

# FACILITY MANAGEMENT PLAN HOPETOUN Recreation Reserve Community Asset Committee



**Yarriambiack**  
SHIRE COUNCIL

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Dear Committee Members

Yarriambiack Shire Council (Council) has a large network of volunteers who give their time, expertise, and energy selflessly to provide for and develop our community. A large part of this network is involved with the management of community facilities, reserves, and halls across our Shire.

To assist you in your role as volunteer, Council has produced this *Community Asset Committee Facility Management Plan*. The Plan has been prepared to assist community volunteers who have been appointed to a Community Asset Committee (Committee). The current Committees manage reserves and facilities on behalf of Council and have the responsibility of improving and maintaining the areas under their control.

You will find a section of useful forms and templates to assist with your administrative tasks. Because of the varied functions of the Committees, sections of the information contained in this Manual may not apply to some Committees.

The other document of relevance to the Committee is the Instrument of Delegation, which includes the Community Asset Committee Charter.

Please do not hesitate to contact the Council representative if you need any assistance or if you have any suggestions for future editions of this Manual.

Thank you on behalf of your community.

Tammy Smith  
**Chief Executive Officer**

## 1 Application of Manual

This Plan has been developed to provide guidance to the Committees managing:

- a) Hopetoun Recreation Reserve.
- b) Hopetoun Swimming Pool.
- c) Woomelang Retirement Units.

## 2 Definitions

**Act** means the *Local Government Act 2020* (the Act).

**Community Asset Committee** means a Community Asset Committee (Committee) established by a Council under section 65 of the Act.

**Council** means the Yarriambiack Shire Council.

**Delegation** means the Instrument of Delegation and accompanying Charter, which outlines the powers, duties and functions delegated to the Committee by the Chief Executive Officer (CEO) to manage the *Asset*.

**Asset** means the Recreation Reserve and site as defined by the Instrument of Delegation.

## 3 Delegations To Community Asset Committees

The CEO may delegate any power, duty, or function of the Council to members of a committee. Accordingly, lawful actions of Committees are in effect actions of the Council.

## 4 Relationship between Council and Committees

Council is committed to playing a key role in the ongoing guidance, support, training, development, and success of Committees. Providing up to date information to Committees is a keyway to ensure Committees operate effectively and efficiently.

For any queries or questions, Committees can contact Council at:

Warracknabeal Customer Service Centre

Governance Officer

Phone: 5398 0100

Free call 1800 065 647

34 Lyle Street Warracknabeal Vic 3393

### 4.1 Key contacts at Council

Council staff are available to assist Committees. The Council representative will be the principal point of contact between the Council and each Committee, but other staff are available to provide advice and support on specific matters. Details are provided below.

#### **Governance Officer (GO)**

- a) governance queries.
- b) guidance on powers, duties and purpose or procedural matters.
- c) guidance on interpreting the operations manual.

#### **Manager Corporate Service (MCS)**

- a) insurance queries.
- b) budgets; and
- c) financial reporting (including bank reconciliation).



## Sports and Recreation Coordinator

Is the Hopetoun Recreation Reserve Community Asset Committee’s main point of contact in relation to Building maintenance and repairs, along with operational matters pertaining to employment of staff.

## 5 Functions and Responsibilities

The key functions and responsibilities of the Committee are to:

- a) Control, manage and maintain the land and facilities in an efficient and effective manner, in the best interests of Council, residents and users of the facilities within the limitations specified in the Delegation.
- b) Maintain the highest level of cooperation between the Council, the Committee, and the local community.
- c) Promote interest in the *Asset*.
- d) Apply procedures, rules, and conditions of use necessary for the proper use of the *Asset*.
- e) Ensure that any procedures, rules, and conditions of use are consistent with the objectives of the Committee stated in the Instrument of Delegation and Charter, this Manual, and any Council policies.
- f) Report any breaches of rules, conditions of use and local laws, which cannot appropriately be dealt with by the Committee to the Council representative.
- g) Ensure compliance with all Acts, Regulations, and other legal requirements at the *Asset*.
- h) Not commit, or permit to be committed, any act which will have a negative impact on any of the Council’s insurance policies; and
- i) Ensure the *Asset* is always kept in a clean condition and is used in a reasonable and lawful manner by all groups and individuals.

## 6 Committee’s Legislative Obligations

### 6.1 Local Government Act 2020

#### Section 65 of the Act:

As a Committee established under the provisions of section 65 of the Act, decisions made by the Committee are in law, decisions of the Council. Therefore, Committees must ensure that they consider very carefully the decisions they make. If a committee is in doubt about any matter they are discussing, they should contact their Council representative to seek guidance.

#### Section 47 of the Act:

A delegation under section 47 of the Act, to the members of a Committee, must be exercised subject to the terms and conditions specified by the CEO, which include:

- a) a specified limit (in accordance with the Instrument of Delegation) on any financial delegation and the specific purpose for which that financial delegation may be used.
- b) compliance with governance requirements to ensure appropriate standards of probity are met; and
- c) specific monitoring and reporting of the activities and performance of Community Asset Committees.

