

1. INTRODUCTION

The aspirations of the community for the future of their surrounds are embodied in the local planning scheme, service club activities, sporting and recreation club business plans, Chamber of Commerce activities, local interest groups, schools, annual festivals and events, to name a few. Committees should be familiar with these when developing plans for their facility.

Day to day, community involvement can be encouraged by having Committee meetings open to the public, reporting activities in the local newspaper, encouraging attendance at the Annual General Meeting, and encouraging involvement in activities such as working bees. The Committee of Management Resource Manual has been prepared to assist people who have been appointed to a Golden Plains Shire Section 86 Committee of Management. The manual is relevant to both current and new members of the Committee. The manual has been prepared to:

- Provide an overview of the good practices and operational issues of a Section 86 Committee of Management; and
- Provide context and good work practices for the effective management of Golden Plains Shire facilities.

The contribution by local Committee members has benefited the community in a variety of ways, environmentally, socially and economically. Overwhelmingly the experiences that volunteers bring to these Committees are positive, both for themselves and for the organisations that they are serving.

The community is a Committee of Management's main client group. A good relationship with the community is an important part of ensuring that a facility is used, enjoyed, appreciated and developed by all.

Individual members of the community may also have specific information that Committee members lack, such as knowledge of local flora, fauna, cultural significances and history or recreation needs.

The level of community involvement with the Committee and facility will be guided in part by the type of facility, its activities and uses. For example, a major development or activity may require information sessions, workshops, public meetings and surveys with the community, or a minor development may involve the Committee and Council working together.

There are, however times when problems occur and things go wrong. The consequences of these adverse conditions depend on the type of problem, its severity and the length of time that it has been allowed to manifest. The most destructive consequence can be that an organisation has to close its doors, but less severe consequences may still cause hurt and distress.

It is important to note that issues that often arise for a Committee are predictable and most often avoidable.



1.1 Purpose of the Manual

The purpose of the Committee of Management Resource Manual has been arranged to provide an overview to good governance and operational issues for members of a Committee of Management, whether starting out on a Committee or as a long term member.

The Manual acknowledges:

- The responsibilities of Special Committees of Council (or Section 86 Committees);
- The skills and resources required to ensure the successful operation of community facilities; and
- The need for greater support from Council.

Further support and assistance with any matter is available from the Community Services Department of the Golden Plains Shire Council.

1.2 How to use this Manual

It is recommended that all Committee members take the opportunity to read through this Manual to determine what it covers. At a minimum, read the Table of Contents to get an overview of the areas covered so that you are able to refer to that information when required.

Make sure all Committee members know that the Committee has this Manual as a reference.

Committee members should become familiar with the contents of this Manual and refer to it when the group is discussing particular issues or when there is a need to clarify particular roles and responsibilities. Therefore, the Manual should be on hand at all Committee meetings.

Take advantage of opportunities to attend workshops and seminars that will be offered by the Golden Plains Shire Council and other organisations to assist existing and new Committee members to understand and adapt to roles on the Committee of Management.

1.3 Instrument of Delegation

“Instrument of Delegation” is the term used to describe the power and authority delegated to a Committee of Management by the Golden Plains Shire Council to control “the reserve”.

Under Section 86 of the Local Government Act (1989) a Council may:

“By Instrument of Delegation delegate any of its functions, duties or powers under this or any other Act to a Special Committee”. This is called an Instrument of Delegation. They, (the Committee) like Council, must keep records which are required by the Local Government Act, namely minutes of meetings and appropriate financial records. Golden Plains Shire delegates its authority under Section 86 of the Local Government Act.



This means that:

- Lawful actions of the Section 86 Committees are in effect actions of the Council;
- Section 86 Committees do not need to be incorporated under any other mechanism; and
- Committees are protected by insurance applicable to Council.

The Instrument of Delegation clearly defines the power and responsibility of a Section 86 Committee of Management, and Council, including:

- The objectives of the Committee;
- Powers / functions and duties;
- Meeting procedures;
- Financial management;
- Reporting to Council; and
- How Committee members are appointed.

Refer to the Section 86 Committee of Management, 'Instrument of Delegation' document for more information. The Committee will have a signed copy that is a legal binding agreement between the Committee and Council.

1.4 Why Committees?

By organising a group of interested people into a Committee, tasks such as managing facilities or organisations can be tackled effectively by:

- Sharing information;
- Sharing and developing ideas;
- Sharing the work load;
- Representing member organisations;
- Planning; and
- Stimulating thought.

Most importantly, Committees make it possible for various views and interests to be considered before making decisions.

The size of a Committee of Management differs. Some detail contained in these guidelines may be onerous and unnecessary for smaller Committees. Smaller Committees should use common sense to continue meeting their responsibilities to minimise effort and risk, without being overwhelmed by detailed requirements that would apply to larger Committees.



1.5 Council's Recreation Department

A Council liaison person from the Recreation Department is assigned to each Committee of Management to support and assist the Committee in their operations.

Recreation Department

Program description: "Creating healthy, vibrant and connected communities through working with local Committees of Management to develop a range of recreational facilities and activities". Please refer to Section 7, Form 1 - Council Contact Details for further information.



Harrison Reserve, Enfield

Key Tasks

- Identify priority recreation planning projects;
- Work with relevant Committee of Management to ensure effective management preceding to construction of new or upgraded facilities;
- Support the Works Unit with community liaison during the recreation facility construction phase;
- Support the development of community based Committees of Management;
- Construction of community facilities, including hall, paths and trails, recreation reserves and pavilions, sporting facilities and playgrounds; and
- Implement Council's Planning documents.

These activities and initiatives will contribute to achieving the strategic objectives specified in Council Planning by undertaking general maintenance of all Council owned and controlled land, buildings and facilities and supporting communities that undertake these activities on behalf of Council.

1.6 Relationship between Council and Committees

The Golden Plains Shire Council is committed to playing an important role in the ongoing guidance, support, training, development and success of all Committees of Management. Providing up to date information to Committees and adequately responding to Committee requests and concerns are important roles of Council in ensuring that Committees can continue to successfully and efficiently carry out their role in the operation and management of facilities under the delegation of Council.

Suggested strategies that can assist Committees of Management in developing a good relationship with Council include:

- Building a positive relationship with your Councillors and Council officers;



- Keep the contact details of the Committee up to date. Any changes to contact details of a Committee member or the details of new members added to the Committee need to be forwarded as soon as possible to Council via the relevant Council representative; and
- Attendance at relevant Council meetings, events or training sessions.

1.7 Reporting to Council

As per the 'Instrument of Delegation' the Committee shall be responsible for ensuring the following:

- A copy of the minutes shall be forwarded to Council within 14 days after each meeting;
- The Committee shall submit at its Annual General Meeting an Annual Report including the Audited Annual Statement of Accounts bearing the Auditor's Certificate where applicable under Clause 8(c). The Chairperson shall be responsible for ensuring that the report is lodged with Council by 31 October each year;
- The Committee shall forward a copy of the Seasonal User Agreement and two samples of one-off hire agreements (being the form of agreements intended to be used by the Committee) to Council by 31 October each year;
- Council must be advised in writing as soon as possible of the resignation of any member of the Committee;
- The Committee shall conduct site risk assessments at least annually to ensure a safe environment. The Committee shall provide copies of these inspections to Council;
- The Committee shall monitor its effective financial control through the preparation of a written budget for the ensuing year and forward the budget to the Chief Executive Officer of Golden Plains Shire Council no later than the 31 May in each year;
- The Committee shall maintain a personal injury and loss/damage register and advise Council as soon as practical of any incidents which might give rise to legal proceedings;
- The Committee shall report to Council any accidental and/or intentional damage to the Reserve as soon as practical;
- Committee shall report to Council any attempted and/or successful break-ins into buildings located on the Reserve as soon as practical; and
- The Committee shall comply with the provisions of the Occupational Health and Safety Act 2004. In particular, the Committee shall report to Council's Risk Management Officer all incidents which result in injuries to staff or contractors within 24 hours of the incident.

1.7.1 Notifying Council of New Committee Members

The Committee must notify Council in writing of any new members nominated by the Committee of Management to ensure that they will be covered by Council's Public Liability Insurance.

Community representatives shall be appointed by calling for Registrations of Interest from the



community by way of a Public Notice in a local newspaper. Should more than five nominations be received, Council shall determine the Community representatives. Any vacancy caused by the resignation of the Council representative, shall only be filled by Council.

Where more than 12 user groups exist, Council shall determine the composition of the Committee. Any additional or new 'Permanent User Group' shall be offered the opportunity to have one voting representative on the Committee, subject to appointment by Council. The Committee shall be responsible for nominating to Council a candidate to fill any vacancy that occurs on the Committee. Where the resigning member holds the position as a representative of the 'Permanent User Group' of the Reserve, the replacement member must be nominated by that 'Permanent User Group'. The person who fills the vacancy, after the appointment by Council, shall hold office until the next Annual General Meeting or until they resign their office (whichever occurs first).

1.7.2 Election of Committee and Office Bearers

The Committee shall hold an Annual General Meeting every 12 months.

Office Bearers shall hold office until the commencement of the first meeting after the date upon which the Council makes its annual appointment of Committee members as envisaged by (Clause 6, Instrument of Delegation) or until they resign their office, whichever occurs first.

The Committee shall at its first meeting after the Annual General Meeting appoint from its own members, office bearers to the positions of Chairperson, Secretary, Treasurer and any other positions determined by the Committee as being necessary for the efficient functioning of the Committee.

1.8 Information Sessions for Committees

Council is a resource for information and advice on a range of topics or issues and can assist Committees on request. Alternatively, Council can point a Committee in the right direction.

Council will introduce a number of training / information sessions for Committees of Management and its user groups. These sessions will assist Committees in skill and professional development, while also providing an opportunity to liaise with Council staff.

1.9 Contacts

Committees of Management should contact Council's Community Recreation Officer to:

- Advise Council's Community Recreation Officer annually of the contact details of the Committee members;
- Discuss any matters regarding the Instrument of Delegation with Council's Community Recreation Officer;



- Inform Council's Community Recreation Officer on any application that the Committee of Management may apply/plan for; and
- Identify an elected Officer Bearer (i.e. Chairperson or Secretary) to be the liaison person between the Committee of Management and Council's Community Recreation Officer.

Committees of Management should contact Council's Community Projects Engineer to:

- Raise with Council's Team Leader – Community Projects Engineer any concerns or matters relating to maintenance schedules and programs.

Committees of Management should contact Council's Chief Executive Officer to:

- Refer any requests for major capital works or projects to Council's Chief Executive Officer.

For further information please contact:

Golden Plains Shire Council

2 Pope Street

(PO Box 111)

BANNOCKBURN VIC 3331

Phone: (03) 5220 7111

Fax: (03) 5220 7100

Email: [enquiries@gplains.vic.gov.au](mailto:enquiries@goldenplains.vic.gov.au)

Website: www.goldenplains.vic.gov.au



Inverleigh River Walk, Inverleigh



2. COMMITTEE LEGAL RESPONSIBILITIES

2.1 The Legislative Framework

The Local Government Act 1989 requires a Council to:

“develop and approve a Code of Conduct for the Council...” (Section 76C)

and “make local laws governing the conduct of meetings of the Council and Special Committees (Section 91 (1)).

2.2 Public Records Act

Maintain, store and dispose of records to comply with the Public Records Act.

