



BYRON SHIRE COUNCIL



# Byron Shire Council Halls and venues guidelines

for

**Section 355 Management  
Committees and Boards**



## INFORMATION ABOUT THIS DOCUMENT

### Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
#160617	10/8/99	Adopted Res No. 8899
	22/11/07	Res 07-666 Terms of Reference for Mullumbimby Civic Memorial Hall
#815939	27/11/08	Res 08-725 appointment of Councillor delegates
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	9/4/09	Res 09-142 – incorporate Bangalow Clay Tennis Courts into the Heritage House Bangalow area of operations
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### Further Document Information and Relationships

<b>Related Legislation</b>	<a href="http://www.legislation.nsw.gov.au/">http://www.legislation.nsw.gov.au/</a> Section 355 Local Government Act (Committees) Section 377 Local Government Act (Delegations) Section 441-443 Local Government Act (Pecuniary Interest)
<b>Related Policies</b>	Procurement and Purchasing Policy Code of Conduct 2019 Code of Meeting Practice Gifts and Benefits Policy Smoke Free Outdoor Areas Policy Social Media Policy Sponsorship Received by Council Policy Volunteering with Council Policy Work Health Safety Policy, Plans and Procedures
<b>Related Procedures/ Protocols, Statements, documents</b>	Documents are available on Council's Web site at <a href="http://www.byron.nsw.gov.au/">http://www.byron.nsw.gov.au/</a> or hard copy by contacting the Community Development team at Council on 6626 7000. <ul style="list-style-type: none"> <li>• Adopted Fees and Charges</li> <li>• Section 377 Delegations</li> <li>• Engagement of Volunteers Procedure</li> </ul> Templates and resources are available to committees and boards and accompany these Guidelines. Refer to document number E2016/76755 for a list of templates and resources.

*Note: Reference material and templates will be updated as required.*

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## SECTION 1: FUNCTIONS AND DELEGATIONS

### 1.1 Introduction

Byron Shire Council recognises the important part volunteers and community groups play in providing and managing Council facilities or services. There are a number of Committees/ Boards which are constituted under the powers provided by the Local Government Act, and this document refers to these Committees. Where the word 'committee' is used, it also refers to Management Boards.

Upon formal approval of a Section 355 Management Committee/ Board (Committee) by Council, its members are required to adopt and adhere to the conditions set out in this document. Adherence will ensure Committee members are aware of their responsibilities and adequately covered by insurance.

Byron Shire Council provides advice and direction on matters associated with these Committees and members can seek Council's assistance in this crucial role at any time.

Committees can have different responsibilities and for this reason some clauses of these Guidelines will not necessarily apply or be relevant to each Committee. A Council resolution is required if the Committee are not acting in accordance with these guidelines.

This manual has been prepared to:-

- Provide a comprehensive guide on the management responsibilities, functions and operations of community facilities;
- Provide good practices and operational issues for the Committee; and
- Clarify Council's and the Committee members' role in this partnership.

Committee members have a right:

- To work in a healthy and safe environment;
- To be adequately covered by insurance.
- To be provided with sufficient training and support to undertake their role.

### 1.2 Delegation of Function

Under the Local Government Act 1993 Council is able to delegate some of its functions to a Committee of Council. Council uses this delegation and appoints community people to manage its facilities or functions through a Section 355 Management Committee. These delegations are set out in a 'Delegation of Authority' document for each committee, which is adopted by resolution of Council.

Hiring a facility is central to the purpose of the Committee. Making the facility readily accessible to the community, whilst at the same time, raising funds for its maintenance and future improvements are some of the main objectives of the Committee.

*[See – Delegation of Authority \(each Hall has its own document\)](#)*

### 1.3 Why Does Council Have Section 355 Management Committees?

The Committees provide a mechanism by which interested persons can have an active role in the provision / management of Council facilities or services. This provides a two-fold benefit by giving protection to the Committee operating under the banner of Council, and by providing Council with assistance in the carrying out of its functions.

As the Committee are acting on behalf of Council, it is important to uphold the principles of equity, accessibility and inclusivity, providing for the whole community.

Research shows that community involvement in managing community facilities provides better outcomes for locals whilst engaging and including local people, both new and existing residents, and providing an opportunity to participate in local community life.

#### **1.4 How are Section 355 Management Committees Established?**

Committees are established under Section 355, with delegations from Council under the provision of Section 377, of the Local Government Act. Section 355 allows Council to exercise a function of Council and Section 377 allows Council to delegate functions of Council. These terms refer to the Section of the Local Government Act in which the authority for such a Committee to be formed is identified.

## **SECTION 2: RESPONSIBILITY**

### **2.1 Responsibility**

The Committee will be responsible for activities as determined when the Committee is established. Terms of Reference for each facility are adopted by Council at the beginning of each term, with a term duration of 4 years.

### **2.2 Limitation of Powers**

The Committee may not make decisions concerning the following:

- a) Fixing of charges or fees (the Committee may submit recommendations for approval by Council in relation to the fixing of charges and fees for use of the facility under its control), including a policy for exemption from fees and charges.
- b) Borrowing of monies.
- c) The sale, lease, sub-lease or surrender of land and or other property vested in its care under the provisions of the Local Government Act 1993 (as amended).
- d) The acceptance of tenders which are required to be called by Council. (The Committee may invite and accept quotations for minor works, goods and services covered within the scope of its authority or as agreed with Council).
- e) The payment or making of a gift (other than a token gift), to its members, notwithstanding Resolution 14-601 regarding the payment of Honorariums to committee members. This includes the payment of allowances or travelling expenses incurred whilst attending Committee meetings. Token gifts are as per the Gifts and Benefits Policy and Code of Conduct.
- f) The payment of monies outside the scope of the Committee's function.
- g) The carrying out of works on or to the facility including alterations, reconstructions or construction without the prior consent of Council (does not include minor maintenance works).
- h) Unreasonably withholding consent for the letting of the facility to an organisation which agrees to comply with and adhere to the rules adopted for use of the facility, providing an acceptable letting period is available.
- i) Vote monies for expenditure on the works, services or operations of Council.

The exercise by the Committee of its power and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe the Rules and Regulations made by the Council, in relation to the facility/function under its management and control.

If the Committee is deemed to be functioning outside the limits of its powers as described herein, powers may be revoked by written notice to the Committee signed by the General Manager or his/her representative.

## **2.3 Code of Conduct**

Byron Shire Council has adopted a Code of Conduct that is applicable to elected Councillors, employed staff and Committee members. This Code of Conduct sets out the principles to ensure the business of Council is carried out in an efficient, honest and impartial way.

As Committees are operating on behalf of Council, it is important for Committees to be aware of, and abide by, this Code of Conduct.

Council's Committees have the responsibility to ensure the following:

- a) Access is available to the entire community and is not denied because of ethnicity, gender, disability or religion.
- b) Priority of use should be given to non-profit making community groups and organisations.
- c) That the facility not be aligned with, or advocate or advertise for or on behalf of, a political party or person/s.

When appointed as a community member on a Committee you will receive a copy of Council's Code of Conduct Policy and agree, when carrying out your duties as a Committee member, to comply with the Code of Conduct. Note the failure to comply with the Code of Conduct could result in your removal from the Committee.

A "Volunteer Registration Form" is required to be completed by appointed Committee Members. (Refer Section 7.17 Volunteers)

## **2.4 Accountability**

The Committees need to be aware that accountability is required to Council, user groups and the general community. Committees are required to:

- a) Hold an Annual General Meeting (AGM) to elect office bearers. (Refer to clause 3.7.2)
- b) Provide reports, minutes and annual financial statements to Council as required.
- c) Ensure that affected persons are aware of the Committee meeting details.

## SECTION 3: APPOINTMENT AND MEMBERSHIP

Council aims to appoint Committees which are representative of the local community or interest groups for the function and tasks which the Committee manages.

### 3.1 Appointment

- a) To hold office and be responsible for the management of a Council facility, all community Management Committee members will be assessed against a set of criteria and appointed by Council. The selection criteria are:
  - i) Have established ties to the Byron Shire community, and
  - ii) Experience (professional, amateur, volunteer) working in either; venue management, event management, conference organising, music promotion, theatre production, design, marketing, or related technical areas such as accounting, managing people or business, community services or groups or fundraising.
- b) Council must also appoint new members before they are able to vote and take part in meetings of the Management Committee.
- c) The Council may dissolve a Management Committee at any time.
- d) The term of office for Committees will be the same term as the current Council, with the addition of an extra three months after the General Election of Councillors, unless as a sunset Committee, ie, with a finite time specified.

Nominations for Committees are formally submitted in writing to Council for appointment. Refer to Clause 3.5 for procedure to obtain new members when a vacancy occurs.

### 3.2 Committee Membership

Committee membership will number not less than four and not more than nine and each committee will state the actual number in their Terms of Reference unless otherwise decided by Council. The exception will be the Bangalow Parks (Showground) committee which numbers up to twelve. Council reserves the right to appoint up to two Councillors to each Committee. The total number of members includes office bearer committee members and Councillor members which are appointed by Council.

Whilst no particular qualifications are necessary (notwithstanding 3.1.a), a commitment to the activities of the Committee and a willingness to be actively involved in Committee issues is essential. Committees work best when the workload is shared amongst committee members and there is evident goodwill and cooperation amongst members. Some tips collected from existing committee members are shown below:

What works well?

*A good strong committee*

*Working well together*

*Boundless goodwill*

*Engaged and enthusiastic*

*Enormous amounts of*

*positive energy*

*Cooperation, work as a team*

*Communication*

Tips for a well functioning committee

*Schedule meetings to suit all*

*Share a big picture/ vision for the venue*

*Develop the venue and extend its use*

*Share the load – don't let one or two people burn out*

*Seek out new activities, new ways to engage with the community*

*Brand and visibility are important*

*Common goals, structured meetings, good minutes, regular meeting attendance*



Committee members are expected to have access to a computer and able to use email as the major form of communication.

An application for Committee membership must be completed.

[\*See Template - Committee Nomination Form\*](#)

### **3.3 Dissolution of Committee**

The Council by resolution can dissolve a Committee at any time:-

- a) To carry out the control of the facility itself.
- b) If the Committee is not complying with the roles and responsibilities of the Committee.