Committee members can only exercise their Delegation while acting as a committee member at a committee meeting.

The CEO must submit an annual report to Council in relation to the activities and performance of the Committee.

## **7 Governance and Good Management Practice**

### **7.1 Starting a New Committee**

At its first meeting in the financial year, the Committee should elect a Chairperson, Secretary and Treasurer recorded in the minutes and the secretary should inform the Council of these details.

Larger Committees may also need a deputy Chairperson. The positions of Secretary and Treasurer may be held by the same person; however, it is good practice for the role of Secretary and Treasurer to be held by different Committee members from an audit viewpoint.

### **7.2 Records Management**

All Committee records should be captured as evidence of the decisions, operations, and management of the Committee.

Council will establish a SharePoint site where the Committee is to upload and record all Community Asset Committee documents.

#### **Committee Emails**

A Committee should have an email address which is only used for Committee correspondence. The Committee email should be able to be accessed by all members of the executive. Personal email addresses cannot be used for Committee correspondence.

### **7.3 Handing Over to a New Committee**

The existing Committee has a responsibility to hand over to an incoming Committee. Some of these responsibilities include the following.

The outgoing Treasurer should:

- a) prepare a financial report including GST return (if applicable) and have it verified by the incoming Committee and Council representative.
- b) provide copies of any business plans and financial reports prepared over the Committee's term.
- c) advise the incoming Committee of any committed funds.
- d) organise the changeover of bank account details.
- e) advise the Council representative of the incoming Committee's contact details, if applicable.
- f) advise service providers (e.g., gas and water) of the incoming Committee's contact details, and
- g) hand over the books to the incoming Committee.

The outgoing Secretary should:

- a) hand over all correspondence, including the minute books and all copies of this Manual.
- b) provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term.
- c) hand over passwords for email addresses (if applicable); and
- d) notify the Council representative of the new officer bearers and the Committee membership.



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 should familiarise themselves with:

- a) their responsibilities, both as a committee and as a committee member, and
- b) the particulars of the *Asset* they have been appointed to manage.

**New Committee members are not formally appointed until approved by Council. This must be completed by a resolution of Council.**

## 7.4 Dealing with Public Complaints

Committees may receive complaints from members of the public about something it did or did not do. All complaints should be referred to the Governance Officer and must be treated in accordance with Council’s Complaints Handling Policy. It is not the responsibility of the Community Asset Committee to investigate and resolve the complaint, unless authorised by the Chief Executive Officer to do so.

Members of the public may take their concerns to Council, their Member of Parliament, or the Ombudsman if they feel that a committee and or Council has not dealt with them adequately.

## 7.5 Dealing with the Media

The Committee shall not issue any media releases or make statements to the Media unless approval has been granted by the Chief Executive Officer. Community Asset Committees must abide by Council’s Media and Communication Policy requirements.

For assistance relating to dealing with the media the Committee should contact the Council representative.

## 7.6 Social Media

The Committee must adhere to the Yarriambiack Shire Council Media and Communications Policy when managing their social media site.

# 8 Membership

The Community Asset Committee Membership is outlined in the Community Asset Committee Charter.

## 8.1 Attending Meetings

Committee members are expected to attend all meetings (in person or by electronic means), but illness, family crisis or other good reasons may result in absences. The Chairperson, Secretary or other office bearer should be contacted in advance to tender apologies or requests for leave of absence, 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 leave being obtained from the Committee.

## 8.2 Nomination of Membership

### Community Representatives

Upon advice from the Secretary, Council shall call for expressions of interest (EOIs) for the appointment of community representatives to the Committee by giving public notice not less than 28 days prior to the Committee’s annual general meeting or a special meeting convened for the proposed appointment of a member. Public notice will be undertaken in accordance with Council’s Community Engagement Policy.

Candidates for appointment must lodge in writing their EOI by way of the process outlined by the Committee.

Candidates must

- a) be over 18 years of age and over.
- b) not be insolvent (unable to pay debts as they become due and payable).
- c) have not been convicted of any indictable offence (a serious crime that is tried by a judge).
- d) 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).
- e) have not committed any other act or omission that might render or be seen to render them unfit for them to be a member of the Committee; or
- f) not have criminal convictions, financial or taxation dealings that might render or be seen to render them unfit for office.
- g) be willing to consent to a National Police Check and Working with Childrens Check.

### **Recommendations for Appointment**

The Committee shall accept EOIs and nominate preferred candidates to the Council for appointment to the Committee.

Council must make all formal appointments of members to the Committee by resolution at a Council meeting.

Council may in its absolute discretion, decline to appoint to the Committee any person who has been nominated or recommended for appointment. In such an event, Council shall inform the Committee of the reasons for its decision.

### **8.3 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.

A resigning Chairperson must submit their resignation in writing to the Committee and the CEO. The Committee then decides on a replacement Chairperson and records its decision.

