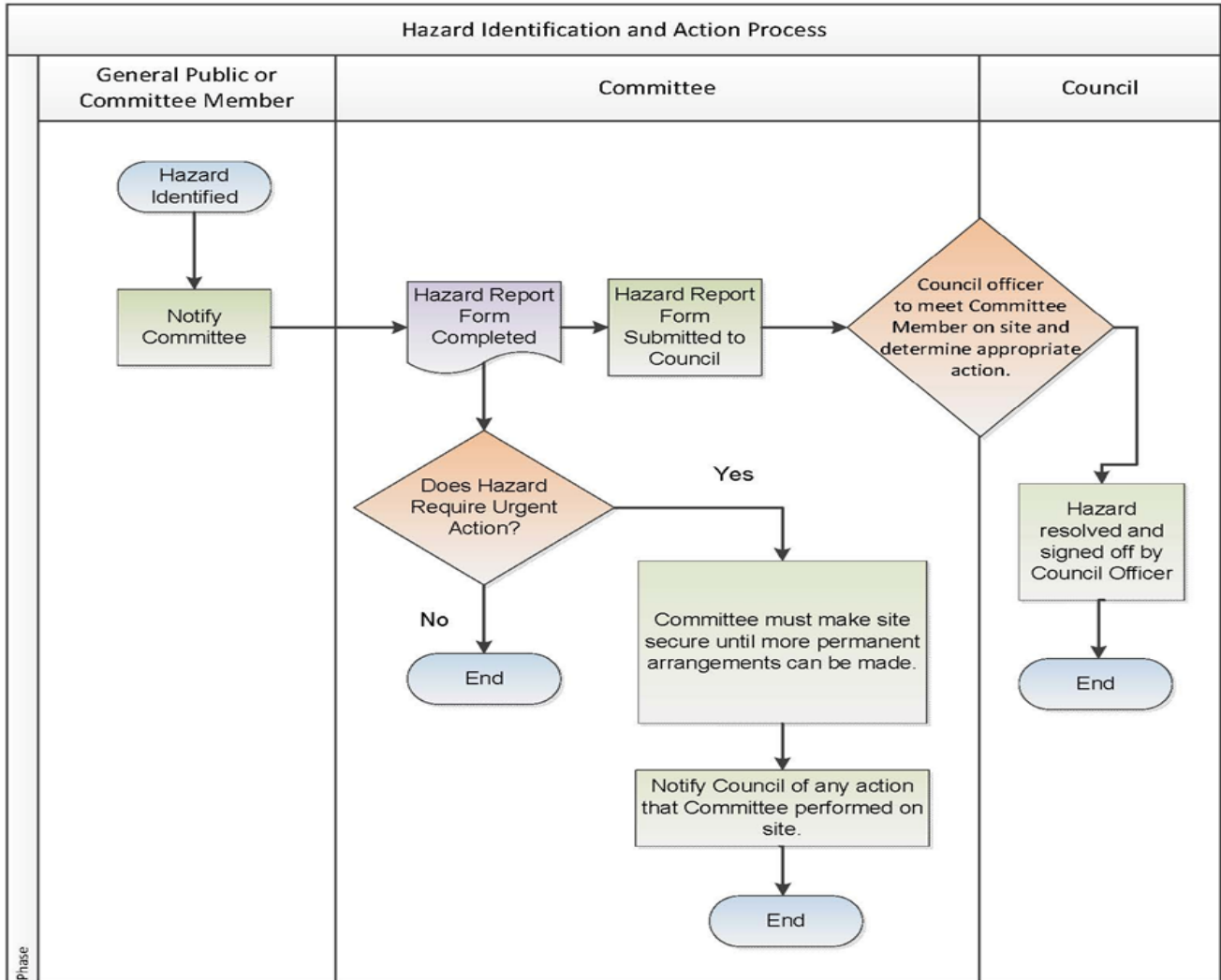
Risk Management Policies/Procedures should identify hazards within your facility and help deal with and prevent further risk and injury to user groups, spectators and the general community.

Council encourages Committees and clubs to be proactive in their approach to risk management rather than reactive.

Strong communication channels are also needed to be in place between individual clubs and the facility's Committee of Management. Safety and Injury Prevention will be at its strongest if all user groups are working towards providing a safe environment.

An Incident/Near Miss/Hazard Report Form is available as part of the OHS Manual found on Council's [website](#) and this should be used in the identification and reporting of potential or existing hazards.