In the event of membership dropping to less than 4 persons, in this respect Council may:

- a) Assist the Committee to re-establish its numbers;
- b) Dissolve the Committee and take over the responsibilities, consideration will need to be given to the long term viability of the facility or function.

Upon the Committee being dissolved, assets and funds of the Committee shall, after payment of expenses and liability, be handed over to Council.

Committee members are eligible for re-appointment. Council will advertise for and receive nominations.

### **3.4 Vacation of Office**

The office of a member on the Committee will become vacant in any one of the following circumstances.

- a) upon the death of the member;
- b) if the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or make an assignment of his or her remuneration for their benefit;
- c) if the member becomes a mentally incapacitated person;
- d) if the member resigns membership by notice in writing to the Council;
- e) if the member is absent for more than three consecutive meetings without leave of the Committee;
- f) if the member ceases to be a member of the organisation which he/she represents, (representatives of organisations will be given preference);
- g) while serving a sentence (whether or not by way of periodic detention) for a felony or other offence, except a sentence imposed for a failure to pay a fine;
- h) Council passes a resolution to remove the member from the Committee;
- i) if the member fails to comply with Council's Code of Conduct.

Resignations, or a Committee member ceasing to hold office because of any one of the above circumstances, will be reported to Council for information and any action if required.

### **3.5 Procedure for obtaining new membership**

When a position on a Committee becomes vacant or the Committee determines it requires further members, the Committee may request Council to advertise for a further member(s), to assist the Committee in a particular position.

Note:

- a) Unless a Committee member is urgently required it would be usual practice to advertise the vacancy.
- b) Advertisements for Committee members can be placed at the direction of the Committee or Council.
- c) Determination of the appointment of new members will be in accordance with Clause 3.1(b).

### **3.6 Representation on Committee**

Committee membership is made up of interested community members. Some committees may include the community organisations which use the facility, keeping in mind potential conflict of interest matters (refer to Section 4.7). Where there is a dispute on representation a final determination will be made by Council.

### **3.7 Committee Executive Positions**

Committees consist of office bearers (also known as the Executive) and other Committee members. The Committee elects the office bearers at its first meeting and thereafter at each Annual General Meeting. Office bearers are elected for a twelve month period. Particulars of all appointments must be notified in writing to Council as soon as possible after appointment is made, eg committee position, name, address, contact number and the user group represented (if any).

Committee members need to have a certain degree of commitment to their role as Committee members. One of the advantages of Committees is that the workload can be shared between the different Committee members. The roles listed below are only some of the committee's work, other tasks include marketing and promotion, and engaging with the local community. It is important each member understands this role and what is expected from the community.

#### **3.7.1 Office Bearers/Executive**

Office bearers do not have greater decision making powers than other Committee members, other than the chairperson who has a casting vote in the event of a tied vote. Whilst office bearers usually have defined roles, each Committee member plays an important part in the functioning of the Committee.

Office bearers must have access to a computer, have basic computer skills and be able to use email as a major form of communication.

At a minimum the Committee must have:

**a) Chairperson**

- Manage the operations of the Committee including meetings;
- Act as official representative on the Committee;
- Act on behalf of the Committee in an emergency or urgent situation;
- Assist the Committee members by providing direction, forward planning and vision for the community.

**b) Secretary**

- Deal with correspondence to and from the Committee;
- Issue the Agenda with instructions from the Chairperson (if required);
- Take and distribute meeting minutes;
- Ensure there is a flow of information to and from the Committee;
- Ensure that official files and records are kept and maintained;
- Notify members of meetings.

**c) Treasurer**

- Liaise regularly with the Bookings Officer or Venue Coordinator;
- Handle the movement of money within the Committee;
- Record income and expenditure and manage the accounts electronically. That is, track accounts either in specialised software or in excel spreadsheets, pay accounts electronically, manage internet banking and the like;
- Report on income, expenditure and cash flow;
- Financial Planning;
- Submit financial records to Council for auditing and GST purposes.

**d) Bookings Officer**

- Handle the bookings for the activities associated with the facility, including keeping accurate records of bookings; (Note: A record of the history of bookings is essential for an insurance claim to be made by casual or regular hirers of the facility.)
- Liaise with the cleaner/s of the facility to suit bookings schedule.
- Authorise the release of bonds.
- Must be able to accept email bookings and respond accordingly.
- Venue briefings for hirers and inspections. (This task may be allocated to other committee members to assist the Bookings Officer)
- Keep the online booking calendar updated.
- Work with other committee members on promotion of the facility, including any websites and social media activities.

**e) Maintenance Officer**

- Regularly assess the facility for any maintenance that may be required.
- Liaise with the cleaner/s of the facility to assess any maintenance that may be required.
- Obtain committee approval for routine maintenance to be undertaken and the associated expenditure (have these items noted in the committee minutes)
- Obtain quotes, liaise with contractors and ensure any invoices are checked against the quality of the final job completion before providing to the treasurer to pay.
- Where possible, meet contractors on-site prior to work commencing. If necessary, complete a site induction for all contractors, at least annually.
- Ensure professional contractors are used to undertake any works at the facility.
- Ensure any Work Health and Safety or other hazards are dealt with to ensure the safety of all visitors to the site.
- For questions and support, liaise with Council's Property Maintenance Coordinator.

A Committee member may fill more than 1 role (maximum 2 roles). The responsibilities of 1 position may be shared between 2 Committee members if desirable.

An executive member may request general Committee members for assistance with the role as needed.

The Committee may outsource some of the more 'workload heavy' positions, such as the Bookings Officer or bookkeeping or part of the position, if funds permit and approved by Council. See also Section 5.5 re payment of honorariums to committee members.

Further information on the responsibilities of each of these positions is shown in **Section 9** – Committee Members Responsibilities.

*See **Templates** – Refer sample job descriptions*

### **3.7.2 Annual General Meeting and Election of Office Bearers**

An Annual General Meeting should be held each year (usually November/ December) to elect/ re-elect office bearers, to connect with the users of the facility and the general community. This provides an opportunity for the committee to let users know what is happening with the facility, obtain feedback and also to execute the committee's responsibility to be accountable to the general community about the running of the facility. The meeting may be held in conjunction with an 'open day' for the venue.

At the AGM, Office Bearers of the Committee stand down and their positions are declared vacant. A Returning Officer, appointed at the meeting, takes the chair and calls for nominations for the positions of office bearers (also known as the Executive).

*See **Template** - Advertisement for Annual General Meeting*

### **3.7.3 Procedures for Election**

Nominations can be accepted in two ways:

- in writing, duly seconded, and signed by nominee, prior to the AGM; or
- verbally from the floor to the Returning Officer.

If two or more persons are nominated for a single position a vote must be taken. Persons nominated for election are entitled to vote for themselves. If a tied ballot occurs, the name of each candidate is written on a separate, identical piece of paper, and drawn 'from the hat' by the Returning Officer (or an impartial observer). The first name drawn is elected to the Office.

A list of duly elected office bearers / executive must be recorded together with the names of nominators and seconders. Minutes of the AGM with the list of duly elected Office Bearers must be sent to Council for approval within 5 working days.

*See **Template** – Annual General Meeting Agenda Template (use Minutes Template for AGM minutes)*

## SECTION 4: MEETING PROCEDURES

Meetings are to be conducted to standard guidelines (based on the Code of Meeting Practice), which are detailed in the following section and include:

- a) that a quorum be present;
- b) that appropriate notice is given;
- c) that business on the agenda is properly conducted;
- d) that correspondence and minutes are recorded.

Committee members should work together to schedule meetings at a mutually convenient time for all. Ideally, meetings are held at the hall or facility, however if scheduling suitable meeting times becomes difficult due to bookings, they may be held in another public space, such as a café, park, etc. Meetings should not be held on private property.

### 4.1 A Quorum

This refers to the minimum number of members who must be in attendance to transact business.

Council regulations state:

- (a) A quorum is reached when more than one half of the members are present. For a Committee with an even number of voting members, half that number plus one must be present. For a Committee with an odd number of voting members, a majority must be present,
- (b) If a quorum is not present within half an hour after the appointed starting time, the meeting will be adjourned to a time fixed by the Chairperson; or those present can hold an informal meeting to discuss matters. However, decisions taken by the Committee are not recognised until a meeting has ratified them where a quorum is present.

### 4.2 Agenda

The agenda is an organised list of headings of the major items, in order, that will be discussed at the meeting. A copy of the agenda is distributed to the Committee members at the commencement of the meeting, or before if it is possible. Late matters can be added to the agenda at the opening of the meeting as the chairperson calls for discussion on the agenda.

Each item of business to be discussed at the meeting needs to be put on the agenda.

Unfinished business and reports on actions taken since previous meetings are included in the agenda under 'Business arising from previous minutes'.

If items on the agenda are not discussed due to limitations of time, they are carried over to the next meeting agenda.

[See Template - Agenda Template](#)

### 4.3 Conduct of Business

Each item of business is discussed in the order in which it appears on the agenda. Allow adequate time for discussion on important issues. Ensure relevant information on the matter under discussion is available at the meeting.



#### 4.4 Correspondence

A list of significant correspondence received (Inwards) is presented at the Committee meeting by the Secretary. This action is to inform members of new issues that may have arisen and to report on letters received in response to matters raised at previous meetings. A list of significant correspondence sent out (Outwards) is provided to inform the members of the action taken on their behalf.

Correspondence will be suitably filed together for future reference. (Refer 7.14 filing and record keeping.)

#### 4.5 Minutes of Meeting

Minutes of the meeting must be recorded and a motion/recommendation put forward by the Committee members. The motion/recommendation after being voted on by the Committee should be recorded as “carried” or “lost”. (See voting 4.6 below)

This document is to be an accurate recording on what happened at the meeting.

The Minutes of each meeting must be sent to Council within 14 days after the meeting and confirmed at the Committee’s next meeting.

On receipt of the Minutes by Council they will be reviewed and the Committee may be contacted if required. Council will not act on Minutes recommendation/motions alone, a request for information/action etc. by Council must also be put in writing from the Committee.

The Committee is required to be aware of the importance of minutes because of their legal status and their liabilities to subpoena in court cases. Minutes of each meeting are provided to the general public via Council’s website in the interests of transparency and accountability.