To resign from any other officer bearer position, but not from the Committee, a written resignation must be submitted. The Committee must accept and record the resignation in the minutes. The Committee may propose another member to fill that position. Council must approve new representatives.

In all cases a resigning member must hand over all Committee records to the Chairperson or Secretary.

### **8.4 New Members**

Incoming Committee members must familiarise themselves with:

- a) their responsibilities, both as a committee and as individual Committee members by reading this Manual; and
- b) the particulars of the *Asset* they have been appointed to manage.

## **9 Roles and Responsibilities**

The Committee at each annual general meeting shall elect the following bearers:

- a) Chairperson.

- b) Deputy Chairperson (optional)
- c) Secretary; and
- d) Treasurer.

### **9.1 The 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, the conduct of business and ensuring that meeting procedures are followed.

The Chairperson's main responsibilities are:

- a) to provide coordination, guidance, and leadership to ensure the successful functioning of the Committee.
- b) to represent the Committee in the public domain.
- c) to ensure administrative, and other tasks from meetings are carried out.
- d) to chair all meetings of the Committee.
- e) to act as the principal liaison person between the Committee and Council (although this can be delegated to another member of the Committee); and
- f) to arrange an annual report of the Committee to be prepared for presentation at the annual general meeting and to the Council.

Specifically in relation to meetings the Chairperson is responsible for ensuring:

- a) meetings are convened.
- b) a quorum is present for all decisions.
- c) meeting decisions are properly recorded in the minutes.
- d) the agenda is adhered to.
- e) that the motions and amendments are unambiguous and otherwise in order.
- f) all members are given the opportunity to speak.
- g) the maintenance of order.
- h) the business of the meeting is conducted.
- i) voting rights are observed.
- j) a casting vote is used when necessary.
- k) the announcement of the result of all votes is clear; and
- l) the management of discussion and prevention of members from dominating to the exclusion of others.

In the absence of a Chairperson or Deputy Chairperson (if elected), the Committee shall elect another person to chair the meeting.

### **9.2 The Secretary**

The Secretary is responsible for the administration associated with the meeting.

The duties of the Secretary include: -

- a) arranging meetings.
- b) preparing and distributing the agenda.
- c) arranging inwards and outwards correspondence.

- d) maintaining all records and correspondence.
- e) receiving all incoming correspondence and bringing it to the attention of the Committee.
- f) writing and dispatching all outwards correspondence required by the Committee.
- g) keeping Committee members properly informed by sending them notices of meetings, agendas, copies of correspondence, reports, etc. as required.
- h) liaising with the Chairperson between meetings so that the business of the Committee is attended to and, in consultation with the Chairperson, to call extraordinary meetings as required.
- i) preparing the minutes.
- j) carrying out the follow-up action which arises from the business of the meeting e.g.: arranges correspondence; and
- k) arranging annual general meetings.

### 9.3 The Treasurer

The Treasurer is responsible for keeping the Committee’s financial records in good order.

The Treasurer’s duties include:

- a) maintaining a bank account in the name of the Committee (signatories to the account should be the Chairperson, the Secretary, and the Treasurer, with at least two to sign).
- b) recording and banking money received.
- c) paying accounts as authorised by resolution of the Committee.
- d) keeping all invoices, receipts, cheque butts, bank statements etc for audit purposes.
- e) ensuring that accurate records of all transactions are maintained.
- f) assisting the Committee in the preparation of the annual budget.
- g) preparing the annual financial report based on the July/June financial year.
- h) preparing and presenting financial reports for Committee meetings.
- i) 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.
- j) arranging the audit of financial statements; and
- k) completing the annual financial reports quarterly and submitting them to the Council’s Governance Officer by 10 October, 10 January, 10 April, and 10 July.

### 9.4 Committee Members who are not Office Bearers

Non-office bearing members’ duties include:

- a) actively participating in Committee activities and business.
- b) managing the *Asset* and assisting in the preparation and implementation of management plans, and reporting against those plans.
- c) attending Committee meetings and participating in decision making; and
- d) bringing to the Committee’s attention any identified problems or issues.

## 9.5 on-Members as Office Bearers

Committees may find it useful to appoint someone who is not a committee member, but has relevant skills, to undertake tasks such as bookkeeping and secretarial work.

## 9.6 Member's Conduct

Committee members must act appropriately in their role to ensure that public resources are used prudently for the public interest. This includes, acting in good faith, with integrity, exercising impartiality, treating others with respect, and exercising due care and diligence when conducting their committee role.

# 10 Meetings

## 10.1 Meeting Schedule and Procedure

Each Committee is free to decide meeting times and schedules. Committees should meet as often as necessary to ensure good management of the *Asset*. As a minimum, Council requires that the Committee meet quarterly on such dates that the Chairperson or Committee determines.

Committee members should also be provided with any progress reports on any works being done, maintenance plan/reports and risk and safety management reports prior to meetings.

At the start of the meeting the Chairperson usually asks:

- a) if there are other items of business that any member wishes to be added to the agenda, and
- b) if any member wishes to change the order of the agenda. 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 Chairperson may decide to refer such items to a subsequent meeting of the Committee.