The Public Record Office Victoria (PROV) is the State’s archives authority established under the Public Records Act 1973. It regulates the disposal and management of public records. It also identifies records worthy of preservation as State archives and makes arrangements for their preservation in perpetuity. PROV takes custody of records no longer required for current administrative purposes and provides access to records released for public inspection.

The PROV holds records created by government departments and authorities, the State’s courts, municipalities, schools, public hospitals and other public authorities e.g. Committees of Management.

2.2.1 Managing Records

The records of a Committee, however old, are public records and must be kept for (7) seven years. Each Committee is required to store and maintain its records in a manner that is consistent with general record management practice. This involves:

- Making full and accurate records of the business of its Committee; and
- Storing Committee records responsibly in a readily accessible and secure place.

Records created by the Committee must be maintained in a way that ensures that they are secure from tampering or inadvertent access while being easily identified, located and retrieved by those permitted to do so.

All vital records of the Committee e.g. minutes, contracts, etc that are essential to its function should be identified and special care taken to prevent their loss or damage. If possible, such records should be duplicated and the duplicates stored at a different location to the originals.



2.2.2 Managing Electronic Records

Any electronic record related to Committee business has the status of a public record.

This includes electronic records developed or received by a Committee member or Committee employee relating to Committee business.

2.2.3 Records Disposal

As part of a Committees record management function, Committees should identify and dispose of any records no longer in use. Assistance is available from the Golden Plains Shire.

2.2.4 A Committees Record Keeping Obligations

Committees of Management have obligations for record keeping under three Acts of Parliament in addition to the Golden Plains Shire requirements: the Freedom of Information Act 1982, the Public Records Act 1973 and the Information Privacy Act 2000.

2.3 Freedom of Information Act 1982

Under the Freedom of Information Act 1982, 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).

Documents include:

- Correspondence;
- Minutes of meetings;
- Financial records;
- Tenure agreements;
- Contracts; and
- Employment records.

Therefore, it is important that a Committee keeps accurate records, both secretarial and financial.

2.4 Information Privacy Act 2000

The Information Privacy Act 2000 requires that Committees handle any personal information in a secure and responsible manner and manage in accordance with a set of 10 Information Privacy Principles (IPPs). For further detail regarding the 10 IPPs refer to the web site for Privacy Victoria www.privacy.vic.gov.au and the Office of the Victorian Privacy Commissioner 1300 666 444.



2.5 Whistleblowers Protections Act 2001

Committees also need to be aware of the Whistleblowers Protection Act 2001. The Act protects people (known as whistleblowers) who come forward with a disclosure relating to improper conduct by public bodies.

Committees are considered public bodies under the Act and therefore disclosures may be made about Committee of Management members.

In order for the whistleblower to be protected, the disclosure is required to be in accordance with the Act.



Haddon Recreation Reserve, Haddon



3. GOVERNANCE

3.1 Office Bearers Roles and Responsibilities

3.1.1 Chairperson Responsibilities

Every Committee of Management must have an appointed member as Chairperson. The key responsibility of a Chairperson is facilitating the operations of the Committee.

The Chairperson is the leader of the formal meeting, and as such is responsible for maintaining order, conduct of business, ensuring that procedures adopted are correct and for the tone of the meetings.

The duties of the Chairperson include (but are not limited too):

- Providing coordination, guidance and leadership to ensure the successful functioning of the Committee;
- Representing the Committee in the public domain; and
- Ensuring the administrative and other tasks from meetings are carried out.

Specifically during meetings the Chairperson is responsible for ensuring:

- The agenda is followed;
- Meetings are correctly convened;
- Motions and amendments are unambiguous and otherwise in order;
- All members are given the opportunity to speak;
- A quorum is present for all decisions; and
- Maintaining order.

If the Chairperson is absent from a meeting, the Vice Chairperson will convene the meeting. If the Committee does not have a Vice Chairperson, the Committee may temporarily appoint another of its members as the substitute Chairperson.

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

3.1.2 Vice Chairperson Responsibilities

The Vice Chairpersons role shadows that of the Chairperson. The Vice Chairperson should be able to stand in for the Chairperson at short notice.

3.1.3 Secretary Responsibilities

The key responsibility of a Secretary is the administration of the Committee.



The duties of the Secretary include:

- Taking and recording minutes of all meetings;
- Maintaining all records and correspondence;
- Receiving all incoming correspondence and bringing it to the attention of the Committee;
- Writing and dispatching all outwards correspondence required by the Committee;
- Working with the Chairperson to arrange the Annual General Meeting;
- Keeping Committee members properly informed by sending them notices of meetings, agendas and copies of correspondence, reports, etc. as required; and
- Liaising with the Chairperson between meetings so that the business of the Committee is attended to and, when necessary, to call extraordinary meetings.

3.1.4 Treasurer Responsibilities

The Treasurer is responsible for keeping the Committees financial records in good order.

The Treasurer's duties include:

- Maintaining a bank account in the name of the Committee;*
- Recording and banking money received;
- Paying accounts as authorised by the Committee;
- Keeping all invoices, receipts, cheque butts, bank statements etc. for audit purposes;
- Reporting at each Committee meeting current details on bank balances, transactions since the previous report, the Committee's current financial position and any other information that the Committee may require; and
- Preparing an annual financial report (based on financial year e.g. (1/07/2008 - 30/06/2009).

* Signatories to the account should be the Chairperson, the Secretary and the Treasurer, with any two to sign.

3.1.5 Committee Members (Who are not Office Bearers)

Non-office bearing members' duties include:

- Actively participating in Committee activities and business;
- Managing the facility, including preparation and implementation of management plans, financial plans and business plans, and subsequent reporting against those plans;
- Attending all Committee meetings, and participating in decision making; and
- Bringing to the Committees attention any problems or issues.



3.1.6 Seeking Specialist Skills

Committees of Management may find it useful to appoint someone who is not a Committee member, but has relevant skills, to undertake particular tasks such as bookkeeping and secretarial work. In some cases this will be a volunteer, in other cases the Committee may engage a local accountant or bank manager, for instance, on a retainer or honorarium to keep the accounts.

3.2 Meeting Procedures in Detail

Each Committee is free to decide meeting times, schedules and styles. The aim is to meet as often as is necessary for good management of the facility. For a big facility or a facility that has seasonal fluctuations, fortnightly or monthly meetings may be necessary. For small facilities, meetings might be bi-monthly, quarterly or even half yearly.

The business that a Committee deals with at a regular meeting will be largely determined by its level of activity. The basics that need to be covered include reports from the:

- Chairperson;
- Treasurer;
- Secretary, with a list of inwards and outwards correspondence; and
- Progress reports on any works being done should also be presented.

A Committee can decide its meeting schedule at the start of each year, or determine at the end of each meeting when and where the next one will be held. A good way to remind Committee members about an upcoming meeting is to circulate the minutes of the last meeting, plus agenda and any other papers, at least seven clear days prior to the meeting.

The Committee is representing the community in the management of public land and therefore, meetings should be open to the public. Visitors can take part in discussions only at the invitation of the Chairperson, and cannot propose motions or vote. The Committee is allowed to exclude visitors from confidential issues. Such items can be grouped together for 'in camera' (private) discussion before or after all other business has been covered.

The following provides greater detail on meeting procedures to assist Committees. However, it is the specific Committee of Management that decides its own meeting procedures.

3.2.1 Notice of the Meeting

A notice of meeting, typically incorporated with the agenda, is circulated to Committee members at least two days, and preferably a week before the meeting.

Reasonable notice of meetings should also be provided to the public. This may be by publishing annually a schedule of meetings, or publishing a notice of meeting just prior to each meeting.



3.2.2 Agenda

Prior to any meeting an agenda is prepared. The agenda is a short document that sets out the business to be dealt with at the meeting. Refer to Form 3 - Ordinary Meeting Agenda – Sample.

Usually the Secretary, in consultation with the Chairperson, prepares the agenda, but all Committee members can nominate items of business to be included on the meeting agenda.

A typical agenda includes some or all of the following:

- Details of time and place of meeting (Notice of Meeting);
- List of all members, and any non members invited to attend;
- Apologies;
- Minutes of the previous meeting;
- Conflict / Conflict of Interest;
- Correspondence inwards;
- Correspondence outwards;
- Reports;
- Secretary's report;
- Treasurer's report;
- Manager / caretaker's report; and
- General business.



When circulating the agenda, the minutes of the previous meeting and any reports to be considered at the meeting are usually attached.

At the start of the meeting the Chairperson usually asks:

- If there are other 'special' items of business that any member wishes to be added to the agenda;
- If any member wishes to change the order of the agenda; and
- Are there any conflicts of interest to declare?

The addition of new items at the meeting is generally acceptable, but if those items are contentious and/or some members are absent from the meeting, the meeting may decide to refer such items to a subsequent meeting of the Committee.

3.2.3 Quorum

As per the Instrument of Delegation, the quorum at any Committee meeting shall be a majority of the members of the Committee. No business shall be conducted by the Committee unless a quorum exists.



If a quorum has not been obtained within thirty minutes of the agreed starting time, the Chairperson will decide to:

- Postpone the meeting, or
- Conduct the scheduled business of the Committee, but refer all decisions and motions to a subsequent meeting, when a quorum is present, for reconsideration and/or ratification.

If, at any time during the meeting a quorum of members cannot be maintained, the Chairperson will decide to:

- Close the meeting and refer any unfinished business to a subsequent meeting, or
- Continue to conduct the scheduled business of the Committee, but refer all decisions and motions made with no quorum present to a subsequent meeting when a quorum of members is present for reconsideration and/or ratification.

3.2.3 Conflict of Interest

3.2.3.1 What is a Conflict of Interest?

A 'conflict of interest' is when a person has to make a decision on an issue in which they have, or are perceived to have, a personal interest or benefit in a specific outcome.

At the Golden Plains Shire, Council understands that every effort should be made to ensure that private interests do not, or could not be perceived, to impact on our public duties. Council will meet its requirements under the Local Government Act 1989 (Section 79).

The conflicts can often be based around financial matters (pecuniary interest) such as contracts or the terms and conditions of a rental or tenure arrangement. For example, a local builder on a Committee of Management would have a pecuniary interest in any building contracts let by the Committee for which he or she had tendered.

A conflict could be interest based; for example, a Committee member who is a member of the local football club would have a conflict of interest in a decision to lease part of the Reserve to the football club.

A simple way to manage this problem is to disqualify the affected Committee members from discussion and voting on issues where they have a conflict of interest. Often, people will leave the room once they have declared their conflict. However, this is not always practical, particularly since it could mean that the Committee no longer has a majority of voting members present (a quorum).

The key factors in dealing with conflicts of interest are to:

- Acknowledge that they exist; and
- Be open and transparent in managing them both within and outside the Committee.

3.2.3.2 Keeping Conflict of Interest Records

Keeping public records is crucial for a Committee being regarded as open and transparent in managing conflicts of interest.



The Committee minutes' must record how conflicts of interest were handled. For example, a Committee member who is a builder declares he/she has a conflict of interest with the next agenda item, a building contract to be discussed. The minutes must record:

- What the conflict was;
- If the Committee member left the room (at what time he/she left/returned and at what stage of the discussion); and
- The result of the discussion and the decision made.

Private interests should not be confused with specialist knowledge, which is not a conflict of interest. For example, a member who is a builder, but who is not tendering for a job, would have useful specialist knowledge.