Records of Council Committees should be kept for at least 5 years. (Refer 7.14 filing and record keeping.)

[\*See Template - Minute Template\*](#)

#### 4.6 Voting

Voting allows members to express their agreement or disagreement. Voting can be conducted in one of three ways.

- a) **Vote verbally**  
The chairperson asks people to say ‘for’ or ‘against’ and then decides which group is the largest.
- b) **Vote by show of hands**  
The chairperson asks people in favour of a decision to raise their hands, firstly those in favour, counts hands and announces the total, and does the same for those against.
- c) **Vote by secret ballot**  
Members vote on paper and put into general pool, the secretary and a member not standing for a position count the votes (requests by members for secret ballot cannot be denied).

For motions/recommendations, the Committee needs to have an agreement concerning the way a vote will be conducted (either a), b) or c) above), eg. For the vote to be carried, you will need a simple majority (more than half). If it is a tied vote the Chairperson has the casting vote and where this happens, this should be recorded in the Minutes.

#### 4.7 Pecuniary and Non-Pecuniary Interest

Pecuniary and Non-Pecuniary Interest may be defined as an interest that a Committee person has in a matter, as a member or employee of a company or other body, because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person, or another person with whom the person is associated. Such other person includes the spouse or de-facto partner or relative of the Committee person. Pecuniary refers to possible financial gain whereas non-pecuniary refers to any other type of interest.

##### Disclosure of Pecuniary and Non-Pecuniary Interests

- a) Interest should be declared and noted in the meeting minutes if
  - (i) A committee member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting; or
  - (ii) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter.

The member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at the meeting.
- b) A Committee must ensure that:
  - (i) Particulars of disclosures made under this clause are recorded in the minutes; and
  - (ii) The minutes are available for inspection (ie committee meeting minutes are placed on Council's website).
- c) After a member of a Committee has disclosed the nature of an interest in a matter, the member must not:
  - (i) be present during the deliberation of the Committee with respect to the matter; or
  - (ii) take part in the decision of the Committee with respect to that matter.
- d) For the purposes of the making of a determination by a Committee under subclause (4), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:
  - (i) be present during the deliberation for the purpose of making the determination.

## **SECTION 5: FINANCIAL MATTERS**

### **5.1 Financial Issues**

Committees are given authority to operate by Council and are subject to the same rules and regulations. These rules are set out in the Local Government Act, and Local Government Regulations and Accounting standards and must be adhered to.

Committees are, as the name suggests, established to benefit the community and are made up of members of the community. Funds raised, received or spent are subject to public scrutiny, just the same as Council. The concept of public accountability involves a responsibility to ensure that Committee funds are used in the manner for which they were intended and that a clear and full disclosure of the Committee's financial activities is available.

### **5.2 Control**

The General Manager has the authority to direct Committees to process their financial records through the Council's financial system if he/she is of the opinion that this is a most appropriate method of recording those financial transactions.

### **5.3 Accounting**

Council requires the following conditions in relation to Committees.

#### **Committees operating through Council's financial system being:**

- Brunswick Heads Memorial Hall
  - Brunswick Valley Community Centre
  - Lone Goat Gallery
  - Mullumbimby Civic Hall
  - Ocean Shores Community Centre
  - Marvell Hall, Byron Bay
  - South Golden Beach Hall
  - Suffolk Park Community Hall
- a) A bank account to be set up in the name of the Committee with at least 2 Committee members' signatures and details of the account be provided to the Finance department.
- b) A balance of \$5,000 will be made available for expenditure by the Committee (ie a bank account float). Note this delegation is available to the Committee as a whole and approval for expenditure needs to be noted in the meeting minutes.
- c) Council has provided Committees with the delegation to approve financial transactions to the value of \$5,000.
- d) Monies received by the Committee must be banked within 24 hours or as soon as practicable.
- e) The Committee is authorised to draw on its account for such sums as it may require in the performance of delegated function but under no circumstances will the account be overdrawn.
- f) Information on income and expenditure must be kept electronically. An excel spreadsheet or suitable accounting software should be used. Refer to the Treasurer's role and responsibilities in Section 9.4.

- g) Receipting: Payments are accepted via direct deposit into the Committee's bank account. Where a cheque is received (not encouraged), receipts, in the name of the Committee, will be issued for charges and other monies received and duplicates of receipts will be retained for audit.
- h) Purchasing: Payment should be made by EFT (electronic funds transfer) and in every case evidence of the need for the payment (Tax Invoice) is required to be obtained and attached to payment records. A credit card receipt is not a Tax Invoice, please ensure receipts say 'Tax Invoice' and clearly show any GST charged.
- i) At the end of each month, income generated from the hall should be banked into Council's Bank Account. Income will be shown on the Committee's Income Summary monthly report provided by Council on the date the deposit is actually banked (refer point k below).
- j) After the end of month reconciliation, Tax Invoices paid by the Committee are required to be submitted to Council for reimbursement of funds monthly. This allows for appropriate GST reporting on expenditure and maintaining of records in line with tax guidelines.
- k) Council will provide the Committee a report (excel spreadsheet) of their income and expenditure monthly. The report will show income and expenditure as recorded in Council's finance system. Please ensure that income for the month is deposited into Council's account prior to the end of the month so it shows in the correct month as received. As with expenditure, ensure expenditure reimbursements are submitted to Council in a timely way to be recorded in the appropriate month.
- l) The Committee is required to review Council's report with its own records of income and expenditure and any discrepancy be brought to the attention of the Finance Department immediately.
- m) The Committee is required to confirm the report at their next available meeting.

**If the Committee is not operating through Council's financial system, such as:**

- Bangalow A&I Hall
- Bangalow Parks (Showground)
- Durrumbul Community Centre
- a) A bank account must be opened at a branch of a recognised bank or Credit Union with an office in Byron Shire. Such account will be in the name of the Committee.
- b) Monies received by the Committee must be banked within 24 hours or as soon as practicable.
- c) The Committee is authorised to draw on its account for such sums as it may require in the performance of delegated function but under no circumstances will the account be overdrawn.
- d) Information on income and expenditure must be kept either electronically (preferable) or hard copy. An excel spreadsheet or suitable accounting software should be used. Refer to the Treasurer's role and responsibilities in Section 9.4.
- e) Receipting: Payments are accepted via direct deposit into the Committee's bank account. Where a cheque is received (not encouraged), receipts, in the name of the Committee, will be issued for charges and other monies received and duplicates of receipts will be retained for audit.
- f) Purchasing: Payment should be made by EFT (electronic funds transfer) and in every case

evidence of the need for the payment Tax Invoice is required to be obtained and attached to payment records. A credit card receipt is not a Tax Invoice, please ensure receipts say 'Tax Invoice' and clearly show any GST charged.

- g) The Committee may authorise its Chairperson, treasurer and one other person to sign on its behalf on the basis that two authorisers/ signatories are required on each payment.
- h) Records will be made available for inspection whenever required by an inspector of local government accounts, Council's auditor, Councillors, or an authorised officer of Council.
- i) It is recommended the financial report summarising the income and expenditure and including a bank reconciliation be reported (where available), to each ordinary meeting of the Committee.
- j) A quarterly report of the financial affairs must be provided to Council in line with GST reporting. At each quarter this report should include profit and loss statement, balance sheet and BAS and needs to be received by Council in the second week of the following month, see Section 5.6 re GST.
- k) The Committee will be entitled to spend the monies raised in the management of the facility under their control. These monies can only be expended strictly in accordance with conditions imposed in these Guidelines, by the Council, and their delegations, and only upon the facility of the Council for which the Committee has been constituted.
- l) In the event that the Committee receives a financial contribution from Council, this payment will be made in the form of a grant and appropriate evidence of expenditure documentation will be required by Council.
- m) An annual Profit and Loss Statement for the Committee must be submitted to Council within 30 days from the end of the financial year.

#### 5.4 Out of Pocket Expenses

A Committee member cannot incur out of pocket expenses without prior approval by the Committee. This approval and a monetary limit is required to be recorded in the meeting minutes.

Tax Invoices for these out of pocket expenses eg fuel, stationery, telephone, are required to be presented to the Treasurer (after committee approval) before reimbursement is made.

#### 5.5 Honorarium Payments to Committee Members

*(Based on Council resolution 14-601 made on 11/12/2014)*

- a) Section 355 Committees may vote to pay an honorarium (allowance) to Committee members or agents for duties undertaken in their role on the committee as follows:
  - i) Up to \$100 (excl. GST) maximum per week for Booking Officers or other roles determined by the Committee (eg Maintenance Officer, Volunteer co-ordinator).
  - ii) Up to \$100 (excl. GST) maximum per month for other Administration positions such as treasurer, secretary, etc.

These payments must firstly be recommended by the Committee and recorded in their Meeting Minutes. **Approval by Council's Finance Manager is required prior to implementation to ensure the income generated from the facility is sufficient to sustain these costs within the overall facilities management and maintenance budget.**



2. Regular cleaning of facilities and venues should be contracted out to professional cleaners (refer to Section 8). If a Committee Member is involved in ad hoc cleaning (for example, when a hirer has not adhered to their conditions of hire), a payment of \$20 (excl. GST) per hour may be paid provided Work Health and Safety procedures are in place and the maximum hours are agreed to by the Committee and recorded in the Committee Minutes.
3. Committee members or agents receiving payments should note that:
  - a) The positions are not permanent and can be ceased by the Committee or Council at any time;
  - b) Payments are performance based and positions will be reviewed by the Committee as required with the assistance of Council;
  - c) Payments requested outside Point 1 or 2 above will require approval of Council.

## 5.6 GST

- a) **For Committees banking their income through Council:**
  - i) Quarterly GST calculations will be carried out through Council's Finance Department to be lodged with the Australian Taxation Office.
  - ii) The Committee will be advised of the calculation and either the reimbursement to the Committee or the further payment of GST if required.
- b) **For Committees not banking their income through Council the following information is provided:**

The Committee is undertaking activities under the banner of Council, with Council having delegated the appropriate authority under Section 355 and 377 of the Local Government Act 1993.