## 10.2 Addressing the Meeting

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.).

## 10.3 Quorum

A quorum of the committee is at least a majority of the members of the Committee.

If, thirty minutes (or some other time generally agreed by the Committee as appropriate) after the start of the meeting a quorum has not been obtained, the Chairperson will decide to:

- a) postpone the meeting, or
- b) conduct the scheduled business of the Committee but refer all decisions and motions to a subsequent meeting when a quorum is present for re-consideration and/or ratification.

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

- a) close the meeting and refer any unfinished business to a subsequent meeting, or
- b) 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 is present for reconsideration and/or ratification.

## 10.4 Making Decisions/Motions

Committee decisions must be made by a formal vote 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 LOST.

For Example:

MOTION:

“That the Treasurer’s report be accepted as presented”.

Moved: Bill Smith      Seconded: Mary Black      MOTION CARRIED

Committees may have motions that are more complicated and contentious arising from their discussions. In such cases it might 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.

If a vote is tied, the Chairperson may exercise a casting vote.

A Committee can only make decisions (i.e., adopt motions) if a quorum is present.

Any decision of the Committee, which the Committee does not have delegated power to implement, cannot be implemented until approved by the Council.

## 10.5 Conflicts of Interest

[Division 2, Conflict of Interest, Section 126 Definitions](#) of the *Local Government Act 2020*, defines general and material conflicts of interest.

A general conflict of interest arises if a committee member has an interest in a matter that is being considered by the Committee if an impartial, fair-minded person would consider that the member’s private interests could result in that person acting in a manner that is contrary to their public duty.

A material conflict of interest arises if a committee member would gain a benefit or suffer a loss depending on the outcome of the matter before the committee.

For example, a local builder on a committee would have a conflict of interest in any building contracts let by the Committee for which they 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 Asset to the football club.

[Refer to Appendix 1 – Conflict of Interest Declaration](#)

## 10.6 Minutes

The minutes should enable a committee member not present at the meeting to be informed of all actions and decision arising and the reasons for those actions and decisions.

Minutes are a permanent record of the Committee’s decisions and proceedings. The Secretary should keep minutes that will be passed on to the incoming Secretary at the end of the Committee’s term. In the longer term the minutes must be stored and



archived in accordance with the Public Records Act because as Council appointed “entities”, Committees are public bodies.

Upon ratification of the previous meeting’s minutes, the minutes should be saved as a PDF and stored in Council’s applicable SharePoint Folder. They should not be altered.

All meeting minutes need to be finalised and the Council representative notified within twenty-one (21) days of the meeting.

## **10.7 Keeping Good Conflict of Interest Records**

Keeping good 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 declaring they have a conflict of interest on the next agenda item where a building contract/engagement is to be discussed.

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

## **11 The Annual General Meeting (AGM)**

### **11.1 Order of Business**

The agenda for the AGM is to include:

- a) reception and confirmation of the minutes of the previous AGM.
- b) to receive the Chairperson’s Annual Report of the Committee’s activities, operations, and usage of the *Asset* for the previous 12 months.
- c) to receive the Treasurer’s report including the Financial Report for the relevant financial year.
- d) to receive an outline of the Committee’s proposed activities for the next 12 months, which may also include seeking the community’s approval of those plans.
- e) election of committee members (where applicable – term is for four years); and
- f) recommendations to Council for appointment.

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.

### **11.2 Duties of the Secretary**

Prior to the AGM, the Secretary must:

- a) notify the Council representative five (5) weeks prior to the date of the meeting – including the date, time, format, location, and a contact person.
- b) notify the Council representative of any Committee positions open for nomination and advise the process the Committee has agreed upon for nomination.
- c) distribute information and nomination forms on request.
- d) ensure the annual report is complete and available for inspection at the meeting.
- e) ensure that all the necessary equipment is available for the meeting including nomination forms, attendance sheet, whiteboard, etc.
- f) bring all nominations received prior to the meeting; and

- g) in conjunction with the Chairperson, prepare a meeting agenda for distribution at the meeting.

The outgoing Secretary should:

- a) hand over all correspondence, including minute books (if applicable) and all copies of this Manual.
- b) provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term; and
- c) provide all details to the incoming Committee of any contracts (e.g., agreements or any other contracts for services).

### **11.3 Duties of the Chairperson**

Prior to the election, the Chairperson shall:

- a) state the purpose of the meeting which is to elect recommended candidates to form a committee for a three-year period commencing on a particular date and annually to elect office bearers to the Committee for the following 12 months.
- b) clearly identify the *Asset* over which the Committee is to be appointed and clearly define the "community of interest" for those present.
- c) detail the number of Committee members being sought.
- d) nominate the Committee members who will be responsible for presenting the reports to the meeting, providing a summary, and answer 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).
- e) describe how the meeting will be conducted, and the process for the election.
- f) hand over to the Council representative present to be the Chairperson conducting the election of nominated members.