3.2.3.3 Working through a Conflict of Interest

Generally, a Committee member with a conflict of interest will not take part in discussion or voting on that particular issue. However, to maintain a quorum the member(s) may have to take part.

The following should be recorded when members with declared conflicts of interest must take part in the discussion and decision making:

- The decision in the minutes.
- Which members have a conflict and what they are?
- How each member voted?
- Why the Committee believes it has made the most appropriate decision?

3.2.4 Voting

One method for voting is a show of hands. The Chairperson 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. For example:

- The Chairperson says: "All in favour." (Counts nine raised hands) "All against." (Counts no raised hands) "The motion is carried."
- The Chairperson says: "All in favour." (Counts three raised hands) "All against." (Counts six raised hands) "The motion is denied."
- In the event of a tied vote the Chairperson may exercise a casting vote.

3.2.5 Addressing the Meeting

All Committee members addressing the meeting must direct their remarks through the Chairperson. A Committee member addressing the meeting shall not be interrupted by any other member, except that the Chairperson has the right to provide any direction to the member regarding the conduct of that address (appropriate language, length of time taken, etc).



3.2.6 Making Decisions / Motions

Decision making is one of the most important and consistent functions of a Committee of Management.

The reason Committees are seen as an effective way to manage organisations is because the wisdom of a group is considered generally superior to the wisdom of an individual. Hopefully, the sharing of the responsibility, the consideration of issues from many points of view, and the sharing of control will result in fewer negative outcomes for the Committee.

Each decision of the Committee should be made by a formal vote, even if everyone agrees, and recorded in the minutes.

Decisions are made by passing motions. Any Committee member may move a motion and the Chairperson accepts the motion for consideration. This could be as simple as:

- “I move that the treasurer’s report be accepted,” Bill Smith moves.
- “I second that motion,” says Mary Black.
- The Chairperson says: “All in favour.” (Counts six raised hands) “All against.” (Counts no raised hands) “The motion is carried.”

The minutes will record the wording of the motion, who moved it, who seconded it, whether it was carried or denied, and usually the voting margin (5-4, etc.).

Committees may have to make decisions that are more complicated and contentious arising from their discussions relating to dealing with a project or managing their facility. In such cases, it may be useful for the motion to be written down and read out or circulated prior to voting, so that everyone is clear about what is being decided.

The decision making process has the following stages:

- Analyse the situation, issue or opportunity;
- Define and agree upon the situation, issue or opportunity;
- Examine the alternatives;
- Explore implications, including financial implications if appropriate; and
- Seek Council advice (in necessary).

3.2.7 Public Participation

All Committee meetings are open to the public.

The form of public participation at any Committee meeting is at the discretion of the Committee, and may vary from allowing the public to witness the Committee’s proceedings to actively encouraging input into the discussion of items of general business.

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.

A Committee that regularly attracts public interest may develop and circulate publicly some rules on how members of the public are expected to conduct themselves in Committee meetings. These rules can detail any limits on participation such as two questions per person, giving the Chairperson the right to eject any person disrupting the meeting, time allowed to speak etc.

Members of the public cannot vote on any matter before the Committee.

3.2.8 Minutes

Minutes are a formal, written record of a meeting and must be kept for all meetings of the Committee. They should record decisions, rather than who said what. At a minimum, the minutes should record:

- The time the meeting started and finished;
- The place of the meeting;
- The names of the Committee members present;
- Record of apologies;
- The time of any arrivals and departures of members during the meeting;
- A list of all items of business considered;
- The exact wording of any motions moved, including the name of the mover and seconder, and the mover and seconder of any amendments to the motion;
- A record of any or all of the members who supported or opposed the motion if requested by any member;
- The results of consideration of any motions - carried, lost, withdrawn, lapsed, amended;
- Details of any questions taken on notice;
- Details of any deputations made to the Committee, or any guest speakers;
- Disclosure of any pecuniary interest or conflict of interest of any member; and
- The minutes should enable a Committee member, not present at the meeting, to be accurately informed of all actions and decisions arising.

Every page of the minutes should be numbered, and bear the date of the meeting.

Minutes are a permanent record of the Committees decisions and proceedings. The Secretary should keep a minute book that will be passed on to the incoming Secretary at the end of the Committees term. In the longer term, the minute book must be stored and archived in accordance with the Public Records Act. Refer to Section 2.2, for further Public Records Act information).



The minutes of a meeting should be endorsed by the following meeting as being a true and accurate record. The motion endorsing the minutes of a previous meeting should only be moved and seconded by members who actually attended.

Upon ratification of the previous meeting's minutes, the Chairperson should sign the minutes. Once endorsed by the signing of the Chairperson, they must never be altered.

3.2.9 Attending Meetings

Committee members are expected to attend all meetings, but illness, family crisis or other good reasons may result in absences. The Chair, Secretary or other office bearers should be contacted to tender apologies, which will be recorded in the minutes. It is important that apologies are tendered and accepted by the Committee. Any member's position on a Committee can become vacant if they are absent from three (3) consecutive meetings without approval, subject to the Committees discretion.

3.2.10 Dealing with Complaints

3.2.10.1 Dealing with Public Complaints

At some stage a Committee may receive a complaint from a member of the public about something it did or did not do. Most of these complaints will be resolved fairly easily and to the satisfaction of all parties. Remember that any complaint, decision, action 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 the Golden Plains Shire for advice.

Committees need to be aware that sometimes members of the public may take their concerns to the Golden Plains Shire or their local Councillor if they feel that a Committee has not dealt with them adequately.

3.2.10.2 Code of Conduct

The Code of Conduct is a legislative requirement under the Local Government Act 1989. Breach of the Code is an offence under the Act. While noting this, Golden Plains Shire Council uses the Code primarily as a guide for good governance.

Resolving Internal Disputes Between Members of Section 86 Committees

Golden Plains Shire Council recognises that Councillors, Council Officers and Committees will have differences of opinion. It expects that Councillors, Council Officers and Committee members will respect the opinions of others and that good and honest communication will help move the Council, the Committee and the community forward.

If a Committee of Management cannot resolve a dispute and/or are dissatisfied with a Committee member or a Council representative, the Committee/member may discuss their concerns with the Manager, Community Development. If after these discussions the Committee of Management/member



is still dissatisfied with that outcome, the Committee/member can write to the Chief Executive Officer of the Golden Plains Shire Council.

3.2.11 Dealing with Resignations

There are two common types of resignations:

- A resignation of an office bearer who will remain on the Committee; and
- A resignation of a member who will leave the Committee.

Members who decide to resign and leave the Committee should aim to give reasonable notice so that a new member can be recruited, if necessary.

When the Chairperson resigns, the following applies:

- The resigning Chairperson needs to submit their resignation in writing to the Committee. The Committee then elects an interim Chairperson, and submits the original resignation letter and a recommendation for a new Chairperson to the Golden Plains Shire. The recommended Chairperson will not officially become Chairperson of the Committee until the Golden Plains Shire has passed a resolution appointing the nominated candidate.

To resign from any other office bearer position, but not from the Committee:

- Written resignations must be submitted. The Committee must accept and record the resignation in the minutes and then elect another member to fill that position.

In all cases, a resigning member must hand over all Committee records to the Committee of Management. The Chairperson or Secretary of the Committee must notify Council in writing the names of resigning members.

3.2.12 Filling a Casual Vacancy

A casual vacancy on a Committee should be filled if:

- There is more than 4 months of the Committees term remaining;
- The Committee can no longer function or perform its duties, e.g. the Committee has less than three people or a quorum no longer exists;
- The Committee wishes to fill the vacancy; or
- The candidate who fills the vacancy is appointed only for the remaining period of the original member's term.

Vacancies are often filled in the same way as the original appointment was made. For example, if the Committee was appointed using the expression of interest process, this process would be used to fill a vacancy.

Alternatively, the Committee may decide to hold a public election process. The Chairperson or Secretary of the Committee must notify Council in writing the names of new members. This is to ensure that they are covered by Council's Public Liability Insurance.



3.2.13 Removing a Committee Member

The Golden Plains Shire can remove a member from a Committee of Management at any time but this power is rarely used. Further details can be found in the Instrument of Delegation.

Committee positions can become vacant for any of these reasons:

- Absence from three consecutive meetings without the Committee's approval;
- Bankruptcy;
- Conviction for a serious offence; or
- The Committee member becomes incapable of performing Committee duties (for example, chronic illness).

3.2.14 Removal due to 'Non-Performance'

It is a difficult and subjective judgment that a fellow Committee member is 'not performing' e.g. not carrying out their Committee duties satisfactorily.

If this issue arises, the first step should be for the Chairperson or the Committee to discuss the matter with the member concerned. Often this will resolve the issue, with either the member accepting that more is required of him/her or the member resigning.

If the poor performance continues and the member is reluctant to resign, then other Committee should contact the Golden Plains Shires, Community Recreation Officer for advice.

3.2.15 Reappointing a Committee

Committees will run for a one-year term (unless otherwise agreed in writing from Council), with all positions up for reappointment/re-election at its expiration.

3.2.16 Handing over to a New Committee

A (certificate of appointment) will detail the responsibilities in handing over to the incoming Committee.

The outgoing Treasurer should:

- Balance the books and have them audited;
- Provide copies of any business plans and financial reports prepared over the Committees term;
- Advise the incoming Committee of any committed funds;
- Organise the changeover of bank account signatory details;
- Advise the Australian Taxation Office of the incoming Committees contact details;
- Advise service providers (e.g. gas, electricity and water) of the incoming Committees contact details; and
- Hand over the books to the incoming Committee.



The outgoing Secretary should:

- Hand over all correspondence, including minute books and all copies of these guidelines;
- Provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term;
- Provide all details to the incoming Committee of any contracts (e.g. leases, licenses or any other contracts for services); and
- Hand over employment details and staff contracts.



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The outgoing Chairperson should:

- Ensure that the handover is completed in a timely and professional manner, and that the incoming Committee is adequately briefed.

The incoming Committee members must familiarise themselves with:

- Their responsibilities, both as a Committee and as individual Committee members by reading these guidelines;
- The particulars of the facility they have been appointed to manage including, if necessary, reviewing and updating the management plan or management statement; and
- New Committee members are not formally appointed until approved by the Golden Plains Shires Chief Executive Officer, and cannot conduct Committee business until approved.

3.2.17 Early Termination of a Committee's Term

There are some circumstances under which a Committee may wish to, or be forced to, relinquish its management responsibility before its term ends. Also, the Golden Plains Shire may revoke a Committees appointment at any time and either assume direct responsibility for the facility management or appoint a new Committee.

A Committee may resign because of the inability of its members to work together, or perhaps because its duties have become unnecessary (e.g. a public hall in a remote area that is no longer in demand). If the resignation is not related to the need or use of the facility, the Golden Plains Shire will appoint a new Committee. The resigning Committee should undertake a handover procedure.

If the Golden Plains Shire agrees that there is no longer a need for a Committee of Management, the outgoing Committee will need to wind up its affairs before disbanding, as detailed in the Instrument of Delegation. When this has been completed to the satisfaction of the Golden Plains Shire, the Shire will resume direct responsibility for the facility and all its assets, including decisions on the disposal of any assets, the revocation or change of purpose of the reservation, the dissolution of the incorporation, and the future use of the facility, as outlined on the previous page.