Council as an entity is required by law to have an Australian Business Number (ABN) and be registered for GST. This requirement means that this also applies to the finances relating to the Committees as they are carrying on a function on behalf of Council. In this regard it is requested these Committees:

- i) Utilise the Australian Business Number of Byron Shire Council being 14 472 131 473.
- ii) Apply GST to fees and charges for use of the facility where appropriate in accordance with Council's adopted fees and charges.
- iii) Provide Council with a summary of revenue and expenditure at the end of each quarter during the financial year and the amount of GST collected on revenue and the amount of GST that can be claimed as input tax credits on expenditure.
- iv) At the end of each quarter during the financial year if the GST amount collected on revenue exceeds GST input tax credits on expenditure then remit the difference to Council.
- v) At the end of each quarter during the financial year, if the GST amount collected on revenue is less than GST input tax credits on expenditure then Council will reimburse the Committee the difference.
- vi) Council will then include the quarterly summary from the Committee in its Business Activity Statements lodged with the Australian Taxation Office.  
Financial records that relate to the GST calculations are to be kept for at least 7 years. Should Byron Shire Council be audited by the Australian Taxation Office, financial records will be requested

***See Template - GST Calculation for BAS, GST Calculation Worksheet***

## SECTION 6: RISK MANAGEMENT/ INSURANCE

### 6.1 Property Insurance

Council facilities are covered for risks such as fire, theft and malicious damage. Committees should be aware of the excess applicable to this policy which is currently \$5,000.

### 6.2 Committee Members' Public Liability and Personal Injury Cover

**6.2.1 Public Liability:** The appointed Committee members are covered by the public liability policy of Council (currently \$400 million) anywhere in Australia.

Members of the Committee should note that they are only covered by public liability insurance when acting within the scope of their delegation.

This Policy also covers Council and the Committee against claims made by members of the public for personal injury or injury to personal property arising from a negligent act or omission of Council and/or the Committee.

This insurance does not preclude the Committee from due diligence and council policies must be adhered to.

This Public Liability Policy for Council and Committees is subject to a claims excess which is currently \$12,500 for each and every claim.

Committee members are also covered under the Councillor and Officer Liability Insurance, should a casual hirer take legal action directly against a Committee member. This is subject to appropriate conduct, ie criminal, fraudulent, dishonest or malicious act or omission committed by a Committee member will negate insurance cover.

**6.2.2 Personal Injury:** Committee members are covered when injured whilst undertaking duties relating to their role in the Committee.

**6.3 Contractors insurance:** Council's insurance does not provide any cover for Contractors. Where members of the Committee have authority to appoint Contractors, the types of insurances that should be held by Contractors (available to be sighted by Council if required) include Workers Compensation, Public Liability and where a vehicle is being used on Council property, Third Party Motor insurance.

### 6.4 Casual and Regular Hirers' Insurance Liability

A Casual and Regular Hirers' Policy (\$20 million) exists in order to cover persons using Council facilities on a non-permanent and not-for-profit basis, e.g. weddings, birthday celebrations or the like are covered under Council's Casual Hirer's insurance Policy.

For a Casual or Regular Hirer the claims excess is \$2,000 for each and every claim, payable by Council\*.

A record by the Committee of the history of bookings is essential for a claim to be made.

Note: Fundraising for an individual, a charity or community organisation or group will be covered under Council's Casual Hirer's Policy if the hirer:

- a) Is not a sporting group, club, association, corporation or incorporated body;

- b) Is not a sole trader or registered business;
- c) Is not making a personal financial gain from the activity;
- d) Is not a commercial activity;
- e) Is not a large (eg the halls capacity) evening event where alcohol will be sold or BYO.
- f) Provides the Committee a signed statement from the hirer and beneficiary that identifies the hirer and the intended beneficiary will be receiving all proceeds from the activity.
- g) Acknowledges that they are responsible for the claims excess, being \$1,000 or \$2,000, as applicable, for each and every claim under the policy arising from their event within Council premises.

## 6.5 Other Hirers' Insurance Liability

Persons or groups, not defined in 6.4 must have and provide the Committee with proof of their Public Liability insurance policy in the sum of not less than \$20 million if they fit into one of the following categories:

- a) Creates an income or profit from the activity eg. yoga, art, Pilates classes charging a fee for service, workshops by charging door entry, participation fee, prepaid fee.
- b) Makes a personal financial gain from the activity.
- c) Is a sole trader or registered business.
- d) Corporation or Incorporated bodies.
- e) Sporting body, club or associations of any kind.

It is the Committee's responsibility to ensure that users of the facility that meet any of the above categories have adequate Public Liability insurance.

*If there are situations not identified above where a hirer of the facility does not have its own Public Liability Insurance and there is uncertainty as to whether the hirer meets the "Casual or Regular Hirer" or "Other Hirer Guidelines" it may be referred to Council to check with its insurers.*

## 6.6 Definitions – as per Statewide Mutual Liability Scheme – Casual and Regular Hirers' Liability Scheme Wording.

**Casual Hirer** Person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a council facility for non-commercial or non-profit making purposes, less frequently than once per calendar month or 12 times per calendar year.

**Regular Hirer** Person or group of persons (not being a sporting body, club, association, corporation or incorporated body), who hires a Council facility for non-commercial or non-profit making purposes, more frequently than once per calendar month or 12 times per calendar year.

**Personal Injury**

1. Bodily injury, death, sickness, disease, disability, shock, fright, mental anguish and mental injury;
2. False arrest, false imprisonment, wrongful eviction, wrongful detention, malicious prosecution and humiliation;
3. Assault and battery not committed by or at the direction of the Casual or Regular hirer unless committed for the purpose of preventing or eliminating danger to person or property.

**See Template – Public Liability Checklist for Casual and Regular Hirers**

## SECTION 7: MANAGEMENT OF THE FACILITY

Hiring a facility is central to the purpose of the Committee. Making the facility readily accessible to the community, whilst at the same time, raising funds for its maintenance and future improvements are some of the main objectives of the Committee.

### 7.1 Conditions of Hire

It is essential that hirers sign a Hire Agreement which shows that they abide by the Conditions of Hire set out by the Committee and in accordance with Council policies. It is a good idea for the bookings officer or a committee member to ensure each hirer understands their obligations when hiring the facility, going over the conditions with the hirer if required.

Bookings records are required to be kept 2 years after the event has been completed. (Refer 7.14 filing and record keeping.)

[See Templates – Booking Application and Hire Agreement](#)

### 7.2 Inclusion

The Management Committee are acting on behalf of Council, and it is important to uphold the principles of equity, accessibility and inclusivity, providing for the whole community.

Consideration of disability and inclusion is now managed by new legislation, the Disability Inclusion Act 2014. The Act requires all government departments and certain public authorities, including councils in NSW, to have a Disability Inclusion Action Plan.

The Plan will focus on four key areas:

1. Attitudes and behaviours
2. Liveable communities
3. Employment, and
4. Systems and processes

There is a greater emphasis on consultation at all stages of planning, implementation, monitoring and direction on how to conduct inclusive consultation. There is new public monitoring and reporting requirements through Local Government Annual Reports. Council are required to have a Disability Inclusion Action Plan. Council has an Access Consultative Working Group that work with Council specifically on access and inclusion matters.

For Section 355 Management Committees, this means that inclusion needs to be considered in all areas of planning and operation of the hall or facility. Critical areas that this needs to be considered include access to the hall and facilities (including toilets and kitchen), making written and web materials available to sight and hearing impaired people and supporting access to sporting and recreation opportunities.

Below is an excerpt from the NSW Disability Inclusion Action Plan Guidelines that provides further background.

#### ***The case for inclusion***

*Personal choice and control is only possible when communities are inclusive for all people with disability (and their families and carers), including those with physical, intellectual, cognitive, sensory disabilities and those with mental health conditions. Real diversity cannot be realised unless people with disability are provided with the opportunities inherent in truly inclusive communities. Local Government plays a key role in both protecting the rights of people with disability and in promoting the value of diversity and inclusion across the community.*

*There is an underlying social responsibility for Local Government to work to remove barriers to people with disability fully participating in society. There are also sound economic reasons to increase inclusiveness such as reduced reliance by people with disability on others or on specialist services.*

### 7.3 Fees and Charges

The schedule of fees and charges is set by Council, taking into consideration the recommendations of the Committee and the operating requirements of the facility.

Only Council has the power under the Local Government Act to set fees and charges. Committees are to review their fees annually and make recommendations to the Council. The Committee will be contacted by Council each year prior to the adoption of the Budget with regard to the fees applicable for the following financial year. The time line for reviewing Fees and Charges and notifying Council is generally as follows:

November	Committee is contacted to review fees and charges for the following financial year
End January	Committee recommendations are due to Council
February	Fees and Charges are considered by Council's Finance Committee
April	Recommended Fees and Charges are considered by Council
May	Fees and Charges are publicly exhibited for 28 days
June	Final Fees and Charges are adopted by Council, ready for start of new financial year

Figures submitted should show the GST (Goods and Services Tax) inclusive amount. Once the Council has adopted the fees and charges, a list will be supplied to each Committee.

**The Committee is not able to provide subsidies or waive hire fees. Requests concerning fee reduction must be referred to Council.**

The Committee may use the facility free of charge if fundraising for the facility. Note this is not applicable to a third party hirer even if they are fundraising for the facility.

The Fees and Charges may be set with one of the following descriptors – community rate, commercial rate, standard rate or may be described as regular hirer's rate or casual rate.

Community rate must meet the following guidelines:

- Not-for-profit incorporated community organisation and a certificate of incorporation to be provided; OR
- A community group that is not incorporated and does not generate any income for the group or any individual; OR
- Registered as an income tax exempt charity (ITEC) with the ATO and evidence to be provided; OR
- If fund-raising on behalf of a charity - with all funds raised to be provided to the charity - a letter of support from the registered charity to be provided.

Commercial rate means: Any activity that generates income from the use of Council owned or managed land that is assessed as not meeting the definition of Community Rate.

Standard rate means: Any activity that does not generate income from the use of Council owned or managed land that is assessed as not meeting the definition of Community Rate.

Private Hire means: A genuine private function that is not open to members of the public.