The Chairperson shall be responsible for ensuring that all reporting requirements are submitted/lodged with the Council representative within 21 days of holding the AGM.

The outgoing Chairperson should ensure that the handover is completed in a timely and professional manner, and that the incoming Committee is adequately briefed.

### **11.4 Duties of the Treasurer**

Prior to the AGM, the Treasurer must ensure the Financial Report is ready for inspection at the meeting.

The outgoing Treasurer should:

- a) balance the books and have them audited.
- b) provide copies of any business plans and financial reports prepared over the Committee's term.
- c) advise the incoming Committee of any committed funds.
- d) organise the changeover of bank account signatory details.
- e) advise service providers (e.g., gas, electricity, and water) of the incoming Committee's contact details; and
- f) hand over the books to the incoming Committee.

## 11.5 The Election of Members and Roles

The Councillor representative (can be delegated to the CEO) will:

- a) declare all positions vacant and preside over the election of Committee members.
- b) list all nominations received prior to the meeting for the relevant Committee positions.
- c) call for additional nominations (if applicable) for the relevant Committee positions.
- d) verify the eligibility of all nominations.
- e) after a reasonable interval, declare nominations closed.
- f) if the number of candidates is less than the number of vacancies, declare all candidates as the recommended candidates.
- g) 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; and
- h) check that all persons wishing to vote are eligible and have signed the attendance sheet.

**NOTE:** New Committee members are not formally appointed until endorsed by Council and cannot conduct Committee business until endorsed.

The names, contact details, and position held within the Committee, for all new members should be recorded and emailed to the Council representative for consideration at a Council meeting.

## 12 Financial Management

### 12.1 General Financial Record Keeping

The Committee must establish and maintain comprehensive financial records. 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 – and all payments and receipts must be recorded promptly.

### 12.2 Bank Account

The Committee shall open and operate a bank account titled “Name of Committee”.

### 12.3 Revenue and Spending

Revenue received by a committee must be directed to activities associated with the Asset.

From funds received, the Committee may pay the cost of maintenance (less than \$2,000), electricity and water charges, as the Committee determines. The Committee is also authorised to purchase any facility related equipment up to the value of \$2,000 without authorisation from Council.

Committees should not carry excessive funds for no foreseeable purpose. Council owned reserves are public assets and funds should be spent on maintaining or enhancing the Asset.

### 12.4 GST

The Committee is, by definition under the Act an “entity” of the Council. The Australian Tax Office (ATO) has ruled that a committee cannot have a separate ABN or separate

registration for GST. The Committee must use Council’s ABN and charge GST when issuing tax invoices.

### **12.5 Contracts**

Committees must not enter any contracts above their delegated powers (as outlined in the instrument of delegation).

### **12.6 Receiving Money**

Whenever the Committee receives money, a receipt should be issued. A carbon duplicate book should be used to record all receipts, unless an electronic receipt can be issued from an appropriate electronic software package that is being used by the Committee. 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, 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.

### **12.7 User Fees**

User Fees must be reviewed annually.

### **12.8 Paying Money**

Payments shall be authorised in accordance with the requirements in the Financial Controls section and should be made by either:

- a) cheque; or
- b) electronically through internet banking (Council’s preferred method).

As each cheque is drawn or electronic payment made, the paperwork detailing the expenditure should be retained and filed in cheque number or date order. If there is no paperwork, then a cheque or payment voucher should be drawn up giving details of the payment, i.e., payee, amount, date, cheque number and what the payment is for.

### **12.9 Cash Book**

Electronic bookkeeping software can be used to record the Committee’s transactions. If recording manually, a cashbook is required.

### **12.10 Bank Reconciliation**

The Treasurer must arrange for a bank statement to be forwarded to the Treasurer every month and ensure a reconciliation occurs at this time, verifying the entries. When submitting a bank statement to Council, the Committee also need to reconcile their closing balance from their financial report to the closing balance on the bank statement.

**Refer to Financial Report for further details.**

### **12.11 Financial Controls**

The Committee as a whole, not just the Treasurer, is responsible for the financial affairs of the Committee. The Committee must review quarterly reports (at a minimum) of income and expenditure and must approve of all expenses paid, or to be paid, for the quarter, via report submitted at a committee meeting.

#### **Authorisation**

The Delegation will determine authorisation limits. The Committee should set definite limits on expenditure and on the persons authorised to purchase under the delegation limit.

The Treasurer may be authorised by the Committee to pay regular accounts or spend funds up to a limit of \$1000 (one thousand dollars) excluding GST. Expenditure over \$1000 one thousand dollars (excluding GST) should be discussed at a committee meeting and only approved by resolution.

### **Cheque signing or Electronic Approvals**

The bank account shall require two members to sign each cheque or authorise electronic payments. This should be arranged by having three Committee members authorised with their signatures registered with the bank, with any two to sign each cheque or authorise electronic payments.

Cheques should always be crossed, marked not negotiable and the details entered before being signed.

Noting that Council’s preferred method of payment is electronic transfer.

