

RICHMOND VALLEY COUNCIL POLICY REGISTER

File No: C.470.00

Policy No: 1.3.7

POLICY:	MANAGING COUNCIL'S COMMUNITY FACILITIES
FUNCTION:	Corporate Administration
OBJECTIVE:	To allow interested community members to assist Council with the care, control and management of specific facilities and to provide such community members with guidance and direction so as to ensure the facility is efficiently and effectively managed for the benefit of the community.
DIRECTORATE:	CORPORATE SERVICES

POLICY:

To manage Council's community facilities Council is empowered by the Local Government Act 1993 Section 355, to appoint local committees. This policy outlines the code of practice that these committees will follow to achieve Council's aims. To assist the committees, a Manual is available entitled "Managing Council's Community Facilities".

1. POWERS AND DUTIES

The committee will be responsible for the care, control and management of the reserve, function or facility for which they have been appointed. The committee is empowered, subject to limits as approved by Council and the annual budget statement of the committee as approved by Council, to vote such sums for expenditure as is necessary from its revenue to achieve the delegated function. All other expenditure must be first approved by Council.

The committee is regulated by Section 377 of the Local Government Act 1993, which makes the following rules:

The committee is expressly prohibited from:

- (a) Fixing any charges, rates or fees (the committee may make recommendations to Council in relation to the fixing of charges, rates and fees for use of the facility under its control).
- (b) Adopting a Management Plan.
- (c) The borrowing of any monies without the express consent of Council on each occasion.
- (d) Adopting a Financial Statement not approved by Council.

- (e) The sale, lease or surrender of any land or other property vested in its care under the provisions of the Act.
- (f) Voting of money for expenditure on its works, services or operations unless approved by Council. The inclusion of budget items approved by Council is regarded as authority to expend such monies.
- (g) Accepting any tenders (as determined under the Act).
- (h) The payment of any reward, allowance or travelling expenses to its members, without Council's consent. The carrying out of any works on or to the facility, including alteration reconstruction or construction without the prior consent of Council. This consent may be contained within the approved annual works program and budget as advised to the committee.
- (j) Unreasonably withholding consent for the letting of the facility to any organisation which agrees to comply with Council's requirements and which is prepared to adhere to the rules adopted for use of the facility, providing an acceptable letting period is available. (In the case of specialist building, the Committee shall not approve casual or regular lettings which would unduly interfere in the use of the building for the purpose for which it was constructed, without the express approval of Council.)

Without limiting or restricting the preceding, the committee is required to:

- (a) Manage the reserve/facility in accordance with the approved plan of management. (Where plan of management does not exist these will be prepared in conjunction with Council.)
- (b) Maintain the reserve/facility to the satisfaction of Council.
- (c) Permit authorised Council officers to enter the reserve/facility at any reasonable hour for the purpose of carrying out inspections.
- (d) Comply with the requirements of relevant Acts of Parliament and ancillary regulations, rules and by laws and the requirements of the relevant public authorities including Council and to meet all charges in connection therewith.

2. STORES PURCHASING

- 2.1 All stores purchasing should be, where practical, carried out through Council's Purchasing Officer to ensure that:
 - (a) Goods are purchased at the best possible price.
 - (b) Full advantage may be taken of Government Contract prices.

- (c) Full advantage may be taken of Council contract prices.
 - (d) Stores are used, where possible, from Council stock to increase stock turnover and thus improve prices.
- 2.2. Procedure for stores supply or purchasing would be for the secretary of the Section 377 committee to contact the Purchasing Officer.

The Purchasing Officer would then advise:

- (a) Whether the item is available ex stock.
- (b) Whether it can be obtained from a local supplier; in which case an order number will be given to allow the goods to be collected.
- (c) Whether the item has to be obtained out of town; in which case the Purchasing Officer will proceed to order the item upon receipt of a requisition from the Section 377 committee.

Note: It will be necessary for the Section 377 committee to be issued with a stores requisition book and a requisition would have to be supplied to the Purchasing Officer for action under Item 2 above.

3. TENDERS

- 3.1 Committee to supply Council with details of the work for which the tenders are to be called.
- 3.2 All tenders to be called by Council on behalf of the committee.
- 3.3 Council to accept the tender after the committee has made a recommendation on the tenders received.

4. QUOTATIONS FOR WORKS, SERVICES, PLANT AND EQUIPMENT

- 4.1 All quotations for plant and equipment and for works and services to be obtained by Council on behalf of the committee.
- 4.2 The committee to supply Council with details of the plant and equipment on the works and services so that quotations may be obtained.

5. CONFLICT OF INTEREST

- 5.1 Each member of the committee is to be provided with a copy of the Richmond Valley Council Code of Conduct. (Copies are available from Council.)
- 5.2 The Chairman, Secretary and Treasurer are to keep in their possession a copy of the Code of Conduct.

- 5.3 The Code of Conduct is to govern the conduct of all business conducted by the committee.
- 5.4 The Chairman shall report any breach of the code by members or staff to the General Manager for immediate investigation.

6. INSURANCE

Council's insurance policies cover community committees in the following areas:

- 6.1 **Buildings and Contents** – coverage extends for fire as well as extraneous peril (i.e., storm and tempest, rainwater, explosion, aircraft, riots and strikes, malicious damage, earthquake, water damage and car).
- 6.2 **Public Liability** – coverage extends to provide for public liability insurance cover.
- Note:* Public Liability insurance **DOES NOT** cover committee members for personal injury or property loss whilst acting as the committee (see 6.6).
- 6.3 **Theft** – coverage for damage to buildings and contents contained therein and owned by Richmond Valley Council, due to theft or any attempt thereof, excluding loss of goods in the open air.
- 6.4 **Glass** – coverage of all internal or external glass including mirrors. No charge is payable by the committee for this cover.
- 6.5 **Contents** – any contents owned and stored in the building by user groups **must be insured by that group**. Contents owned by the committee are covered in 6.1 and 6.3.
- 6.6 **Personal Accident** – coverage extends to committee members and voluntary workers assisting Council with the care, control and management of specific facilities. Coverage to volunteers applies only in respect of those specific activities formally approved by the committee or Council.

The following requirements for volunteers working for Section 377 committees are:

1. That the volunteer has a clearly defined task and they have been briefed and understand that task.
2. That the volunteer is trained to undertake the task.
3. That volunteers are supervised.

4. That a register of volunteers' names, addresses, etc is kept.

Not complying with the requirements may affect the eligibility of a claim under this cover.

No charge is payable by the committee for this cover.

7. REPORTING

The committee is required to forward to Council a copy of their monthly financial statements and a copy of the minutes of each meeting. Annual financial statements and annual audits are required by Council

VARIATION:

Council reserves the right to review, vary and/or revoke this policy from time to time.