## 7.4 Bonds

As a safeguard against possible damage, the Committee can hold a bond for the facility or equipment, or to cover the need for additional cleaning, where appropriate.

Hirers should be advised that this will be refunded if conditions of hire are adhered to. Abnormal costs associated with the hire of the facility will be deducted from the bond including GST. This may include extra removal of garbage, extra cleaning, repair of damage etc.

## 7.5 Keys and Security

Committee's are encouraged to manage keys and access to the facility in an efficient manner. This may include installing a key safe for key collection and returns. If a key safe is used, the combination should be changed regularly for security purposes (eg at least monthly). Committees are encouraged to include key bonds/ deposits in their fees and charges. Hirers should **not** be issued with keys of their own.

A complete change of locks may be required if there are too many outstanding or lost keys distributed throughout the community. The Committee should manage keys with the utmost security in mind. Key deposits or bonds collected may help fund a change of locks from time to time. Some halls and venues hire a security contractor to patrol the venue at key times throughout the week.

## 7.6 First Aid Kit

Under Work Health and Safety Acts, Council is a Person Conducting a Business or Undertaking (PCBU) and as such has a duty to provide First Aid equipment, facilities and trained personnel. The level of provision should be determined after considering relevant matters listed below:

- The nature of the work being carried out at the workplace (eg committee meetings, any committee functions?)
- The nature of the hazards at the workplace (are these kitchen related, or heavy lifting related or trip hazards etc?)
- The size and location of the workplace (eg you might include sun screen, and/or vinegar for blue bottle stings in your first aid kit if you are located near the beach)
- The number and composition of the workers and other persons at the workplace (eg older people, young children etc)

Committees will be responsible for keeping the First Aid Kit stocked and doing regular checks on the Kit. Note that hirers are responsible for their patrons during hire of the hall and should have their own First Aid Kit available for their event or activity patrons.

## 7.7 Cleaning

The Committee has the responsibility for the overall cleanliness of the facility under its control. The Committee is responsible for the employment of the cleaner and this should be contracted out to a professional cleaner with the appropriate public liability insurance, an ABN and workers compensation insurance (if they employ people) or personal accident insurance (if a sole trader).

Note: if a Committee Member is involved in ad hoc cleaning (for example, when a hirer has not adhered to their conditions of hire), payment to this Committee Member must be in accordance with Section 5.5.

## **7.8 Purchasing of Goods and Services**

Council has provided Committees with the delegation to approve financial transactions to the value of \$5,000.

Refer to Section 8 – Maintenance and Services provided to the facilities for further information about contracting services to maintain the hall.

## **7.9 Development Application (DA) Requirements**

Council's consent as owner or Reserve Trust Manager on a DA being lodged by the Committee or a third party will only be given where there is a copy of the Minutes of the Committee showing the Committee has given its consent for the DA to be lodged for works on the facility.

A DA relating to Crown Land requires the consent of Council's Reserve Trust Committee and / or the Minister for Lands. Council manages this process as the Reserve Trust Manager.

In some cases, a DA may be required to be lodged by a hirer of the facility, if that hire event or activity falls outside the delegations of authority described by these Guidelines. For example, extensive use of hall surrounds. Committee's have the delegation to manage a facility according to that facilities approved activities (either by DA or Plan of Management or other) and occupancy capacity.

## **7.10 Legal Issues**

From a legal perspective it is important for Committees of Council to be aware that they are in fact acting on Council's behalf. Legally, the Committee is 'Council' and an action, which the Committee undertakes is Council's responsibility.

Committees sometimes believe they are responsible in their own right and that their actions are independent of Council. This is not the situation. Council delegated its authority to the Committee to act on Council's behalf and Council can withdraw this delegation if it deemed it to be necessary.

## **7.11 Correspondence**

Correspondence from the Committee is effectively correspondence from the Council, as the Committee acts on Council's behalf. Hence stringent conditions are required to ensure appropriate use of Council's name and logo (refer to 7.18 below).

## **7.12 Letterhead**

- a) If there is an occasion when the Council letterhead needs to be used by the Committee, the letter must be approved and signed by the Council's General Manager (or delegate).
- b) The use of separately designed letterhead is limited to those Council Committees and areas of activities which:-
  - (i) may have a benefit in being identified in a slightly different way to normal Council activities and where a separate image or presentation may be appropriate, and
  - (ii) may be strongly community based.
- c) The letterhead design must be approved by Council and indicate that the function is a Committee of Byron Shire Council.

### 7.13 Purpose of Correspondence

Correspondence using Council logo and name, is limited to the activities of each specific authorised functional area of the committee and specifically limited to:

- a) provision and seeking of information
- b) extension of invitation
- c) expressions of thank you
- d) seeking of sponsorship (after approval of General Manager)
- e) general correspondence not committing the Council or making public comment.

The signing of correspondence is limited to the Mayor, General Manager, a member of staff duly authorised by the General Manager, or a chairperson of the Committee duly authorised by Council.

Copies of correspondence from the Committee under Council's letterhead must be placed in Council's filing system within 1 day of the letter being sent.

### 7.14 Filing and Records Management

Council follows the protocol of record keeping as set by the State Records Authority of NSW. The following records are required to be kept by the relevant person on the committee as per the table below. Council keep a range of records generated from Section 355 committee business and operations.

If the person keeping the records resigns from the committee, the relevant records that are required to be kept for a greater time period than the person's term on the committee, should be passed to the new person on the committee fulfilling that role, or be returned to Council.

Type of record	How long to retain	Whom to retain
Records relating to ... where the Committee considers operational matters or matters relating to administrative or non-core functions of the organisation, including committees operating under delegated authority from the organisation. Records include: <ul style="list-style-type: none"><li>• agenda and minutes</li><li>• advice and briefing papers</li><li>• submissions and reports</li><li>• recommendations and resolutions</li><li>• correspondence arising from business discussed or resolutions passed.</li></ul>	Retain minimum of 5 years after action completed, then destroy	Secretary
<i>For committees where revenue and expenditure is managed by Council:</i>  Records relating to handling money and managing the organisation's finances which are not the primary record of the organisation's financial transactions.	Retain minimum of 2 years after end of financial year in which record was created, then destroy	Treasurer
<i>For committee where revenue and expenditure is managed by the committee (with BAS provided to Council):</i>  Records documenting the organisation's financial transactions which are the primary record of transaction. Includes revenue, expenditure, debt recovery, deposits, investments, revenue from levies, banking and rates.	Retain minimum of 7 years after end of financial year in which record was created, then destroy	Treasurer

Records relating to the hire of the organisation's facilities and buildings for sporting and other community purposes and events.

Records include:

- bookings and cancellations
- applications for the usage and hire of properties, parks and facilities
- fees, terms and conditions of use
- copies of indemnity and insurance certificates of hirers
- administrative records such as listings of vacancies.

Retain minimum of 2 years after action completed, then destroy

Bookings Officer

Records relating to routine maintenance of property, not involving structural changes. Includes cleaning, painting, grounds maintenance, electrical and air-conditioning maintenance, minor modifications for disabled access, pest control etc. Excludes maintenance/service contracts. Records include requests and arrangements for services and records relating to works carried out.

Retain minimum of 2 years after action completed, then destroy

Maintenance Officer

## 7.15 Clerical Support

It is not the normal practice of Council to provide clerical support to Committees. A Committee may however apply for support and Council will make a determination on whether assistance will be forthcoming.

In general terms, clerical support will only be offered if a Council employee is a member of the Committee and the assistance is an extension of the employee's duties.

If support is offered, the level of assistance will be subject to negotiation between the Committee and Council and strict duties established. Council supports the principle that a Committee should be self-reliant and provide its own office bearers.

## 7.16 Sub Committees

The Committee may appoint working groups to report back to the Committee. These 'sub Committees' can be made up of non-committee members, have no legal standing and must recommend back to the Committee for ratification.

Members of sub Committees must be duly noted in Committee meeting minutes and will be covered in accordance with this policy.

## 7.17 Volunteers (non-committee members)

Volunteers may, from time to time, come forward to assist with events or functions or other activities in relation to the Committee's work.

Council's *Policy on Volunteering with Council* and the associated Guidelines and Procedures for the Engagement of Volunteers have been developed using best practice practices in volunteer management. The manual has a number of templates which may be useful for Section 355 Management Committees utilising volunteers.

Some volunteer roles require more preparation than others. For example, a volunteer working with the committee to help deliver a function or event, may be different to undertaking a longer term project (over a few months for example) on behalf of the Committee.

The latter example will require more preparation for the volunteer role, such as a project plan and training. In all cases, it is advisable to develop a clear job description and provide a basic induction for any volunteer roles. You may need to proactively recruit volunteers for larger projects/ events and perhaps provide further training for the activity they will be undertaking.

All volunteers need to complete an Expression of Interest (application form) and a Volunteer Agreement (Volunteer Appointment Registration Form). Volunteers should have their names noted in the Committee minutes and the application paperwork filed in a safe place. Whilst working under the care and control of Council (ie the Section 355 Management Committee of Council), volunteers are protected against public liability claims: *“Volunteers of Council are covered whilst engaged in voluntary activities for Council, including journey to and from the activity.”*

[See Resource - Guidelines and Procedures for the Engagement of Volunteers](#)

## 7.18 Use of Council logo

Committees are encouraged to use Council logo (subject to conditions).

- Use of Council logo MUST be approved prior to use.
- Contact Council to obtain the appropriate file format, size and colour of the logo suitable for the use.
- Use of the logo is outlined in Council’s Logo Style Guide which has been developed to ensure that Council’s corporate identity is used correctly. The logo is Council’s signature.

Council’s logo was refreshed in August 2013 and the old logo should no longer be used.

The new logo has been developed with the intention of portraying a contemporary and dynamic Council whilst reflecting the natural beauty of the region - from the hinterland to the sea.



The structure is based on the old Byron Shire Council logo and encompasses the natural elements of the area and its residents.

The colour palette has been modernised to reflect the relaxed style of Byron Shire Council and to also feature the pristine coastline and landscape.

The font style is clean and contemporary to assist in legibility and flexible applications.