3.3 The Annual General Meeting (AGM)

The AGM is a Public Meeting where the Committee shall:

- Receive the Annual Report;
- Receive a report on the programme of activities for the coming year;
- Receive the audited Annual Financial Statement;
- Receive the minutes of the previous AGM;
- Receive the Chairperson's Report of the Committee's activities of the past 12 months; and
- Receive the Treasurer's Report of the past 12 months;

The AGM should be advertised in advance in local newspapers at least 14 days prior to the meeting. The Chairperson or Secretary of the Committee must notify the Golden Plains Shires Community Recreation Officer at least 21 days prior to the proposed meeting date to arrange an advertisement.

Committee members should receive the agenda, reports, and minutes from the last AGM at least one week before the meeting.

Attendees 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 Committee members and any such business should be held over to the next regular meeting.

Refer to Form 4: Advertisement AGM - Sample

Refer to Form 5: Agenda AGM - Sample

Refer to Form 8: Nomination Form AGM - Sample

3.3.1 Eligibility as a Candidate

The criteria for people to vote in, or nominate for, election is that they be adult (e.g. over 18 years of age) and within the "community of interest".

The "community of interest" is not restricted in the geographical sense but may include all people with a demonstrated, genuine interest in the facility. For example, candidates could include weekenders, holidaymakers or non-local interest groups that regularly use the facility (e.g. An Equestrian Centre used by riders from outside the area).

Any queries prior to the meeting as to whether a person qualifies as a candidate will be adjudicated by the Golden Plains Shire. A person who seeks nomination and has a pecuniary interest in the facility, must state the nature of that interest to the meeting before the ballot is taken.

A candidate who cannot attend the meeting may submit a nomination for membership in advance. This must be in writing to the Committee, with a copy to the Secretary. It will then be included in the ballot (proxy votes and postal votes are not allowed).



Nominees to the Committee of Management are required to meet suitable standards for office. Nominees must meet the following criteria:

- Are not insolvent (unable to pay debts as they become due and payable);
- Have not been convicted of any indictable offence (a serious crime that is tried by a judge);
- Have not been convicted of fraud (convicted by a court of obtaining of material advantage by unfair or wrongful means or an intentional dishonest act done with the purpose of deceiving);
- Have not been disqualified from acting as a director or acting in the management of a company;
- Have not committed any other act or omission that might render or be seen to render them unfit for the office of Member/Chairperson of the Committee of Management; and
- Nominees to the Committee of Management should not have criminal convictions, financial or taxation dealings that might render or be seen to render them unfit for office.

3.3.2 Voting at the Election

Unless the procedures of the Committee otherwise provide, voting must be by show of hands.

3.3.3 Duties of the Secretary (Prior to the Meeting)

- 21 days prior to the meeting, notify the Council's Community Recreation Officer, who will place a public notice in the relevant newspapers;
- 14 days prior to the meeting, place a flyer on notice boards and local shop window (available from Council's Community Recreation Officer);
- Distribute information and nomination forms on request (available from Council's Community Recreation Officer);
- Ensure that nomination forms are available from the time the advertisement is placed, and at the meeting itself;
- Ensure the annual reports - financial and others - are complete and available for inspection prior to and at the meeting;
- Ensure that all the necessary equipment is available for the meeting including nomination forms, ballot papers, attendance sheet, ballot box, whiteboard, etc;
- Bring all nominations received prior to the meeting; and
- Prepare a meeting agenda for distribution at the meeting.

3.3.4 Duties of the Chairperson (Prior to the Ballot)

Prior to the election, the Chairperson shall:

- State the purpose of the meeting which is to elect recommended candidates to form a Committee of Management for a one year period commencing on a particular date;



- Clearly identify the facility over which the Committee of Management is to be appointed and clearly define the “community of interest” for those present;
- Detail the number of Committee members being sought;
- Make it clear that the people elected are recommended candidates only, with the final decision and appointment being made by the Chief Executive Officer of the Golden Plains Shire;
- Nominate the Committee members who will be responsible for presenting the reports to the meeting, providing a brief summary, and answering any questions. (Usually the Treasurer presents any financial reports, and the Chairperson presents any performance or management reports, but any Committee member may be nominated);
- Nominate a Returning Officer for the meeting. (This may be the Chairperson, another Committee member or some other person who the Chairperson considers would be acceptable to the meeting);
- Ask all present who wish to vote, and who have not marked the attendance sheet upon arrival, to do so immediately; and
- Describe how the meeting will be conducted, and the process for the ballot.

3.3.5 The Ballot

The Chairperson and/or Councillor will declare all positions vacant. Unless the procedures of the Committee otherwise provide, voting must be by show of hands. Refer to the Instrument of Delegation for further details on the ballot process. The duties of the outgoing Chairperson, Secretary or Councillor are:

- Declare positions vacant from the specified date;
- List all nominations received prior to the meeting;
- Call for additional nominations (if applicable);
- Verify the eligibility of all nominations as defined by the Instrument of Delegation;
- After a reasonable interval, declare nominations closed;
- If the number of candidates is less than the number of vacancies, declare all candidates as the successful recommended candidates;
- If the number of candidates exceeds the number of vacancies, announce that an election will be held and give details on how it will be conducted. For example, each eligible voter can only cast one vote for one candidate;
- Check that all persons wishing to vote are eligible, and have signed the attendance sheet; and
- Call on the Returning Officer to explain and conduct the ballot.



3.3.6 Duties of the Returning Officer

- Announce the method to be used in marking the ballot papers e.g. initialling by the Chairperson;
- Identify those persons who are entitled to vote;
- Arrange for ballot papers to be distributed to those persons;
- Check that all persons entitled to ballot papers have in fact received them;
- Introduce the candidates to the meeting. At the discretion of the Chairperson, invite each candidate to make a brief presentation in support of his or her candidature;
- Invite those holding ballot papers to mark them;
- Arrange for the collection of ballot papers;
- Check that all ballot papers have in fact been collected;
- Formally declare the ballot closed;
- Arrange for the count of the votes contained in the ballot papers; and
- Inform the Chairperson of the results.

3.3.7 After the Ballot

- Announce the results of the election and declare those candidates receiving the most votes successful;
- Reiterate that the successful recommended candidates will not officially become members of the Committee until the Golden Plains Shire have passed a resolution appointing the nominated candidates; and
- Close the meeting.

3.3.8 After the Meeting

- Determine from the successful candidates the roles they wish to adopt: the Committee Chairperson, Secretary, Treasurer or any other office bearers, mindful of the fact that these candidates are not officially elected until a Council resolution has been passed; and
- Notify the Golden Plains Shire of the relevant appointment/nominations. Please include details of printed full names, postal/email address and phone numbers of all candidates and which user groups they represent.

3.4 Financial Management

Responsible management of financial resources is perhaps the most common factor that separates a successful Committee from those that are less successful or those that no longer exist.

Keeping track of financial records is an important task. Committee members should keep user groups



fully informed of the results of the Committees activities and be able to account for all monies handled by the Treasurer and Committee.

3.4.1 Bookkeeping and Accounting

Methodical bookkeeping is essential to good financial management. If the books are properly kept then there is a clear record of all receipts and payments and of the funds available to the Committee. Money received should be banked regularly, at least weekly. All payments and receipts must be recorded. All cash received must be banked and cheques drawn to cover all expenditure.

3.4.2 Receiving Money

Whenever the Committee receives money, a receipt should be issued. A carbon duplicate book should be used to record all receipts. This is a practical safeguard against the possibility of error or disagreement.

There may be times when issuing individual receipts is not feasible. For example, if the Committee is organising a fund raising event or calculating entry fees, it would be impractical to write out a receipt for every person. Two members of the Committee, preferably not the Treasurer should be responsible for collecting and accounting the money prior to handing to the Treasurer. One receipt should then be written for the total amount.

3.4.3 Paying Money

Payments should be made by cheque, crossed not negotiable, and signed by two authorised members of the Committee. As each cheque is drawn, the paper work detailing the expenditure should be retained and filed in cheque number order. If there is no paper work then a cheque voucher should be drawn up giving the details of the payment i.e. payee, amount, date, cheque number and what the payment is for.

3.4.4 Petty Cash

The Committee may advance an amount up to \$100.00 to the Secretary for the purpose of change or petty cash and such payments shall be recouped into the organisational bank account hereof. The Committee must approve payments in excess of \$500.00 for Secretarial purposes.

Petty cash should only be used for minor items and a receipt/docket provided for each purchase. Reimbursement must be by cheque and receipts/dockets must equal the total of the cheque drawn.

3.4.5 Cash Book

The cash book is the principal book of accounts. One section is for money received with varying number of columns to detail all the major areas of income. The second section is for expenditure, again with a number of columns to detail all the major areas of expenditure. Books with varying numbers of columns are available through newsagents or stationers. All cash books should now have a separate column for recording GST receipts and payments.



Money Received

From the receipt book enter the details to the cash book with the money going into the amount and detail column. For ease of balancing to your bank statement a second amount column marked bank can be kept and the total banked each day added into this column. At the end of each month add the analysis columns and balance the totals to the total banked.

Payments

As with money received there is a bank column and several analysis columns. Enter the amount of each cheque drawn in the bank column as well as in the relevant analysis column. At the end of each month total the analysis columns and balance the totals with the bank column. The monthly totals should be added progressively month by month until after twelve months the totals are available for the yearly financial return.

3.4.6 Financial Controls

The Committee as a whole, not just the Treasurer, is responsible for the financial affairs of the organisation. The Committee must see monthly reports of income and expenditure and must approve all accounts paid, or to be paid, for the month.

- Authorisation: The Committee should set definite limits on expenditure and on persons authorised to purchase. Large items of expenditure would only be authorised following discussion and approval at a meeting of the Committee. However staff or the Treasurer may be authorised to pay regular accounts or spend limited funds up to an agreed amount;
- Cheque Signing: The cheque account shall require two people to sign each cheque. Signatories to be account should be the Chairperson, the Secretary and the Treasurer and their signatures must be registered with the bank; and
- Cheques should always be crossed, marked not negotiable and the details entered before being signed.

3.4.7 Developing a Budget

The Committee shall monitor their effective financial control through the preparation of a written budget for the ensuing year and forward to the Chief Executive Officer of Golden Plains Shire Council no later than the 30 May in each year.

This budget is best carried out through looking at the income and expenditure pattern for the current year. Add to that any extra works/services that the Committee would like to see in place and determine the overall estimated expenditure.

Once the expenditure is set, the Committee can then look at the options available to fund the expenditure. Remember that inflation will have an effect on the cost of services and therefore an allowance should be built into each item.



3.4.8 Annual Accounts

The Annual General Meeting should be held between 1st July and 31st October each year on a date fixed by the Chairperson. At that meeting the annual accounts should be presented to the members, accepted by the members and then forwarded to Council.

3.4.9 Bank Reconciliation

Arrange with the bank for a statement to be forwarded to the Treasurer every month, ensuring each entry is verified, and the statement balance reconciled to the bank.

3.4.10 Revenue and Expenditure

Revenue received by a Committee must be directed to activities associated with the facility. Revenue can come from sources such as grants, user fees, rentals, fundraising activities, donations, etc.

Committees are not required to spend all revenue in the year it is received and it is quite wise to carry forward some funds into the next year. It is also acceptable, if a Committee has planned for a large development in the next few years, to accumulate the funds required (e.g. major renovations).

It is strongly recommended that Committees do not carry excessive funds. Golden Plains Shire facilities are a public asset and funds should be spent on maintaining or enhancing the facility. Council would deem 'Excessive Funds' to be exceeding \$10,000.