## **12.12 Developing a Budget**

The Committee should, as the year-end approaches, give serious consideration to producing a budget for the following year and present this at the AGM. This can easily be carried out by 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 then the Committee can look at the options available to fund the expenditure. Remember that inflation will influence the cost of services and an allowance should be built into each item to cover the likely increased cost.

## **12.13 Waste Collection**

Council is responsible for supplying bins and the waste collection charges.

## **13 Capital Works**

The Committee:

- a) must not carry out or authorise any capital works, extensions or additions which materially alter the buildings or surrounds of the *Asset*.
- b) is encouraged to investigate and make recommendations in writing to the Council on the development of future capital works and the provision of future facilities and amenities for the *Asset*.
- c) Low risk capital works are to be approved by the Manager Community Health.

## **14 Procurement**

Purchasing goods, services and/or works must be undertaken in accordance with Council’s Procurement Policy, the Hopetoun Recreation Reserve Instrument of Delegation, and the Community Asset Committee Charter.

The Committee is authorised to procure goods, services, and works in accordance with the Community Asset Committee Charter – Hopetoun Recreation Reserve, Appendix 1 – Works and Maintenance to the value of \$14,999 and the Instrument of Delegation.

**6.1 Thresholds**

Procurement Value (excluding GST) \$	Minimum Market Engagement	Agreement Type	Record Keeping / Documentation	Evaluation Panel
<b>\$0 - \$200 – Instore Sheets Only</b>	Not Applicable	Ongoing Purchase Order Arrangement with the Store	Instore sheet must be signed and tax invoice must be clipped to sheet	Not Required
<b>\$0 - \$200</b>	Price Comparison	Purchase Order Terms & Conditions	Notes in Purchase Order of Price Comparison	Not Required
<b>\$201 - \$15,000</b>	1 Emailed or Written Quote	Purchase Order Terms & Conditions	Quote Must be Attached to Purchase Order	Not Required
<b>\$15,001 - \$50,000</b>	2 Emailed or Written Quotes ❖	Purchase Order Terms & Conditions	All Quotes Must be Attached to Purchase Order	Not Required
<b>\$50,001 - \$79,999</b>	Request for Quotation Publicly Advertised or > Select	Contract/Agreement	Value for Money Evaluation Report Approved by CEO	Yes – Minimum 3 Panel Members
<b>\$80,000 - \$250,000</b>	Request for Tender Publicly Advertised or > Select	Contract/Agreement	Value for Money Evaluation Report Approved by CEO	Yes – Minimum 3 Panel Members
<b>&gt;\$250,000</b>	Request for Tender Publicly Advertised, includes Panel Supply Contracts	Contract/Agreement	Value for Money Evaluation Report, Report Prepared to and Approval by Council Resolution	Yes – Minimum 3 Panel Members

❖ A minimum of one of the two quotes must be obtained from a local supplier/provider wherever possible. If sufficient quotations cannot be sourced refer to Section 7.9.

> Select means approach to market is engaging with selected suppliers engaged under collaborative purchasing arrangements, MAV Procurement, Victorian Government State Purchasing Contracts (including Department Treasury & Finance Construction Supplier Register), Procurement Australia; or those appointed to Council Panels Arrangements as per 6.4 below).

Extract from Council’s Procurement Policy.

## 15 Quarterly Reporting to Council

The Committee is to provide the following quarterly documentation to Council no later than the following dates:

Quarter End	Due Date for Reporting
30 September	14 October
31 December	14 January
31 March	14 April
30 June	14 July

The quarterly reports are to contain:

- Agenda and Minutes of meetings held for the applicable quarter.
- Financial Statements as at the date of the financial quarter. Includes Balance Sheet and Profit and Loss Statement.
- Bank reconciliation, including a copy of the bank statement signed by the Treasurer and President and the reconciliation worksheet.
- A report on purchases for the quarter, along with supporting evidence of invoices.
- Asset Hand Over Forms.
- Conflict of Interest Forms completed.

All reports and documents can be uploaded directly into SharePoint, and notification of the upload of documents is to be made to the Manager Corporate Services and the Governance Officer.



## 16 Annual Reporting to Council

An annual report on the activities of the Community Asset Committee is to be provided no later than the 31 July each year, for inclusion in Council’s Annual Report.

The report is to be provided to the Manager Corporate Services. Supporting photos are required to accompany the report.

## 17 Access and Inclusion

Council is committed to promoting an inclusive municipality that respects human rights and fosters participation in all aspects of community life.

Committees must ensure that all community members are treated fair and equal and feel safe attending the Hopetoun Recreation Reserve.

## 18 Insurance

### 18.1 Public Liability and Risk Management

The number and value of claims arising from personal injury or property damage is increasing. Council requires the Committee to minimise incidents through sound risk management.

The Committee’s responsibilities as the manager of the *Asset* are to:

- a) avoid situations that may give rise to a claim.
- b) control and record any incident that may lead to a claim being made.
- c) prepare for a claim to be made resulting from an incident no matter how remote it may seem; and
- d) report all property damage/maintenance issues that may contribute to a claim.