Symbolic elements of the logo include:

1. A triangular shape pointing eastward that depicts the Byron Shire Council local government area as the most easterly of all councils and shires within mainland Australia.
2. A stylistic wave formation taking up the right hand side of the symbol is representative of the South Pacific Ocean to which Byron Shire has extensive borders.
3. An outer green profile that represents the Byron Shire landscape and the green cauldron mountains that hugs the sea and all the people who live within.
4. The yellow profile is the beach the coastal residents as they sit alongside the hinterland.

Within the yellow profile (sand) is a red Bining (turtle) which depicts Council’s strong connection with our local Indigenous people and reflects the Bundjalung totem that was developed in conjunction with Arakwal in 2012. Byron Shire Council, in partnership with Bundjalung of Byron Bay Arakwal People, commissioned local Indigenous artist, Sean Kay, to depict a totem for use on Council materials. The turtle (Bining) was selected as an animal that connects the ocean and land.



## 7.19 Marketing and Promotion

Hiring a facility is central to the purpose of the Committee. Making the facility readily accessible to the community whilst, at the same time, raising funds for its maintenance and future improvements are some of the main objectives of the Committee.

Marketing and promotion of the facility is necessary to maintain a level of awareness amongst the community for many reasons:

- To keep the facility top of mind for residents. This reminds people of its availability as a venue and will assist in encouraging locals to get involved in some way towards using the facility or volunteering in some capacity.
- Helps engender a sense of community ownership and pride in the venue.
- To encourage the facility's use with the aim of increasing revenue to maintain and improve the hall's features.
- To promote the hall facility as a Council asset delivering benefits to the local community as a critical focal point.

Some ideas for marketing and promotion from existing committee members are provided to stimulate discussion for your hall or venue:

1. Develop a vision for the hall/ venue – where would you like to be in five years time?
2. How would you like to engage with your local community?
3. What are the target groups for your venue to increase revenue to pay for hall upkeep?
4. Have an easy to use website with online bookings and calendar.
5. Advertise in local newsletters, etc. (Council's e-newsletter is available to use)
6. Develop flyers for local noticeboards/ to place in local businesses
7. Have community open days and allow hall users to showcase their activity
8. Provide a community function or event, such as a bush dance
9. Have regular curry nights or other themed social functions
10. Use social media avenues

Council would like to work with committees further on marketing and promoting venues, so please contact Council with your ideas, or for assistance. Whilst Council does not have a separate budget specifically for marketing halls, there are economies of scale in working together to promote the halls throughout the Shire.

## 7.20 Social Media

Council's Social Media Policy and Social Media Procedures apply to Section 355 Management Committee members. The General Manager, or their delegate, must approve all Byron Shire Council official social media sites and official use of social media.

The Social Media Procedures outline how social media needs to be used transparently, responsibly and with respect. Social media posts need to be relevant, accurate and timely.

[\*See Resource – Social Media Procedures\*](#)

## SECTION 8: MAINTAINING THE FACILITY

### 8.1 Repairs and Minor Maintenance

Each Committee has the responsibility for ensuring that the facility under its control is maintained in a state of reasonable repair and does not present hazards to its users. This may entail regular maintenance (eg. cleaning, replacement of consumables – paper towelling, etc., mowing and watering) and periodic maintenance (eg repairing, replacement of worn or broken items).

The NSW Department of Fair Trading defines minor maintenance/cleaning as non-structural maintenance (including minor repairs) or cleaning of existing works/structures/buildings.

Minor maintenance is defined as *a sensible and practical repair on a like for like basis for the continuance of preservation, protection, repair to and upkeep, day to day maintenance. Priority should always be given to statutory and other health and safety requirements and any work relating to emergencies such as major electrical failures; floods; fire damage and the like.*

Small scale improvement work is defined as *work of a non-routine nature that is considered to not be reactive maintenance.*

Council staff will inspect the facilities from time to time but the Committee is expected to keep Council informed on any substantial repair or upgrading work required on the facility under their control.

Repair work not able to be repaired by the Committee's own finances and/or over \$1,000 in value must be referred to the Council and will be considered with reference to other priorities of Council depending on the availability of funds and the urgency of the works.

Works considered necessary or desirable but beyond the means or over the delegation of the Committee should be referred to Council in writing so that early consideration might be given to their inclusion in a Works Program or the annual Budget.

An annual Building Inspection and Management Report is requested by Council from the Committee by the end of December each year. A template has been designed to assist you with this inspection.

[\*\*See Template - Annual Building Inspection and Management Report Template\*\*](#)

### 8.2 Purchasing of Goods and Services

Under the Local Government Act 1993, Council can assist Committees by purchasing goods to be used in association with the Committee-approved function. The benefit to the Committee is that the item would be free of GST and utilise the purchasing power of Council to reduce costs.

Council is required to authorise a Committee to purchase goods and services as per the guidelines below.

For purchasing of goods and services:

- For works valued under \$100, a verbal quote is acceptable;
- For works valued between \$100 and \$10,000, one written quote is required;
- For works over \$10,000, a minimum of three quotes, and Council approval are required.

In some cases, Council has contracts with suppliers where a Council rate may be obtained for the delivery of a good or service. Contact Council for the latest information about Council's contractors.

The quotations must be recorded in the minutes of a meeting and the successful quotation recommended by the Committee prior to approval by Council. Refer 7.14 filing and record keeping to understand what records need to be kept.

The Committee must ensure that suppliers of goods and services, including cleaning and minor maintenance works, are carried out by licensed contractors who must:

- Provide a copy of the public liability insurance and workers compensation Policy (if not a sole trader) (\$20 million cover) to the Committee;
- Show compliance with WH&S standards and regulations.
- Comply with the Building Code of Australia and relevant Australian Standards.
- Have an ABN.

All *contractors* undertaking work at a Council workplace must be inducted to the site and have provided Council with their Work Health and Safety plans and Safe Work Methods Statements.

Note that different maintenance tasks may require professional licences/ accreditation such as working at heights, operating machinery (including chainsaw), working in confined spaces, etc. If you are unsure, please check with Council with regards to Work, Health and Safety requirements.

Tasks which possibly do not require professional licensing or accreditation include:

- cleaning
- mowing
- gardening

Most other tasks will probably require some form of accreditation or licence. Please note that all contractors require the correct public liability insurance and an ABN, as per Section 6.3. If a contractor does not hold an ABN, for example a Sole Trader, an Australian Taxation Office form "Statement by a Supplier" is to be completed and held with Council.

[See – Emergency Contacts](#)

[See Template – Visitor Register](#)

### **8.3 Council responsibility**

Generally, Council will be responsible for major maintenance, improvements and services as follows:

- Health and Safety Requirements;
- Accessibility and Inclusion;
- Compliance matters;
- Asset Protection (Asset management plan eg re-roofing, external painting, structural inspections etc.);
- Security
- Regular fire equipment inspection

Note: Other major maintenance e.g. building extensions and major alterations required to the facility must be made by a Budget Submission from the committee (noted in committee minutes) and received by Council by 31 December of each year. This will then be considered by Council and where possible will be included in a following financial year's budget.

The annual maintenance and upgrade program run by Council will include a number of community buildings each year. The program is generally based on the results of building condition assessments and audits and consultation with Section 355 committees.

The relevant section 355 Committees for facilities where works are planned will be notified after

the adoption of each annual budget and the works will need to be programmed into the facility calendar.

#### 8.4 Committee's Responsibility

From the income generated by the facility, the Committee is generally responsible, unless otherwise agreed to by Council, for the costs of such items, but not limited to, such works and services as follows:

- Cleaning
- Internal painting (under 2.4m high)
- Plumbing maintenance (only by licensed plumbers)
- Electrical maintenance (only by licensed electricians)
- Minor repairs, such as broken windows and fittings
- Telephone charges
- Hygiene Services
- Electricity
- Gas
- Installation of new internal fittings, such as cupboards
- Excess water
- Provision and maintenance of furniture and equipment
- Insurance premiums adjusted per facility (Council pay this, but its allocated as a committee expense)
- Music copyright licences (One Music)
- Testing and tagging electrical equipment
- Checking the condition of the building

#### 8.5 Kitchen Use

Commercial kitchens are in demand in the Byron Shire which means that committees may need to manage their kitchen according to rules established by the NSW Government.

Please note that not every hall has a kitchen that is suitable for commercial use (that is, sale of food produced in the kitchen). If you hall does not have a commercial kitchen, food cannot be prepared in that kitchen for sale. The kitchen may be used to reheat food or for private functions where food will not be for sale.

Activities during gatherings at community halls and venues may involve food businesses that retail to the public, especially pop up food businesses. These business are legally obligated to notify council of their food businesses details, in addition may require routine inspections to ascertain compliance with the national food safety standards, for the purpose of ensuring safe and suitable food being sold to the community.

Committees need to inform those who hire the venue that all food businesses that sell or give away food to the public are required to be registered with Council and hold a valid food permit. This will help prevent unnecessary interruptions to any events from Council should non – compliance arise with regards to food safety legislation.

Environmental Health Officers who regulate food safety are available to assist committees with further understanding of regulations around food safety in kitchens.

The NSW Food Authority publication known as ***Guidelines for food businesses at temporary events*** which covers all the relevant food safety obligations of food businesses carrying out food handling in the context described above.

## **SECTION 9: WORK HEALTH SAFETY FOR VOLUNTEERS**

In NSW, Councils are governed by the Work Health and Safety Act 2011 and must meet certain requirements to ensure a safe and healthy workplace. Under the Act, volunteers and organisations who engage volunteers have responsibilities that were not previously in place and penalties apply for non-compliance with the Act.

Councils require volunteers to be registered, inducted and appropriately trained for the work that they do on behalf of the community. For further information on Council's Volunteer Policy and Procedures refer to part 7.17 of these Guidelines.

### **9.1 Council's Responsibilities**

Under the legislation, Council is referred to as a 'Person Conducting a Business or Undertaking (PCBU)'. A PCBU is an entity and must ensure so far as is reasonably practicable, the health and safety of all its workers, including volunteer workers. Council does this by providing, as far as reasonably practicable:

- Safe work premises
- Safe plant and substances
- Safe work procedures
- Protective equipment
- Information, instruction, training and supervision, and
- Adequate facilities.