3.4.11 Fees and Charges

Fees can be either non-discretionary (e.g. "Every adult person seeking admission to the grandstand shall pay a fee of \$2.50") or discretionary (e.g. "The Committee may from time to time determine a scale of fees for admission to the grandstand").

The regulations for a facility determine what fees and charges may be made. Fees and charges must be used responsibly, and;

- Should be in line with similar rates in the area so that the maximum public benefit is gained for use of a public asset; and
- Should not use the advantage of lower overheads associated with Shire land to the disadvantage of competing activities on private land.

If normal rates do not seem appropriate, reasonable fees for the purpose must be set. For example not-for-profit community groups may receive a discount rate.

3.4.12 Contracts

Generally, a Committee can only enter into contracts that are directly related to its facility and within its area of responsibility. Committees can enter a contract to buy services (e.g. lawn mowing), or to buy goods (e.g. plants and garden supplies).

It is good business practice that a Committee invites quotations or tenders for contracts it wishes to let. The decision to go to tender should be based on the value of the project.



For example, if a Committee needs to purchase a ride on mower or other expensive equipment it should seek 2-3 written quotes. However, a Committee wishing to undertake some major development works should invite tenders. The quote and tender systems help Committees to obtain the best value for their spending.

As per the 'Instrument of Delegation', a Committee wishing to invite quotations or tenders for contracts "shall not carry out or authorise any capital works, extensions, additions or materially alter the buildings or surrounds without prior approval from the Council". All such actions should be in consultation with the Golden Plains Shire. The objective of the Committee shall be the control and management of the facility and to act as a planning, promotion and management body for the development of the facility.

The Committee should:

- Achieve value for money in the result;
- Have open and fair competition for all potential providers;
- Operate with professional integrity;
- Provide clear and consistent specifications and documentation to all; and
- Make and record decisions in a clear and transparent manner.

The Committee is not empowered to do any of the following things without the approval of the Council:

- Enter into a contract with a value exceeding \$10,000; and
- Make alterations or additions to the Reserve.

3.4.13 Inviting Tenders

Tenders must be advertised in the tender section of an appropriate newspaper. The newspaper should have at least a local circulation, but depending on the scale of goods or services required it may be necessary to advertise in regional press. Please contact Golden Plains Shires Community Recreation Officer for more information, or refer to your Committees Instrument of Delegation.

3.4.14 Borrowing Money

The Committee is not empowered to borrow money, including the issue of debentures and promissory notes, without the written approval of the Golden Plains Shire.

3.4.15 Asset Management

As part of its financial records, a Committee is strongly urged to maintain an asset register with details of all assets it owns or manages including buildings and facilities.

The register should contain:

- A description of each asset;
- The date it was bought; and
- An estimate of its value.



Each year, the value of the asset should be adjusted to reflect depreciation (for physical assets such as buildings, equipment and stock).

3.4.16 ABN / GST – Useful Information

Committees of Management are non-profit organisations. The Committee shall obtain an Australian Business Number (ABN). The requirement to register for GST largely depends on the scale of operations of a Committee, and whether the Committee is considered an entity carrying out an enterprise.

The GST (Goods & Services Tax) is a broad based tax of 10% applied to suppliers of most services consumed in Australia. Not-for-profit organisations with an annual turnover above \$150,000 must be registered for the GST.

Committees should obtain appropriate advice about how best to deal with the GST from their accountancy advisor, the tax reform website at www.taxreform.ato.gov.au or by contacting the Golden Plains Finance Department on 5220 7111.

3.4.17 Good Work Practices – Auditing

The term audited accounts means that the financial records of the organisation have been independently checked, by a person with recognised accounting qualifications, as being a true and accurate record of the financial operations and position of the Committee at that time. An auditor will confirm the correctness of your records and provide useful advice on accounting practices.

The Committees financial records should be maintained to a standard that will allow auditing. Committees financial records shall be audited annually and are required to submit financial reports to its members and the Golden Plains Shire.

The Auditor will need to be provided with:

- The books of account, consisting of the cash books written up and balanced for the year, and journals and ledgers if these records are maintained;
- Bank statements for the whole year (if these have been misplaced, your bank will be able to provide new ones);
- Copies of deposit slips and cheque butts;
- Receipt books containing the duplicates of receipts issued as well as cancelled original receipts. The Auditor also needs to sight unused receipt books;
- Vouchers for payments made, which should be placed in cheque number order;
- Access to 'paid' cheques from the Committees bankers - unless receipts have been obtained for all payments made;
- A copy of the minute book to enable the Auditor to review approvals for major items of income and expenditure;
- A copy of the last audited statements of account;



- The financial statements for the year now being subjected to audit, together with all supporting working papers; and
- Any other records or evidence the auditor may request.

3.4.18 General Financial Record Keeping

To ensure that they prepare proper and complete financial reports, Committees are urged to maintain suitable records. The Australian Taxation Office (ATO) provides two good resources to assist:

How to keep your business records' (NAT 3029). 'E-Record', a CD-ROM containing a simple, easy-to-use electronic package of worksheets on which to build financial records (NAT 3043).

The numbers listed above relate to the ATO product ordering system. These numbers are useful if you are contacting the ATO to order the products.

3.5 Risk Management

3.5.1 What is Risk?

Risk is the chance of something occurring that has the potential to cause loss, damage or injury. Most activities have associated risks.

3.5.2 What is Risk Management?

- Processes that identify potential risks and methods that control these risks by elimination or control;
- Plans and systems that minimise losses before an incident happens;
- Risk management evaluates risk taking into account:
 - What can go wrong;
 - The likelihood of it happening; and
 - What to do if it happens.

3.5.3 Why Manage Risk?

- To reduce the chance of anybody being injured;
- To avoid legal action;
- To reduce insurance premiums;
- To provide better information for decision-making; and
- To improve management of the building or property.

In managing risk, Committees may chose to treat the risk, avoid the risk, reduce the risk, transfer the risk or accept the risk.



3.5.4 Who is the Risk Manager?

The Committee takes ultimate responsibility for risk management and every Committee member should play a part in minimising risk. The Committee should assign the risk management role to a Committee member who will be responsible for risk management processes. Council can provide assistance to the Committee of Management. The Committee should write to Council if assistance is required.

It is not expected that the Committee of Management undertake all the risk procedures listed in this section. Committees are encouraged to develop a risk management plan that covers the building or property and its uses. Refer to Sample Form 16 – Annual Building and Inspection Management Report.

3.5.5 The Concept of Risk

Risks relating to Committee of Management functions including:

- Building and property security;
- Occupational health and safety;
- Public liability;
- Financial and administrative; and
- Emergency management.

Risks relating to an individual on a Committee of Management:

- General liability

3.5.6 A Risk Management Plan

There are many ways to identify risks including checklists, judgements based on experience, records and expert opinion. Once the risks have been identified the Committee is responsible for developing a risk management plan. The risk management plan will:

- Evaluate the risk in terms of probability (high, medium or low) and consequence (high impact, moderate impact, low impact);
- Identify priority actions for the highest risk;
- Monitoring risk; and
- Updating the Risk Management Plan annually.

3.5.7 Identifying Risk

The information below outlines the risks that Committees may be exposed to. The risks identified are not comprehensive as each Committee may identify other unique risks due to the use of the particular building or property. In some cases, risks listed may not apply.



For a Committee of Management, risk falls into two categories:

- Generic risk; and
- Site specific risk.

Each of these categories is outlined in more detail below for consideration by the Committee in developing its Risk Management Plan. In each category and risk class, the Committee is responsible for identifying risks and hazards, assessing the potential impact of these risks and hazards and undertaking actions to minimise each identified risk.

3.5.8 Generic Risks

Public Liability

Council requires the Committee of Management to minimise or eliminate the risk of injury, damage and loss to the public and potential exposure to the Council. Council's Public Liability Insurance covers Committees of Management for any approved activity undertaken on the premises owned by the Council. This includes all activities associated with the Committees operations and property under its control.

The Committee is responsible for providing a safe community venue by:

- Identifying potential public liability risks and hazards;
- Assessing the potential impact of these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Monitor potential risks;
- Implement a Risk Management Plan; and
- Maintain the buildings and facilities in a safe condition.

The Committee must make the building or facility as safe as possible for users. While a facility may meet safety standards for its intended use, it may be unsafe for alternative uses. If a person is injured undertaking an alternative use, Council may be sued if the injury has been caused by any negligence by Committee members or volunteers.

The Public Liability Insurance Section 3.6.3 provides additional information.

Asset Security

Committees of Management must maintain, and keep secure, Council assets. This includes Council owned buildings and Committee owned contents. Committees may choose to include their assets on the Council's insurance policy or alternatively take out private insurance or leave the contents uninsured. Committees must inform Council's Risk Management Officer which option they wish to pursue. Building Insurance shall be provided by Council at Council's expense under Council's Industrial Special Risk Insurance Policy.



To meet these responsibilities the Committee will need to:

- Identify Committee owned assets and determine insurance cover;
- Monitor potential risks;
- Develop an asset security plan, including asset register; (Form 15)
- Maintain Council owned assets in a safe condition; and
- Manage asset loss and damage

Any 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.

Financial and Administrative Risks

Committees of Management must also consider the risks associated with financial and administrative tasks.

The Committee is responsible for:

- Identifying financial and administrative risks;
- Analysing these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Maintain records which preserve Committee memory/history;
- Maintain security measures for financial and administrative records; and
- Store records in a safe and secure location.

Liability for Volunteers' Actions

Committees of Management must consider the impact of inappropriate behaviour by volunteers such as harassment or assault.

The Committee is responsible for:

- Identifying risks and hazards associated with the use of volunteers;
- Analysing these risks and hazards; and
- Undertaking actions to minimise these risk exposures.

To meet these responsibilities the Committee will need to:

- Develop and implement guidelines for selecting volunteers;
- Develop volunteer standards of behaviour; and
- Train volunteers in volunteer roles and responsibilities.

Public Safety Standards

Committees of Management are responsible for maintaining the facility to a safe standard. This requires regular inspections, a maintenance program and a system of reporting and remedying faults and defects.



Regular inspections will detect and repair faults and defects before members of the public or volunteers are injured and before the faults and defects result in expensive repairs. An inspection checklist should be used (Form 16). Frequency of inspection will vary depending on the nature and use of the facility.

Maintenance inspection records must be maintained. Records must include:

- The date of inspection;
- The person completing the inspection;
- The inspection checklist;
- Any repairs required; and
- Details of completed repairs (date, contractor etc).

The Committee of Management must make adequate provision for the maintenance costs in the annual budget, recognising that maintenance will increase as the facility ages.

Faults and defects will also be identified at other times by Committee members, users and the public. The Committee must have a formal written system for recording these faults and defects and not rely on casual contact or telephone calls. Details recorded must include:

- The date the fault was reported to the Committee;
- The person who identified the fault;
- The Committee member the fault was reported to;
- Any repairs required; and
- Details of the completed repairs (date, contractor etc).

When a fault is reported, prompt action must be taken to investigate the report and carry out any repairs.

Committees of Management will not usually be required to design new facilities. Where a Committee takes this responsibility, the Committee must contact Council's Community Projects Engineer, prior to commencing design, to seek further advice.