The following flow chart examines how the Hazard Reporting Forms deal with potential risks:



A Safety Manual has been developed to assist Committees to meet their obligations in relation to Occupational Health and Safety requirements. The Safety Manual aims to assist you to reduce accidents and the human and economic costs of work related injuries or illness. The Safety Manual also includes a number of tools (i.e. checklists and forms), a key element in an effective OH&S Program.

In the final sections of the Safety Manual you will also find a range of Fact Sheets which may be used to inform Committee members and volunteers.

Managing health and safety as part of the day-to-day operations will make sure your Committee meets its legal obligations without the cost and effort of establishing additional systems. It also demonstrates to your volunteers that you value their help and commitment and are serious about their health and safety. This can contribute to higher satisfaction and volunteer retention.

The OH&S Manual is on Council's [website](#).

Use of Contractors

Indigo Shire Council, Greater Shepparton City Council, Benalla Rural City, Shire of Strathbogie Council, City of Wodonga Council, Alpine Shire Council, Rural City of Wangaratta Council and Moira Shire Council have collaborated to develop and implement an Online General OHS Induction Course.

This standardised induction course is designed for contractors who may be engaged to perform work at any site controlled by or on behalf of any Council participating in the North East Council Contractor Induction program. This course will advise contractors of the legislative and expected safety requirements and standards when performing works for participating Councils.

This process can be achieved by having contractors complete Council's General OHS Online Induction Course. As part of Councils OHS Policy, all contractors, their employees and any sub-contractors who may be engaged to perform works or deliver services within any worksite controlled by or on behalf of, any of the above Councils are required to successfully complete the Online Contractor Induction Course prior to works.

The course takes about 20-30 minutes. Being online, courses can be completed anywhere that has access to the internet.

Committees of Management must ensure the contractor they are using has been inducted. All inducted Contractors are included on Council's Contractor Supplier List. As this list is a large and changing document, please contact Council if you would like a contractor approved.

Instructions:

1. **Open your Web Browser to the website – www.inductme.com.au/necci**
2. **Enter the Course Code – [necci101](#)**
3. **Press the Start Course button and follow instructions**

At the end of the course the contractor or their employees will receive an email with an attached Certificate/ID which must be cut out and signed. This completed card must be carried and available if requested within any Council work site.

Various acts and regulations require us to enforce a [No Induction Card, No Entry](#) policy for all work sites.

Incident Reporting Procedure

In the event of an incident please report the details to Council immediately or within 2 working days of the date of the incident. The Committee first and foremost MUST NOT admit any liability.

A Hazard/Incident/Injury Report Form is provided in Appendix 21 and must be completed and submitted to Council whenever an incident occurs which involves any of the following:

- Damage to Vehicles & Registered Plant (includes members of the public vehicles);
- Damage to Property & Unregistered Plant (Includes members of the public property);
- Personal Injury to Members of the Public.

All incidents need to be handled sensitively and as soon as possible after they occur. No one can anticipate whether an incident will develop into litigation so all incidents should be managed in a professional manner.

Any incident occurring on Council owned or managed property involving either personal injury or property damage must be reported to Council using the Hazard/Incident/Injury Report Form which is available in the OH&S Manual on Council's [website](#). The use of a standard form ensures all the necessary information is gathered, in a logical fashion and a record of the investigation is maintained.

All claims reported to the Council will be considered on a "Without Prejudice" basis. While the Council sympathises with anyone suffering an injury or sustaining a loss, the acceptance of a completed claim form by the Council in no way infers negligence on the part of the Council or binds the Council to provide compensation.

If you require any further information regarding insurance please do not hesitate to contact Council's Risk Advisor on 5728 8000.

Chemical Safety

Chemicals stored on site must be kept in manufacturer-supplied containers, labelled and stored in a safe manner in accordance with legislative requirements. Appropriate firefighting equipment should be on hand to deal with these chemicals.

First Aid

The Committee should ensure that hirers of the venue have appropriate first aid kit.

8.2 Insurance

Types of Liability Insurance coverage

Members of Committee of Management appointed under section 65 of the *Local Government Act 2020* are covered under Council's insurance program for the following:

- Public Liability, Products Liability and Professional Indemnity Insurance cover for Committee members and Committee appointed volunteers;
- The activities of officially constituted and properly authorised Council Committee members while performing their management role;
- Personal Accident Insurance cover for Committee members and Committee appointed volunteers;
- Events under the control of the Committee occurring on land or buildings owned or controlled by Council or a Community Asset Committee;
- Registered volunteers organised and acting under the direct control of Council or a Council established Community Asset Committee.