Volunteers may carry out a wide range of work in a variety of environments and the level of care will depend on the circumstances of that work. Council makes assessments of the hazards and risks volunteers are likely to encounter and take reasonably practicable steps to eliminate or minimise those risks. This may mean volunteers are not permitted to undertake some activities.

### **9.2 Volunteers (Workers) Responsibilities**

Under the Act, a worker is described as an employee, contractor, volunteer, apprentice, outworker, trainee, visitor and work experience person in a workplace. Volunteers have the same duties as 'workers' at the workplace, being:

- To take reasonable care for your own health and safety,
- To take reasonable care that your conduct and acts does not adversely affect the health and safety of others
- To comply with any reasonable instruction that is given to you by Council, and
- To cooperate with any reasonable policy or procedure relating to health and safety at the workplace.

To enable council to meet our requirements under the act, all volunteers must complete a council induction.

### **9.3 Hazard and Risk Management**

To fulfil our duties, we must identify hazards and manage the risks those hazards pose. This involves:

1. Identifying hazards in the workplace – identifying anything that may cause injury or illness to anyone in the workplace;
2. Assessing the risk those hazards pose – prioritise in order of high risk to low risk, in consultation with the person doing the job. Find out how significant the risk is, i.e. could it cause a serious injury or illness?
3. Implementing controls to manage the risk – implement the best method of controlling the risk,

- in consultation with the person doing the job; and
4. Reviewing and monitoring those controls.

Council assesses risks and identifies controls in a Risk Assessment, which includes a risk matrix. The matrix helps to identify risks and hazards according to the consequences and likelihood of the risk occurring. Those hazards that are considered low risk can be accepted and monitored, however any risks rated higher than 'low' need to have a control measure put in place. Controls are developed where a risk is unacceptable, where eliminating the risk in the first place is always the preferred approach.

## **9.4 Managing Risks at Community facilities, including managing Contractors**

All *volunteers* involved in work at Council workplaces and completing work activities, must be inducted to the site, project or activity prior to the initial commencement of work. Therefore, all work must be approved by Council. Each Section 355 Management Committee or Board is asked to select a 'Maintenance Officer' (refer 10.5 in these Guidelines for a job description) as the primary contact for works in the community facility.

Section 355 Management Committee and Board volunteers have delegated authority from Council to undertake minor repairs and maintenance (refer to 8.1 in these Guidelines for a definition). Minor repairs can be carried out without explicit permission from Council provided these minor repairs do not involve activities that are listed under the heading below – 9.5 Activities Not to be Undertaken by Volunteers.

All *contractors* undertaking work at a Council workplace must be inducted to the site and have provided Council with their Work Health and Safety plans and Safe Work Methods Statements.

In order to meet this requirement, Section 355 Management Committee and Board volunteers must only use contractors to do work on Council-managed facilities who have been contracted through Council's procurement process. Information can be found on Council's website about our current contractors <https://www.byron.nsw.gov.au/council/committees-and-groups/section-355-committees-and-boards-of-management/templates-for-section-355-committees>.

If Council have not procured a contractor that provides a service required by the Section 355 committee, contact Council for assistance. For urgent matters, contact Council's after hours service on 6622 7022.

Report any hazards, incidences, injuries and near misses within 24 hours to Council by completing an 'Incident Notification' form which can be found on the above webpage.

## **9.5 Activities Not to be Undertaken by Volunteers**

The following types of activities are not permitted to be undertaken by volunteers:

- Any work where asbestos is present or potentially present.
- Chemical handling
- Confined space entry
- Excavation, penetration or trenching
- Use of electrical tools other than battery operated hand tools
- Use of 'plant' and machinery – any equipment beyond hand tools, e.g. chainsaws, ride on mowers, bob cat
- Work on electrical equipment
- Work at heights/ ladders
- Tree branch removal
- Burn offs, and
- Unapproved clearing



## SECTION 10: COMMITTEE MEMBERS' ROLES AND RESPONSIBILITIES

The following information sets out the duties and role of the positions on the Committee:

- Chairperson/President
- Secretary
- Treasurer
- Bookings Officer
- Maintenance Officer
- Committee Member

### 10.1 Chairperson Responsibilities

The Chairperson generally has the following specific duties, which make up the major part of their responsibility;

(i) Before a meeting

- prepares the agenda (in consultation with the Secretary or members, or can delegate this role to the Secretary), setting out the items of business to be considered.
- ensures meeting is properly convened in accordance with the organisation's rules ie. proper notice of a meeting is given and a quorum is present.

(ii) During the meeting

- chairs meetings, opens meeting, welcomes and introduces members and guests, subject to the right of the Mayor at his/her discretion, to take the chair at a meeting he/she attends
- keeps individuals and the meeting focused on the topics being discussed and encourages members to participate, ensuring adequate opportunity is given to members who wish to speak
- ensures correct meeting procedures are followed and control of the meeting is maintained, keeping track of time (or delegates to someone to do this)
- makes sure members are aware of decisions being made and that the minute taker has recorded decisions of the meeting
- acts impartially and uses discretionary powers in the best interests of members and in accordance with the agreed standing orders ie. method of conducting meetings, and ensures statutory regulations and organisation's rules are observed
- closes meeting after business at hand has been properly concluded.

The Chairperson needs to be aware of certain issues and procedures and the importance of establishing and maintaining a working relationship with Council, particularly in regards to Government funding, the facility budget, Council and community involvement and requirements.

The Chairperson is responsible for providing assistance to members of the Committee and ensuring that they fulfil their respective roles. The Chairperson is the 'spokesperson' for the organisation and is the one to communicate with government departments and other relevant bodies.

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

## **10.2 Secretary's Responsibilities**

The organisation's secretary usually carries a great deal of responsibility and often has more knowledge than anyone else on what is happening. (Refer 7.14 filing and record keeping.)

- (i) Before a meeting
  - draws up the agenda, (in consultation with the Chairperson)
  - makes copies of the agenda if required
- (ii) During the meeting
  - takes minutes
  - reads minutes of previous meeting if necessary
  - provides a list of correspondence in order and summarises the important points
  - records the motions and/or decisions of the meeting including, mover and seconder.
- (iii) After the meeting
  - types the minutes and distributes to Committee members as soon as possible
  - ensures that accurate minutes are kept
  - writes the letters as decided (this can be a shared role with another Committee member).
  - keep a record of action items and how they are progressing to report back to the committee at each meeting. Where possible, action items from a meeting should be distributed fairly amongst committee members.
- (iv) Outside of meetings
  - keep a register of correspondence that has come in and gone out, and file copies of letters written
  - in between meetings inform other Committee members of correspondence requiring urgent attention.

## **10.3 Treasurer's Responsibilities**

To establish an effective financial system, Committees will need to maintain records electronically. The responsibilities are expanded below:

- Income and expenditure recorded in an excel spreadsheet or suitable accounting software
- Expenditure documentation
- Income documentation
- Monthly bank account reconciliations and providing necessary paperwork to Council for reimbursements
- Quarterly GST Reporting and Annual Reporting to Council (only if not using Council's bank account)
- Keeping records (Refer 7.14 filing and record keeping.)

### **10.3.1. Income and Expenditure recording**

Income and expenditure needs to be recorded in an excel spreadsheet or suitable accounting software. This record is sometimes called the Journal or Ledger. The Income and Expenditure Record is the organisation's record of what money is received and spent, the transactions (both incoming and outgoing) that have occurred, and how much cash is on hand at any one time.

Update the records on a regular basis so it does not become a big job. Bank fees, interest, etc should be recorded in the month they appear on the bank statement. This will ensure the reconciling of the records to the bank statement at the end of each month.

### **10.3.2. Expenditure/ Payments documentation**

A Tax Invoice is required to make a payment to a supplier for goods or services. A Tax Invoice shows the supplier's ABN and whether GST is charged or not. These should be kept in payment order and noted with the internet banking receipt number (or cheque number) and date of payment for easy reference and to prevent double payment.

Where a Tax Invoice is not supplied a "Statement by a supplier" (on an approved ATO Form) must be supplied with the account for payment. Note the 'Statement by supplier' will only be required once per year for each supplier that does not have an ABN.

Payments to suppliers should be made by electronic funds transfer (internet banking).

### **10.3.3. Income/ Receipts documentation**

Hirers and users of the facility should be encouraged to pay by direct deposit into the Committee's bank account.

A receipt must be issued for every payment received and monies should be banked regularly. Internet receipts are acceptable, or if you receive a cheque as payment, a manual receipt will be needed. For further information about manual receipting, refer to point 9.4.7. The receipt of income is an area where strict control is required. The safest method is to have only a limited number of approved people who have the responsibility for receiving funds, issuing receipts and banking monies.

### **10.3.4. Monthly bank account reconciliations**

The Treasurer should reconcile the committee's bank account at the end of every month and submit to Council:

1. A copy of income/receipts taken for the month
2. A Request for Reimbursement of expenses for the month

To reconcile, check off the amounts received and payments made in the income and expenditure record against the bank statement figures. From this, you can compile a list of outstanding income/ payments. If the bank statement and records don't agree, find the discrepancy.

Provide an up-to-date financial report to each Committee meeting held.

For committees banking through Council, a monthly report will be provided to the Committee that is required to be reconciled in accordance with Section 5.3.

### **10.3.5. Quarterly GST Reporting to Council and providing Council with Annual Financial Statements**

If the committee is not operating through Council's bank account, the treasurer will need to undertake a quarterly reconciliation and submit to Council:

1. A profit and loss statement
2. A balance sheet
3. Completed Business Activity Statement (BAS)
4. At the end of the financial year, a profit and loss and balance sheet for the entire financial year will need to be submitted

### **10.3.6. Keeping records**

Committees are required to keep complete and accurate financial records. The following guidelines and procedures have been prepared to give members of Committees a greater understanding of the tasks they have undertaken.

#### Steps required to keep complete and accurate records

- i) Open and maintain a bank account in the Committee's name.
- ii) Make as many payments as you can electronically (internet banking). Avoid paying cash.
- iii) Bank receipts promptly into the bank account.
- iv) Record details in the electronic income and expenditure record. Keep the record updated regularly – at least monthly.
- v) Reconcile the bank account regularly –monthly or each time a bank statement is received and at the end of the financial year.
- vi) Retain supporting documentation or evidence of payments.