Occupational Health and Safety

Council has a responsibility as an employer to ensure that persons "...are not exposed to risks to their health and safety arising from the conduct of the undertaking of the employer." The Committee of Management also carries this responsibility due to the Section 86 delegation from Council. Consequently, occupational health and safety must be considered when using contractors for routine maintenance (e.g. gardening, cleaning) or projects (e.g. painting, building, fencing). Although volunteers and Committee members are not regarded as employees, good practice requires that the same occupational health and safety principles apply.

Specific occupational health and safety practices that must be in place include:



Job Safety Analysis

These provide detail of the safest way of doing a common task. Form 17 will help in identifying the risks.

Machinery and Plant

Plant includes items such as “lifts, cranes, pressure equipment, machinery, hoists, powered mobile plant, amusement structures, lasers turbines, explosive powered tools, scaffold and temporary access equipment.”

Plant must only be used if it is in a safe condition and by a competent/qualified operator. A risk assessment must be completed for each piece of plant used by Committee members and volunteers. Plant risk assessments need only be done once for a particular type of plant, e.g. one plant risk assessment is completed for all tractors. The risk assessment must be read prior to use each time (Refer Form 18). When hiring plant, the hire company is required to provide information on safe use.

Further information on plant can be found in the WorkSafe Code of Practice for Plant. This can be obtained from a WorkSafe Office or on the internet (www.worksafe.vic.gov.au).

Injury and Incident Reporting

An injury/incident report must be completed by the injured party within 12 hours of the injury or incident. If the injured party is unable to complete the report, a member of the Committee may complete the report on their behalf.

All injuries must be reported to the Committee and to Council, along with incidents where a person could have been injured or equipment damaged. The Committee is responsible for storing the reports and initiating an investigation.

Injury/Incident Report Forms (Form 20) must be accessible to volunteers and Committee members.

The Committee must report all injuries to Council's Risk Management Officer within eight hours. Where possible the site of the injury incident must be preserved until Council's Risk Management Officer or a WorkSafe inspector authorises the site to be cleared.

Council's Risk Management Officer will assist the Committee with the completion of a WorkCover Incident Notification Form if required.

The Risk Management Officer will require written statements detailing the incident from each party involved. Council will coordinate the lodgement of the WorkCover Incident Notification form.

Contact Telephone Numbers:

Risk Management Officer: (03) 5220 7173 (business hours) 0439 616 425 (after hours)

If these is no response: Organisational Development Manager: 0433 447 377

Investigation

An Injury/Incident Report (Form 20) must be completed by the Committee for all injuries and incidents within 24 hours of the incident. Where possible, photographs supporting the investigation should be submitted with the investigation report.



The results of the investigation will help the Committee to determine whether practices are reviewed, or improved supervision is required.

Emergency Management

Committees of Management need to develop a plan for common emergencies, such as fire and flood. The Emergency Plan (Form 21) aims to provide an effective response to emergencies to prevent or minimise harm to persons, property and the environment.

The Committee is responsible for:

- Preventing emergencies where possible;
- Identifying potential risks;
- Implementing preventative measures;
- Responding to emergencies;
- Analysing responses following an emergency;
- Nominating and training Committee members in emergency response;
- Cooperating with emergency services personnel; and
- Monitoring the effectiveness of the Emergency Plan.

To meet these responsibilities the Committee will need to:

- Develop an Emergency Plan; and/or
- Implement a fire prevention strategy; and/or
- Implement a flood warning system.



Woody Yaloak Equestrian Centre, Smythesdale

Signage

All signage should comply, as far as possible, with the Australian Standards. The Australian Standards Association has produced a wide range of pictogram signs, which are designed for visual comprehension by people unable to read English, and can be recognised by children.

Care should be taken to ensure that the placement of signs is appropriate to the hazard and that, once installed, signs are maintained and legible (i.e. not obscured by graffiti or vegetation).

3.5.9 Site Specific Risks

In addition to the generic risk outlined above, the Committee should consider whether any of the following site specific risks are present at the building or facility.

Physical Risks

Food and drink

- Are Food Act requirements met? (Refer Council's Environmental Health Officer)
- Are user rules on display?



- Is the policy for the responsible service of alcohol on display?

Plant and machinery

- Is machinery regularly tested?
- Are maintenance records kept?
- Are work safety procedures in place?
- Are users aware of safety procedures?
- Is the plant and machinery inaccessible to the public?

Personal Hazards

- Are public areas, steps, stairs and paths non-slip and free of obstacles?
- Are there loose posts or broken fences?
- Are there any unprotected drops?
- Are surfaces even?
- Are there any trip hazards?

Dangerous Goods

- Are hazardous objects or dangerous substances on-site?
- Are dangerous substances adequately signed and locked away?

Events

- Are crowd/traffic controls necessary?
- Are emergency procedures in place?
- Will emergency services involvement required?
- Does special material or equipment meet regulations and standards?

Fire

- Can anything catch fire?
- Are alarms and extinguishers in place and checked? (Form 22)
- Is there an emergency evacuation plan in place?

Operational Risks

Volunteers

- Are volunteers screened for suitability?
- Are volunteers supervised?

Complaints

- Is a complaints procedure in place?



Meetings

- Are correct meeting procedures used?

Equal Opportunity

- Does the Committee ensure equal opportunity rights and persons are not subjected to discrimination or bullying.

First aid

- Is there a designated first aid area?

Emergency access

- Is emergency vehicle access available?

Environmental Risks

Natural Disaster

- Is the building or property exposed to natural disasters (e.g. bush fires or floods?)

Drowning

- Is there standing water into which someone could fall and drown?

Trees

- If trees could fall on buildings or people is there an inspection program?

Financial Risks

Fraud

- Are Committee spending limits in place and complied with?
- How will the Committee receive regular budget and expenditure reports?
- How will Committee prepare annual reports?
- How will the Committee comply with the audit requirements in the Instrument of Delegation?

Criminal Risk

Theft

- Are systems in place to prevent theft?

Burglary

- Is the building or property secure?

Personal Safety

- Could volunteers or the public be exposed to unsafe situations?

Risk Management Contact Numbers

Risk Management Officer Contact Number: 5220 7173 (working hours)
0439 616 425 (after hours)



3.6 Insurance Claims

3.6.1 Property or Building Insurance Claims

General Requirements

Committees of Management are required to maintain and keep secure all Council owned assets under their control. Where a property or building insurance claim arises:

- If the cost of damage is less than \$1,000 the cost falls to the Committee of Management and there is no insurance claim. Golden Plains Shire does not need to be informed of the losses;
- If the damage is more than \$1,000 the Committee of Management is to contact Golden Plains Shire and a claim form is completed; and
- The Risk Management Officer will consider the circumstances of the damage and determine whether an investigation should be undertaken.

The Committee of Management will need to fund the \$1,000 excess. If the Committee does not have sufficient funds to repair damage, the Committee should contact Council's Community Services Department (Refer Form 24 Incident Reporting Form).

What to do if a Facility or Building is Damaged?

IN THE CASE OF FIRE, ARSON, BURGLARY, THEFT OR MALICIOUS DAMAGE DO NOT TOUCH ANYTHING – NOTIFY THE POLICE IMMEDIATELY.

All Damage

Where buildings and facilities have been damaged by flood or water, the Committee will take the following actions: Take photos (preferably digital) of:

- The items damaged;
- The cause of the incident (where possible);
- Any entry points;
- Any other evidence;
- Secure the site - Take all reasonable steps to protect the property and minimise further damage;
- Make building safe - Clean up the area and carry out any repairs necessary to make the location safe;
- Notify Council's Risk Management Officer on 5220 7173 within one working day; and
- Initially, a verbal notification will be sufficient. Council will need in writing (Form 24 – Incident Reporting Form)
 - The location;
 - The date and time of the incident;



- A brief description of the incident;
- The probable cause and contributing factors; and
- A preliminary estimate for repairs.

A written report must be submitted to Council's Risk Management Officer within seven days of the incident. Time is critical as claims not submitted to Council's insurer promptly may not be accepted by the Insurer.

Additional Information for:

- Storm Damage, Flood and Water Damage
 - Where buildings and facilities have been damaged by storms, flood or water:
 - Making building safe may include temporary shuttering, hiring tarpaulins, relocating valuable items, lifting floor coverings, removing items for drying, hiring dryers, etc.
- Fire Damage, Arson Damage, Burglary or Malicious Damage
 - Where buildings and facilities have been damaged by fire (including arson):
 - Do not touch or remove anything, including the entry point. The door may have valuable fingerprints on it. Notify the Police immediately, noting the name and station of the Investigating Officer. Obtain a copy of the Police Report.
 - With Police clearance, secure the site to protect the property and minimise further damage.
 - Assist investigations by cooperating with the Police and arson investigators to preserve evidence.
 - Making building safe may include temporary shuttering, securing doors and replacing locks and relocating valuable items.
- Forward the Police Report to Council with the written incident report.

3.6.2 Building Contents

Committees of Management are required to keep all Council owned property under the Committees control safe and secure. Committees may choose not to include their assets on the Council's Insurance Policy, but they must decide whether to take out insurance with another provider or leave the contents uninsured. Committees should inform Council's Risk Management Officer of the option they wish to pursue. Council provides a Buildings Insurance subsidy scheme to Committees.

3.6.3 Public Liability Insurance

Public Liability Insurance covers negligence for the Committee of Management and their volunteers. This insurance usually covers Committees of Management and their volunteers where their activities are directly related to the Instrument of Delegation. This includes activities such as fundraising and maintenance authorised by the Committee.

Incidents that are potential claims need to be handled properly at the time they occur. If a public liability issue or claim arises, a detailed investigation must be carried out and the information passed to



Council. First hand knowledge is invaluable but suspicions and unsubstantiated allegations should be included.

Regular communication between the Committee and Council will assist in monitoring the progress of the claim and in assessing whether improvements could be made in handling situations in the future.

Meetings may also be scheduled between the Committee, Council and Council's insurers. It is important that Committee members attend.

Claims and Legal Documents

If a claim, solicitors' letter or another legal document arrives in the mail or is served on the Committee of Management or its members:

- Do not reply to the letter or claim;
- Do not make any remarks or comments about the incident to the person delivering the letter or claim;
- Record in writing how the claim arrived (by mail or by hand), if by hand, who delivered it;
- Ring the Council's Risk Management Officer on 5220 7173 immediately; and
- Send the letter, claim or document and any incident report, names of witnesses, photographs and any notes relating to the incident to Council.

Any action you take must be taken under Council's guidance.

If a person demands compensation

If an angry or upset person confronts you or telephones you, remain calm and treat the person politely. Do not take responsibility for the incident, take notes of the conversation and ask the person to submit a claim in writing to Council. Contact Council about the incident and follow Council's recommendations.

Liability Claims Procedure

All claims should be treated as if they were genuine. The Committee of Management is not responsible for determining the validity of the claim. Where a member of the public is injured or has property damaged, action needs to be taken to minimise the chance of a claim being made or, if a claim is made, minimising the compensation that may be due.

A claim may not arise for some years after the incident has occurred, so it is important to record as much information as possible at the time the incident occurs.

An Incident Report should be completed as soon as possible after the incident (within 24 hours). (Refer Form 24).

Specifically:

- Obtain names and addresses of witnesses before they leave the scene.
- Interview witnesses;
- Identify, block off or sign post any damaged fixtures or hazards;



- Note conditions relating to the incident, e.g. floor or ground condition; lighting, weather conditions, equipment or facilities; and
- Note as much information as you can about the injured person and possible contributing factors such as:
 - What the injured person said?
 - What was the cause of the incident?
 - Type of clothing worn by the injured person?
 - Type and condition of footwear?
 - Whether walking aids were used?
 - Whether spectacles or contact lenses were worn?
 - Whether there were any substances on the person's clothing or shoes?
 - Emotional state of person prior to the incident?
 - Any evidence of intoxication?