In the event of any incident, Committees must follow Council’s incident and claims procedures as detailed below:

- a) report all incidents accidents or property losses to the Council representative as soon as possible.
- b) all losses and claims that are not reported in a timely manner can be denied by Councils insurer.
- c) all incidents that are potential claims need to be handled sensitively and as soon as possible after they occur; and
- d) a detailed investigation will be carried out by Council.

In all cases where a member of the public is injured or has property damaged:

- a) action needs to be taken to minimize the chance of any further incidents by securing unsafe areas or facilities; and
- b) first aid and medical care should be provided immediately, and prompt and proper care provided to any injured person.

### Incident and Claim Report

The Committee’s responsibility is to provide the facts of the incident and report them to Council, **NOT** to decide on the validity or otherwise of the claim or potential claim. The Committee should immediately seek assistance from the Council representative.

It is essential that as much information as possible is gathered as early as possible. The longer the time lapse between the incident and the investigation the less likely it is that information will be available or accurate. It is important that a report is made of potential

and notified claims because a claim may not arise until many years after an incident occurred.

## 18.2 Contents Insurance

Council’s insurance policies will cover fixed assets within the Hopetoun Recreation Reserve.

## 18.3 Building (Property) Insurance

Report all property damage, storm, flood damage, theft, or any other type of property damage to Council immediately. Council’s insurer can deny claims that are not reported in a timely manner.

The building (property) insurance excess may be payable by the committee or by Council depending on the nature of the claim.

## 19 Risk Management

A ‘risk’ is the chance of something occurring that has the potential to cause loss, damage, or injury. ‘Risk management’ involves identifying risks and taking precautionary measures to minimize the chance that a particular event will occur.

Risk management is setting in place practices and processes that enable risks to be identified, minimized, and dealt with. Risk management seeks to minimize the impact of undesirable events, without discouraging appropriate risk taking and initiative.

Committees are strongly urged to undertake a formal risk assessment in company with the Council, develop a risk management plan and conduct an annual review. It is better to plan for risks than to think about them after something has gone wrong.

The Committee is required to:

- a) ensure users are aware of the location of emergency exits and fire protection equipment and emergency response procedures.
- b) advise the Council representative immediately of an incident likely to give rise to:
  - i. injury to any person; or
  - ii. damage to any property associated with the Asset or other parties.

A hazard, incident or injury report form should be used to record the details. Refer any public liability insurance claimants directly to the Council representative.

A safe work method statement form should be used by Committees to ensure maintenance tasks are conducted safely and with the appropriate risk control measures.

Any Committees that have purchased equipment such as mowers and trimmers must ensure all that maintenance is conducted in line with the product specifications and that faults/repairs/repairer information is recorded.

### 19.1 Occupational Health and Safety

All works to be undertaken at the Hopetoun Recreation Reserve Asset must be undertaken in accordance with the Occupational Health and Safety Act 2004 and Occupational Health and Safety Regulations 2017.

All contractors engaged must be suitably qualified to undertake the task, and must meet the following minimum standards:

- Suitably qualified, with applicable licences and qualification.
- Public Liability insurance with a minimum value of \$10million.

Verification must be sought before works can be undertaken by a contractor.

If clarification is required, please contact Council’s Governance Officer.

## 19.2 Public Safety & Standards

The Committee must take all reasonable steps to protect the attending community and take reasonable care to avoid a foreseeable risk of injury to anyone lawfully entering the *Asset*.

This section gives details of the standards that Committees need to maintain to ensure that harmful events are minimized and that when they do occur, it is not because of a Committee’s negligence.

The aim of a public safety program is to establish procedures to prevent injury to members of the public or damage to third party property.

## 19.3 Maintaining Public Safety Standards

Committees are required to check the current safety levels and undertake any repairs and improvements as necessary to bring the *Asset* up to the appropriate standard and maintain that standard. To do that it requires regular inspections, a maintenance program and a system for reporting and remedying faults and defects.

It is important that the Committee is familiar with and understands the requirements of the:

- a) *Public Health and Wellbeing Act 2008*

## 19.4 Regular Inspection

The purpose of regular inspections is to detect and repair faults and defects before members of the public, employees or volunteers are injured, or the faults and defects cause a more rapid depreciation of the assets and hence higher maintenance and repair costs.

Inspections should be conducted regularly using a checklist. The frequency of inspection will vary with the type, nature, and uses of the *Asset*. Records should be maintained of each inspection including.

- a) who undertook the inspection.
- b) the date of the inspection.
- c) copies of the checklist.
- d) results of the inspection and any corrective action required; and
- e) dates the corrective actions were taken and why.

Council’s Building and Maintenance Coordinator (or their delegate) will undertake an annual inspection each year.

## 19.5 Maintenance

A well-documented, regular maintenance schedule should be kept for the *Asset*.

All facilities should be maintained in a safe condition. Failure to maintain facilities can have greater consequences than not providing them.