This coverage is subject to the proviso that the member(s) was/were acting in accordance with the Instrument of Delegation.

The following **ARE NOT** covered by Council's public liability insurance:

- The activities or events under the control of independent bodies, such as sporting bodies who occupy Council owned or controlled land or buildings; and
- The activities of private entities, independent community or service groups, Committees not established by Council, sporting bodies and any other groups using the Reserves and facilities. These groups must carry THEIR OWN public liability insurance;

- Volunteers and members of working bees conducted by sporting clubs or other users.

In the event of an incident involving a Community Asset Committee that an investigation will be conducted.

Volunteer Management

Council's Public Liability Insurance covers CEO appointed Community Asset Committee members for any Committee initiated and approved works carried out on Council owned facilities and reserves.

If your Committee is holding an event or working bee and volunteers are involved that are **NOT** CEO appointed members of the Committee, they **MUST** complete a Volunteer Registration Form in order to be covered by Council's Insurance Policy. The completion of the form will provide cover for up to one year.

This form must be completed properly and returned to Council prior to the event. Please note that Council's insurance policies do not cover Committee members or volunteers for works such as putting up a fence. The Committee would need to employ someone qualified to undertake this work.

Every Council depends on the generosity of its volunteers. It is vital that Council provides its volunteers with the appropriate support, education and acknowledgement. Committee members or other members of the community may volunteer to do some work on a facility.

The Committee may choose to reimburse volunteers for out of pocket expenses, but any additional payment will turn that volunteer into an employee. Volunteers must submit a tax invoice detailing out of pocket expenses to the Committee. Prior to reimbursement, specific approval of the Committee is required to be recorded in the minutes of a properly constituted meeting.

Committees have a Duty of Care to all volunteers to provide a safe working environment, as would be provided to an employee or contractor. At the same time, it is the volunteer's obligation to take ownership of their own personal safety and the safety of others.

A copy of the Volunteer Registration Form can be found on Council's [website](#).

Dispute Resolution

In the event of any dispute involving any matter relating to the functions of the Committee or any member of a user group of the facility, all parties must make reasonable attempts to promptly resolve the dispute between the parties. In the event that the parties fail to resolve a dispute either party shall notify Council. Council reserves the right to manage or resolve the dispute in any reasonable manner.

Notwithstanding the existence of a dispute, all parties shall continue to perform their duties in accordance with the Instrument of Delegation and this Handbook.

9. Dealing with Public Complaints

At some stage, a Committee may receive a complaint from a member of the public about something it did or didn't do. Most of these complaints can be resolved fairly easily and to everyone's satisfaction.

Remember that the complaint, decision, actions of the Committee in response and whether the person was satisfied with the outcome should be recorded.

For problems that prove tougher to resolve, the Committee should contact Council. Committees need to be aware that sometimes members of the public may take their concerns to Council, their Member of Parliament or the Ombudsman if they feel that a Committee has not dealt with them adequately.

10. Temporary Food Premises Information

Council recognises that the sale of food from temporary food stalls is a successful method of raising funds for community organisations and further promotes the work performed by these organisations.

Any person or organisation who sells food needs to ensure they register as a food premises (whether permanent or temporary) to meet legislative requirements. The management of food safety risks from temporary food premises is different to that of fixed food premises.

For further details please refer to the Indigo Shire Website or contact Council on 1300 365 003 and ask to speak with an Environmental Health Officer.

11. List of Forms and Templates

The following is a list of the forms and templates used by community asset committees. These are available on Council's [website](#).

Please contact Council if you require assistance in accessing these documents, or require a printed copy.

OH&S Manual

OH&S Manual
Event Management Plan Template
Hot Works Permit
Incident/Near Miss/Hazard Report Form
Induction Handout for Contractors 3-Fold

AGM Forms

AGM Pack
AGM Pack Cover Sheet
Agenda Template – Annual General Meetings
Minutes Template – Annual General Meetings
Annual Report Template
Committee Member Contact Details
Annual Financial Statement
Hire Report template
Building Insurance checklist
Contents Inventory

Templates

Agenda Template – General Meetings
Minutes Template – General Meetings

Annual Budget / Profit and Loss
Invoice Template

Standard Forms

Application Form – Community Asset Committee
Booking Form – Casual Users
Booking Form – Sports Fields & Pavilions – Seasonal Users
Community Liability Insurance Request Form
Complaint Form
Hazard Incident & Injury Form
Request Approval Form
Volunteer Registration Form