All serious or potentially serious incidents must be reported to Council's Risk Management Officer on 5220 7173 as soon as possible after the incident. Where new information or witnesses are found any time after the incident occurs, this information should be reported as soon as possible to Council.

DO NOT

- Accept responsibility for an incident;
- Offer to pay any medical or their expenses;
- Agree that any equipment or facilities were faulty;
- Blame Committee members, Council or other parties;
- Apologise for the incident;
- Argue or discuss the cause with the injured person or witnesses;
- Conduct the investigation or fill out the incident report form in the presence of the injured person; or
- Discuss the incident with anybody who has not been identified as representing Council.

IF IN DOUBT, CHECK.



Woody Yaloak Recreation Facility, Smythesdale



3.7 Planning

The management of facilities should be planned, rather than ad hoc, to achieve the best possible outcomes. Committees are strongly recommended to prepare a management plan or works schedule with a corresponding Business Plan or Annual Budget in consultation with the Golden Plains Shire so that plans remain consistent with the aims of the local community.

The benefit of these documents is that they provide a context for financial expenditure to which every member has agreed, and they draw together the big picture of what the Committee wants to achieve.

Management documents may include:

A Management Plan, which outlines the Committees aspirations for the use and development of the facility over its term of office. It details what the Committee intends to do, to maintain and develop the facility. Such as: WHAT WE WANT TO DO?

- Introduction
- What do we have? (present/current situation)
- What do we want? (the future)
- How do we get there? (strategies and actions)

A Business Plan, which outlines how the Committee will implement its management plan. It details what actions the Committee will need to take, i.e. employ staff, enter into leases or licences, seek grant money, etc. over its term to achieve its objectives. HOW WILL WE DO IT?

- Vision, Objectives, Proposed Actions
- Business overview - team, 'market'
- SWOT (Strengths, Weakness, Opportunities, Threats)
- Planned actions/strategies
- Timetable
- Monitoring and reporting
- Risks
- Cash Flow Projections

A Financial Plan, which details the income and expenditure needed to achieve the management plan. It is often incorporated into the business plan. HOW WE WILL FINANCE IT?

- Current revenue
- Required revenue
- 1, 3 and 10 year cash flow

The amount of detail in these documents may vary depending on the specific facility. These three plans may be developed as one, rather than individually. Smaller facilities may wish to simplify this process further into a management statement containing a 12-month vision including income and expenditure.

4. FACILITY MANAGEMENT

4.1 Power to Manage a Facility

The main guiding principle in managing your facility is that it is a public facility for the use and enjoyment of all. This must be balanced with the need to protect and maintain the facility, its natural features, and its assets, which may require some regulation or control on use and access.

Management tools include management plans, business plans, financial plans, work plans, etc. The Committee must manage the facility and its assets; and may also develop and enhance them.

4.1.1 Tools to Manage a Facility

If all or part of the facility requires protection, a Committee may control its use by limiting numbers and types of users, physical access, or the times and conditions of use and access.

For example, a reserve for conservation purposes may need to limit public access to areas of the reserve undergoing revegetation. Rules (regulations) and pricing (fees and charges) are two effective mechanisms to allocate and regulate use.

4.1.2 Delegation

A Committee cannot delegate its powers to any other body, but it can establish sub-Committees to consider certain matters.

These sub-Committees may be either standing Committees with on-going functions (e.g. finance sub-Committee) or working groups for a particular task (e.g. spring planting sub-Committee). Sub-Committees have no power in their own right. Their recommendations must be brought back to the full Committee to be considered, approved, amended or rejected.



Bannockburn Recreation Stadium, Bannockburn

5. FACILITY HIRE

5.1 Applications for Hiring Council Owned Facilities

Applications for Hire/Casual Use (Form 12) of Golden Plains Shire facilities are made on the required form, signed by the applicant stating the purpose, facilities/amenities required, day/hours of use and to comply with the conditions of hire. The completed application becomes the Contract.

Casual Users failing to correctly disclose the exact nature of the function or proposed use of the facility on the hire form will result in the loss of the security bond, and may also jeopardise this or any future bookings of Council owned facilities.

Where the application is made on behalf of an organisation, body of person, and the application shall state the name of such organisation and the authority of the applicant for making such application.

The signed contract must be returned to the Committee of Management Booking Officer. Payment must be made within 14 days of the booking being made, and 30 days prior to the event.

5.2 Bookings

The Council's delegated Committees of Management are responsible for the bookings of all permanent and casual usage of Golden Plains Shire owned/controlled facility.

Individual clubs utilising Council facilities do not have the authority to book the facility to any other clubs, group or Organisation without permission from the Committee of Management or Council.

Tentative bookings will be held for a period set down by the individual Committees of Management.

5.3 Hiring Fees for Council Owned Facilities

Committees of Management will determine and schedule annual usage of the facility and determine the appropriate fees for use of the facility and the collection of such.

Fees and charges (including security bonds) are to be set annually and be approved by the Committee of Management or Council prior to the commencement of a new financial year.

The hire charges payable will be those that are in effect at the time of the booking of the facility.



5.4 Deposits

A security deposit of \$100 (Refer Form 13 – Checklist for Hiring) must be paid as part of this agreement and as such will apply as:

- A guarantee of compliance with the conditions as set out in this User's Agreement;
- A security payment towards damage to, or loss, of Council property, or damage to, or loss of property of a permanent user; and
- A security against the cost of any additional cleaning required to be performed by the Council or Committee of Management as result of your function.

The user will be liable on demand by the Committee of Management or Council to pay any further amount in excess of the security deposit to meet the full cost of the repairs to, and replacement of, either Council property, or that of a permanent user, and/or additional cleaning costs.

The full security deposit will be refunded to the user where it is not necessary to deduct any cost referred to above. The security deposit will be processed through the Committee of Management. Refunds will take a minimum of two weeks and up to a maximum of four weeks to process.

5.5 Goods and Services Tax (GST)

GST is applicable to all hire fees, excluding bonds. However, if the bond is forfeited due to the breach of the conditions of this User's Agreement then GST will be charged on the amount forfeited.

5.6 Cancellation

When in the opinion of the Council or Committee of Management the state of the facility is such that it is not safe and should not be used, the scheduled booking or activity will be cancelled.

- A decision of the Council to cancel a scheduled activity, overrides that of any Committee of Management;
- In the event of cancellation by the Committee of Management or Council, the hirer is held to have consented to the cancellation and therefore has no claim at law for damage caused by the cancellation;
- The Council is empowered to cancel any booking made when the same is required for a municipal function or by reasons of national or district emergency. In the event of this occurring any hire charge and security deposit will be returned in full, but Council will not be liable for any loss by the hirer;



- Any hire charge and security bond will be returned in full upon the condition that notification of such cancellation is received by the Committee of Management at least one calendar month prior to the function. Refunds will take a minimum of two weeks and up to a maximum of four weeks to process; and
- If the function is cancelled within fourteen days, the Committee of Management may withhold the fee and/or bond.

5.7 Cleaning of Facilities

It is your responsibility to ensure that the facility is left in a clean and tidy state. The Committee of Management will carry out an inspection and should the state of the facility, in the opinion of the Committee and/or Council, is not satisfactory the costs incurred in reinstating the facility will be the responsibility of the user.

Unless written permission has been received from the Committee of Management or Council, the facility must be cleaned that evening, prior to 1.00 am or the designated time of closing. All decorations including sticky tape and blu-tac must be removed.

All rubbish should be removed from the facility, and placed in the rubbish bins provided at the facility. Should these be full, the hirer should remove all rubbish.

All furniture to be placed in a safe and orderly fashion in storerooms (if provided) and furniture replaced in the appropriate storage area prior to 1.00 am or the designated time of closing.

5.8 Damage

Any damage to the facilities being used must be reported immediately to the Committee of Management contact. Users must supply details of how the damage was caused so that it can be determined who will be responsible for paying for the repair or replacement of Council property. The Committee of Management and/or Council decision will be final.

5.9 Keys

Any keys issued to the hirer are to remain in the control of the hirer (or responsible person 18 years or older, nominated by the hirer).

It is the responsibility of the hirer to ensure that the facility is secured at all times. Should the facility be left unsecured, doors unlocked and alarm not set, the hirer will be deemed responsible for any damage and charges.



5.10 Alarm

Some facilities may be alarmed, should this be the case, alarm instructions will be issued.

Failure to comply with alarm procedures will result in the hirer being liable for any cost incurred that is a direct result of breach of these instructions.

Should authorised hirers experience any difficulties with security systems, they should immediately contact the Committee of Management.

5.11 Sub-Letting

The facility must not be sub-let, or any hire agreement transferred, or assigned, without the written consent of Council.

5.12 Animals

No unauthorised animal to enter Council facilities.

5.13 Vehicles

Vehicles must be parked in designated parking areas only.

Any motor vehicle driven or parked in the confines of the facility is entirely at the owner's risk, and Golden Plains Shire accepts no responsibility for any theft or damage. The indemnity provided by the hirer to Golden Plains Shire shall include such theft or damage.

5.14 Licensing

Liquor for Sale

Consent by Council will allow the applicant to seek the appropriate licence/permit from the Liquor Licensing Commission. Any sales or charges for liquor, and the storage of liquor on the premises must be in accordance with the licence/permit from the Liquor Licensing Commission, and must also comply with the requirements of Golden Plains Shire.

Hirers wishing to sell liquor on the premises must apply directly to the Liquor Administration Board, and a copy of the permit presented to the Facility Coordinator prior to the function.

BYO

Hirers wishing to consume liquor on the premises must apply directly to the Police Licensing Sergeant at the relevant local Police Station. A party register form has to be completed and returned with these forms or directly to the local police station.



Victorian Legislation – Liquor Control reform Act

It is an offence for a person under 18 years of age to be supplied with alcohol, or bring alcohol into a public hall. Note: it should be recognised that these provisions are heavily enforced throughout Golden Plains Shire.

5.15 Good Order

Clubs/organisations and/or hirers will be responsible for the behaviour of members/guests using the facility, and for the preservation of good order in the facility during the time the facilities are allocated. Any damage to the facility or fittings due to irresponsible behaviour will be at the expense of the Hirer. Facilities will only be hired to responsible persons 18 years of age or older.

5.16 Inflammable Items

The use of inflammable materials and or items (i.e. bales of straw/hay for decorations are strictly prohibited). Smoking is prohibited in all Council Facilities.

The use of smoke machines is also prohibited in Council buildings unless authorised.

5.17 Lighting

All lights are to be turned off prior to leaving the facility. In the case of power failure the use of candles, tilley and or any kerosene lamp is strictly prohibited. Application must be made to the Council for permission to use any alternative lighting.

5.18 Floors

All floors are to be mopped and cleaned thoroughly. All rubbish is to be placed in bins provided. Should rubbish bins be full, it is the responsibility of the hirer to take their rubbish with them.

5.19 Noise

Hirers of the Council Facilities are to ensure that noise emanating from functions is not a cause for public annoyance, and that all noise pollution regulations are complied with. Excessive noise (i.e. at such a level that neighbours are disturbed) will result in the Councils retention of ALL of the security deposit.