The Committee should ensure that it allows for maintenance costs of facilities in the budget and that adequate provision is made for the increased maintenance requirement as the *Asset* ages.

The Committee is responsible for all routine maintenance such as cleaning, gardening and kerbside waste collection. The Committee is also authorised to undertake minor repairs and maintenance if the value of the proposed works is less than \$2,000.

Please refer to the Maintenance and Servicing Guidelines for Recreation Reserves

## 19.6 Fault/Defect Reporting

Faults and defects will be identified as part of the regular inspections but will also be identified at other times by different people including Committee members, users of the *Asset* and the general public. They may be fixed immediately or may require action by maintenance staff or a contractor.

The Committee must have a system to record faults and defects that are identified outside the regular inspection program and to ensure that any such faults and defects are brought to the notice of the Committee. Such a system should not rely on casual contact or telephone calls but be a written record that includes details such as:

- a) who identified the fault and defect.
- b) the date it was reported to the Committee, and to which Committee or staff member.
- c) correction action required, and
- d) dates the corrective actions were taken and by whom.

It is essential that prompt action be taken to investigate a matter and carry out the appropriate repairs.

It is particularly difficult to defend a case for liability for injury when the injury has occurred to a member of the public after a specific fault or defect has been reported to a Committee but has not been acted upon.

theft, but to minimize unauthorized use of an *Asset* or area outside supervised times.

## 19.7 Failure to Meet Risk Management Requirements

Failure to meet the risk management requirements may result in Council taking over management of the *Asset* until the issue can be resolved.

Council will make every effort to assist the Committee in achieving the requirements before this outcome takes place.

## 20 Volunteers

Volunteers and voluntary groups are an invaluable resource to the Council and the community and make a significant contribution to the community life.

The engagement of volunteers to assist Council and the Committee will be done in a manner that complies with all relevant Council Policies and associated legislation.

All Volunteers must be registered with Council and undertake the applicable induction program.

Volunteers must be referred to Council’s Manager People and Culture.

Approved at Council Meeting

<b>Facility Management Plan Adopted:</b>	Ordinary Meeting	Minute – Page Number <b>XX</b>	
	27 November 2024		
<b>Facility Management Plan Reviewed:</b>			

Approved at Hopetoun Recreation Reserve Committee Meeting

<b>Facility Management Plan Adopted:</b>	Meeting:
<b>Facility Management Plan Reviewed:</b>	

## 21 Appendix 1 - Conflict of Interest Declaration



### Yarriambiack Shire Council Conflict of Interest Declaration

*See reverse side for Explanatory Material*

<b>Name</b>	
<b>Position</b>	
<b>Date</b>	
<b>Subject /Project/Report (if applicable)</b>	

Please tick the relevant boxes

<input type="checkbox"/>	I do not have a conflict or perceived conflict of interest to declare.
<input type="checkbox"/>	I have a conflict or perceived conflict of interest to declare. [If you have answered yes to this question, please enter the details in the table below in consultation with the Committee President.]

Conflict of Interest Declared	Agreed Management Process
<b>Controls</b>	

Acknowledgement:

Name of Committee Member:	Signature:	Date:
Name of Secretary:	Signature	Date:
Name of President:	Signature:	Date:



## **Explanatory Material**

Yarriambiack Shire Council Community Asset Committee Members declare and avoid conflicts of interest to help maintain community trust and confidence.

A conflict of interest can be actual, potential or perceived. This relates to circumstances where the committee member could be directly influenced or where it is perceived the committee member might be influenced.

Community Asset Committee Members ensure their personal or financial interests do not influence or interfere with the performance of their role. They seek to ensure the interests of family members, friends, or associates do not influence or could be perceived to influence their performance in the job.

If a Committee Member is unsure about a possible Conflict of Interest they should seek advice from the President of the Community Asset Committee.

### ***What is a Conflict of Interest***

A conflict of interest occurs when a committee member has a personal, professional or business interest that is likely to either influence their decisions or interfere with the proper performance of their committee duties. Conflicts of interest are not wrong in themselves, but such conflicts must be disclosed and effectively managed.

A perceived conflict of interest occurs when it may appear to others that personal, professional or business interests have the potential to interfere with the proper performance of official duties (in some circumstances, the appearance of a conflict of interest could itself jeopardise public integrity and must be recorded)

Interests are defined as those interests that can bring benefit or disadvantage to committee members or to others (for example family and friends) whom other committee members or residents may wish to benefit or disadvantage.

### ***What is Delegated Authority***

The Conflict Of Interest rules apply to situations where the person is exercising a statutory power, duty or function of the Council under delegation. This includes recruitment processes, resident acceptances, purchase orders and certain planning matters.

### ***Council Procedure***

Council and the Committee treats all personal information provided in a Conflict Of Interest Declaration in accordance with the *Privacy and Data Protection Act 2014* (Vic) and the *Public Records Act 1973* (Vic). Following review of the Declaration by the Community Asset Committee President and Secretary it will be securely retained on the Council maintained ShareFile.