5.20 Helium Balloons

The use of helium balloons is strictly prohibited in all facilities that have ceiling fans installed. Table setting arrangements are permitted, however, should a table setting become loose, all damage to fans and electrical equipment will be paid for by the hirer.

5.21 Disputes

In the event of any dispute or difference arising as to the interpretation of these conditions of any matter or thing contained therein, the decision of the Chief Executive Officer of the Golden Plains Shire shall be final and conclusive.

5.22 Cooking

In relation to indoor facilities safe cooking is to be undertaken using the appliances installed in the facility only. Open spit roasters and other portable cookers are strictly prohibited indoors.

5.23 Heating

All heating is to be turned off prior to leaving the facilities.

5.24 Extinguishers

Fire Extinguishers are provided at all Council facilities. This equipment is for emergency use only. Should these extinguishers be stolen or tampered with, by a member or a participant of any program or function, users will be liable for the cost of replacement and for the cost of damage caused.

5.25 Breach of Conditions of Use

Any breach of any one or more of these conditions may at the discretion of the Committee of Management or Council result in the use, or any future use, of the facility being withdrawn, and your security deposit withheld.

6. MANAGING VOLUNTEERS

6.1 Introduction

Volunteers are an integral and essential part of community clubs and organisations. Volunteers need to be valued, managed and included as part of the organisation. Volunteers who feel they have made a worthwhile contribution, have been appropriately rewarded and recognised, and feel respected are more likely to contribute to that organisation again. This section will highlight the role of effective leadership and motivation in good volunteer management practice.

6.1.1 Recruiting Volunteers

Recruitment is the process of attracting new volunteers to your organisation. Clearly, people need to be asked to volunteer if an organisation is going to be successful in recruiting volunteers. The recruitment process should provide potential volunteers with:

- a realistic preview of what a job entails;
- information about the size and nature of the task ahead of them before deciding to commit;
- skills and experience necessary for the tasks;
- the benefits for the volunteers rather than the needs of the organisation; and
- orientation to the club which may include its culture, history, aims, members and decision making processes.

Orientation Program Checklist

- Provide an orientation guidebook or kit.
- Provide copies of current newsletter, annual report and recent marketing / promotional material.
- Provide a copy of the constitution.
- Enter the name, address and contact details of each volunteer into a data base.
- Gather and file copies of qualifications and accreditation certificates from each volunteer.
- Outline the roles and responsibilities of key volunteers and staff.
- Introduce the organisation's culture, history, aims, funding, members and decision making processes.
- Introduce key volunteers and/or staff.
- Detail the roles, responsibilities and accountabilities of the volunteer in their new position.
- Familiarise volunteers with facilities, equipment and resources.
- Explain and walk through emergency and evacuation procedures.
- Familiarise volunteers with the organisations day-to-day operations.



6.1.2 Recognising and Rewarding Volunteers

Recognising and rewarding volunteers is a key component in the effective management of human resources and is vital in the retention of club volunteers.

There are some key considerations and approaches to recognising and rewarding volunteers. In terms of equity, it is important to keep records and to know why volunteers are being recognised (i.e. length of service) or rewarded (i.e. going beyond the call of duty).

Recognition stems from genuinely valuing your volunteers and their efforts within your club. The list below is not comprehensive but provides a number of widely used recognition and reward ideas.

Recognising and Rewarding Volunteers	
<ul style="list-style-type: none">• Smiling, saying hello and thank you.• Sending a welcome letter when volunteers are first recruited.• Including volunteers on organisational charts.• Offering personal praise to the volunteer while on the job.• Writing letters and postcards of thanks.• Writing letters of reference and including details of service.• Giving identification pins, badges, shirts or caps.• Acknowledging volunteers in club newsletter.• Presenting volunteer awards at the Annual General Meeting.• Giving complimentary tickets to special events and functions.• Sending get well, birthday and Christmas cards.	<ul style="list-style-type: none">• Arranging discounts at stores or restaurants.• Awarding life memberships.• Reimbursing out-of-pocket expenses.• Holding social events in honour of volunteers.• Acknowledging efforts during committee meetings.• Farewelling people when they move away from the area.• Providing meal and petrol vouchers.• Arranging for free or discounted use of facilities.• Listening to volunteer's ideas.• Funding training courses, conferences and seminars.• Presenting awards for 1,3,5,10,15 and more years of service.

6.1.3 Retaining Volunteers

Volunteer retention is an essential component of the human resource management approach to managing volunteers. Retention is about putting into place a series of processes and procedures that foster a sense of organisational commitment among volunteers.

Identifying and implementing training and development programs develops the skills and confidence levels of volunteers. To assist this process clubs may consider developing:

- A Volunteer Co-ordinator position.
- Performance appraisals for volunteers.
- Keeping records to ensure that volunteers are recognised and rewarded for their effort.

For further information on Volunteer Management and other relevant club development information go to www.sportslink.org.au

The Sportslink website contains an on-line Community Club Resource Manual that can assist with all your club development issues.



7. RELEVANT ORGANISATIONS

Local Government Authority

Golden Plains Shire Council	Assist sporting clubs and associations with: <ul style="list-style-type: none">• Council Community Grants• Grant Information & Resources• Committees of Management• Strategic / Business Planning	Golden Plains Shire Council PO Box 111 Bannockburn VIC 3331 Tel: (03) 5220 7111 www.goldenplains.vic.gov.au
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Local Community Organisations

Central Highlands Sports Assembly	Assist sporting clubs and associations with: <ul style="list-style-type: none">• Grant Information & Resources• Club Training Workshops• Strategic / Business Planning• Disability Sport• Inclusive Practices	Central Highlands Sports Assembly PO Box 650 Ballarat VIC 3353 Tel: (03) 5331 6966 www.centralhighlandsport.com
Leisure Networks	Leisure Networks is a community-based, not for profit organisation that promotes and strengthens community sport, recreation, and health across the Barwon Region. Leisure Networks assist sporting clubs and associations with: <ul style="list-style-type: none">• Grant Information & Resources• Club Training Workshops• Strategic / Business Planning• Disability Sport• Inclusive Practices	Leisure Networks 370 Moorabool Street Geelong VIC 3220 Tel: (03) 5222 3911 www.leisurenetworks.org.au



State Organisations

VicHealth	The Victorian Health Promotion Foundation, best known as VicHealth, works in partnership with organisations, communities and individuals to make health a central part of our daily lives. The focus of their work is promoting good health and preventing ill-health.	VicHealth 15-31 Pelham Street Carlton VIC 3065 Tel: (03) 9667 1333 www.vichealth.vic.gov.au
VicSport	Assist sporting clubs and associations with: <ul style="list-style-type: none">• Grant Information & Resources• Risk Management Workshops• Sport Administration• Strategic & Business Planning• Governance & Management Training	VicSport Level 3, Sports House 375 Albert Road South Melbourne VIC 3205 www.vicsport.asn.au Tel: (03) 9926 1376
Sport Education Victoria	Keep up to date with the latest educational opportunities available for coaches, officials and sports administrators.	Sport Education Victoria P.O. Box 12608 A'Beckett Street Melbourne VIC 8006 Tel: (03) 9425 0059 www.vis.org.au/sported.asp



State Government

Department for Planning and Community Development	<p>Assist sporting clubs and associations with:</p> <ul style="list-style-type: none"> • Disability Sport • Indigenous Sport • Women in Sport • Sport Ethics • Club Development & Membership Growth • Grant Information & Resources 	<p>Department for Planning and Community Development 1 Spring Street Melbourne VIC 3000 Tel: (03) 9208 3333 www.dpcd.vic.gov.au</p>
Consumer Affairs Victoria	<p>Consumer Affairs Victoria is a Government Agency that can assist you with all you need to know about incorporation and constitutions.</p>	<p>Consumer Affairs Victoria 121 Exhibition Street Melbourne VIC 3000 or: GPO Box 123A Melbourne VIC 3001 Consumer Hotline: 1300 558 181 www.consumer.vic.gov.au</p>
Liquor Licensing Victoria	<p>Has the responsibility for the regulation of the supply of liquor in Victoria.</p>	<p>Liquor Licensing Victoria 121 Exhibition Street Melbourne VIC 3000 www.consumer.vic.gov.au (then search 'Liquor Licensing')</p>
Tax Office Advisors For The Non-Profit Segment	<p>Tax Office advisors are available to assist the non-profit sector with issues relating to GST. They are able to assist with:</p> <ul style="list-style-type: none"> • Preparing your Business Activity Statement • Record Keeping • General GST issues and those specific to the non-profit segment. 	<p>Australian Tax Office Phone the Tax Office – Business Tax Enquires on 13 28 66, 8am-6pm weekdays www.ato.gov.au</p>



Federal Agencies/Organisations

Australian Sports Commission	Assist sporting clubs and associations with: <ul style="list-style-type: none"> • Elite Sport (AIS / VIS) • Coaching / Officiating • Junior Sport • Disability Sport • Indigenous Sport • Women in Sport • Sport Ethics • Club Development & Membership Growth 	Australian Sports Commission PO Box 176 Belconnen ACT 2616 www.ausport.gov.au Tel: (02) 6214 1111
Australian Human Rights & Equal Opportunity Commission	National independent statutory Government body responsible for inquiring into alleged infringements under three laws: <ul style="list-style-type: none"> • Racial Discrimination Act 1975; • Sex Discrimination Act 1984; and • Disability Discrimination Act 1992. 	Australian Human Rights & Equal Opportunity Commission GPO Box 5218 Sydney NSW 2001 Tel: (02) 9284 9600 www.humanrights.gov.au
Australian Drug Foundation	The Australian Drug Foundation is a non-profit organisation working to prevent and reduce alcohol and drug problems in Australian society.	Australian Drug Foundation 409 King Street West Melbourne VIC 3003 Tel: (03) 9278 8100 www.adf.org.au

Club Development Resource

Sportslink Website	Sportslink is a website dedicated to supporting community clubs. Clubs can not only source valuable club development information but also promote themselves to the broader community by registering their details on the club data base.	www.sportslink.org.au or contact Leisure Networks on 52249927 or lnetworks@leisurenetworks.org.au
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Funding Support

Our Community Grants Newsletter	"Our Community" provides a central hub for all non-profit groups with a philosophy of providing the knowledge of where to find grants funding, successful ideas on fundraising and advice on a vast array of issues that affect community groups.	Our Community Tel: (03) 9320 6800 www.ourcommunity.com.au Subscription - \$45 per year (Based on 2007 Figures)
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8. DEFINITIONS

Ballot	whereby the Committee of Management state the purpose of the meeting which is to elect recommended candidates to form a Committee of Management for a one year period.
Community of Interest	is a community of people who share a common interest or passion. It is not restricted in the geographical sense but may include people with a demonstrated, genuine interest in the facility.
Instrument of Delegation	is the term used to describe the power and authority delegated to a Committee of Management by the Golden Plains Shire Council to control “the reserve”.
Quorum	the quorum at any Committee meeting shall be the majority of the members of the Committee.
Returning Officer	is a committee member who announces the method to be used in marking the ballot papers e.g. initially by the Chairperson.
Section 86 Committee of Management	Under Section 86 of the Local Government Act (1989) a Council may: “By Instrument of Delegation, delegate any of its functions, duties or powers under this or any other Act to a Special Committee”. This is called an Instrument of Delegation. They like Council must keep records which are required by the Local Government Act, namely minutes of meetings and appropriate financial records. Golden Plains Shire delegates its authority under Section 86 of the Local Government Act.