The Income Tax Assessment Act requires records to be retained for seven years. It is important to retain invoices and other supporting documentation. (Refer 7.14 filing and record keeping.)

### **10.3.7 Manual account records**

If a payment is received or a payment must be made using a manual method (ie. Cheque), the following procedures apply. Note, all manual payments or receipts are not encouraged. Hirers and suppliers should be encouraged to use EFT – electronic funds transfer.

#### **A. Cheque Book**

If absolutely necessary, a cheque book should normally be held by the treasurer and must only be drawn upon with the joint signatures of two of the executive. Payments on behalf of the Committee made by cheque will be crossed and marked "Not Negotiable" .

Payments will have some form of supporting documentation.

Payments will be authorised by the Committee.

Payments must be recorded as per all other committee payments.

#### **B. Expenditure/ Payments Documentation**

A Tax Invoice is required to make a payment to a supplier for goods or services. These should be kept in payment order and noted with the cheque number and date of payment for easy reference and to prevent double payment.

Where a Tax Invoice is not supplied a "Statement by a supplier" (on an approved ATO Form) must be supplied with the account for payment. Note the 'Statement by supplier' will only be

required once per year for each supplier that does not have an ABN.

### **C. Receipts/ Income Documentation**

If a receipt book is absolutely necessary, it must bear the Committee's name (a stamp will do), have a fixed duplicate copy and be numbered. A receipt book can be supplied by Council. A receipt must be issued for every manual payment received and monies should be banked regularly. The receipt of income is an area where strict control is required. Cash should NOT be accepted. The safest method is to have only a limited number of approved people who have the responsibility for receiving funds, issuing receipts and banking monies.

Keep a record of receipt books detailing the number and location (ie. in use or not). Record receipt number in the Committee's Cash Book under the appropriate income heading and on the Deposit form retained by you. Never give change for a cheque payment.

Avoid altering amounts on receipts. If it is necessary to alter a receipt, cross through the incorrect entry and insert the correct amount. Always initial alterations. It is more acceptable to cancel a receipt and retain both the original and duplicate in the book than to alter a receipt.

Amounts must show whether it is "GST inclusive" or not.

To assist you with the Financial Reporting please see the following attached templates.

***See Template – Request for Reimbursement of Expenses (each Hall has its own template)***

***See Template – Summary of Monthly Income (each Hall has its own template)***

### **10.4 Bookings Officer's Responsibilities**

Each Committee will have a contact person who is responsible for the bookings of the facility. It is anticipated that the person's name, telephone number and the appropriate contact email address is well publicised for the benefit of the community. The bookings officer is to have access to the facility's email address. (Council can provide a mobile telephone and number for the bookings officer if required. Note payments with regard to the phone are required to be paid by the Committee).

To make a booking, a person or group contacts the booking officer who provides preliminary information and implements the two-stage booking process.

The booking officer will advise the potential hirer:

- If the facility is available on the date and time requested;
- Fees to be charged;
- Bonds and deposits required;
- Public Liability insurance requirements;
- Conditions of Hire.

If the hirer wishes to go ahead with a booking, the following procedure is followed:

1. Booking officer provides the 'Information and Application Package' for the hirer to read through and complete.
2. Hirer completes the Application Form, Public Liability Checklist and Risk Assessment (overleaf).
3. Hirer provides the completed forms, along with any other required paperwork, to the booking officer for the hall.

4. The booking officer will review the application details for the booking and make an assessment whether further information is required or if certain conditions need to apply to the booking.
5. The booking officer completes the relevant Hire Agreement template – either for regular hirers or for casual hirers with the agreed details of the hire.
6. The booking will be confirmed when a signed hire agreement and payment is received.

Enter the relevant information immediately into the Bookings Record. Once the booking is confirmed, ensure the online calendar is updated.

The Bookings Record includes the following information:

- i) Date when preliminary booking was taken
- ii) Name, address, telephone number and email address of the hirer
- iii) Type of function
- iv) Times of Hire
- v) Hire charge and Bond (if required)
- vi) Public Liability requirement
- vii) Risk assessment completed
- viii) Other approvals sited, for example RSA Certificate, One Music licence, is security required?
- ix) Receipt details; reference or receipt number, amount paid and date of payments as they are received
- x) Caretaker's comments on the condition of the facility and equipment after the function
- xi) Payment details, amount and date of issue when the Bond is refunded
- xii) Amount forfeited and reasons why, if applicable.

The Bookings Officer is to advise potential hirers that fees are subject to change and that this usually occurs from 1 July when Council adopts the Fees and Charges for the financial year. Fees charged are to be those applicable for the time the function actually takes place and not when the venue is booked (eg if a booking is made in March for an event in August – if the fees increase in July, the new increased fee is to be charged. This information should be provided on the Conditions of Hire form).

The Bookings Officer should meet hirers and brief them on the hall's use and conditions of hire, and then follow up with inspections after use regularly.

The Bookings Officer is to ensure moneys are forwarded to the Treasurer for banking if not paid by an electronic funds transfer (EFT).

The Bookings Officer would be required to liaise regularly with the Treasurer to ensure fees are paid.

**See Templates – Information and Application Package; Hire Agreement (Regular Hirers) template; Hire Agreement (Casual Hirers) template; Bookings record template**

## **10.5 Maintenance Officer's Responsibilities**

Each committee will have a maintenance officer who is able and willing to be trained in managing contractors and ensuring Council complies with Work Health Safety requirements in the community facility.

The maintenance officer may be assisted in their duties, but ultimately need to be responsible for managing the maintenance of the facility and providing maintenance reports to committee meetings and liaising with Council.

The Maintenance Officer generally has the following responsibilities:



(i) Outside of meetings

- Liaise with the cleaner/s of the facility to assess any maintenance that may be required.
- Keep a record of maintenance items and how they are progressing to report back to the committee at each meeting.
- Obtain quotes, liaise with contractors and ensure any invoices are checked against the quality of the final job completion before providing to the treasurer to pay.
- Where possible, meet contractors on-site prior to work commencing. If necessary, complete a site induction for all contractors, at least annually.
- Ensure professional contractors are used to undertake any works at the facility.
- Ensure any Work Health and Safety or other hazards are dealt with to ensure the safety of all visitors to the site.

(ii) During meetings

- Present the committee with relevant quotes for work proposed and obtain approval for routine maintenance to be undertaken and the associated expenditure (have these items noted in the committee minutes)

(iii) Annual/ regular tasks

- Regularly assess the facility for any maintenance that may be required. (See template for
- For questions and support, liaise with Council's Property Maintenance Coordinator.

*See Template - Annual Building Inspection and Management Report Template*

*See – Emergency Contacts*

*See Template – Visitor Register*

## **10.6 Committee Members Responsibilities**

Committee members' role is important and ensures the democratic process is followed. Members' responsibilities are:

- a. Attend most Committee meetings.
- b. Participate in meetings – this involves:
  - being on time;
  - sticking to the agenda;
  - contributing to the discussion where appropriate;
  - being objective, listening to others' views;
  - volunteering to do some of the necessary tasks required.
- c. Support the office bearers in carrying out their roles, for example assisting with maintenance arrangements, the coordination of volunteers.
- d. Assist in organising the Annual General Meeting.
- e. Attend and participate in fundraising days that may be held.
- f. Ensure members of the Committee are accountable for their actions in relation to the activities of the Committee.

*See – Sample job descriptions for Chairperson, Role of Committee Members, Secretary, Treasurer, Bookings Officer, Maintenance Officer, Cleaner and Volunteer Coordinator.*

## SECTION 11: STANDARD FORMATS FOR MEETINGS AND CORRESPONDENCE

### 11.1 Standard Format – Ordinary Meeting Agenda

*See Template - Template for Ordinary Meeting Agenda*

#### 1. Open Meeting

Action: The Chairperson welcomes members and visitors, declares the meeting open, ensures everyone has an agenda, and asks for extra items suggested by members.

#### 2. Attendance and Apologies

Action: The Secretary records those present and apologies.

#### 3. Confirmation of minutes of the previous meeting

Action: Two Committee members in attendance at the last meeting are asked to confirm that the record of minutes are true and correct. Amendments or changes need to be recorded and included in this meeting's minutes.

#### 4. Business arising from previous minutes

Action: Deal with matters that have arisen or were to be completed since the last meeting.

#### 5. Correspondence

Action: Includes both Inwards and Outwards correspondence. A member, usually the Secretary, reads out in full or in summary the letters received or sent since the last meeting. The business arising from these letters is dealt with as it is read, and recorded in the minutes.

#### 6. Treasurer's Report

Action: The Treasurer gives a report on the financial position of the group, including income and expenditure since the last meeting and gives an overview of future budget estimates.

#### 7. Other Reports – Bookings Officer, Maintenance Officer, etc

Action: Reports from other office bearers.

#### 8. General Business

Action: Items on the agenda are discussed. Also remind members of coming events.

*Note: General Business often contains the important discussions and decisions. Efficient meetings work through the early business quickly to leave sufficient time for general business. Specific items that arise in items (1) to (5) can be deferred to General Business if appropriate.*

#### 9. Close Meeting

Action: Establish the date and time of next meeting. Chairperson thanks members and visitors for attending and declares the meeting finished or closed.

## 11.2 Standard Format – Annual General Meeting Agenda

*See Template - Annual General Meeting Agenda*

Chairperson presides over the following items:

- a. Welcome
- b. Apologies
- c. Minutes of previous AGM
- d. Reading Reports, ie. Chairperson, Treasurer, etc.

Positions are declared vacant and the Returning Officer appointed by the meeting takes the chair and presides over the following items:

- a. Acceptance of nominations from Committee members
- b. Election of Office Bearers

Returning Officer then hands the chair over to the newly elected Chairperson who is responsible for:

- a. Thanking the Returning Officer
- b. Welcoming New Committee
- c. Considering the recommendations “carried” by way of motion from the floor
- d. Getting agreement on meeting dates for coming year.

Closure of AGM Meeting.

## 11.3 Standard Format – Meeting Minutes

*See Template - Meeting Minutes*

1. Keep them short, clear and concise, and consistent.
2. Set them out – not too cramped, use headings, and underlining so the subjects, decisions and actions to be taken (and by whom) stand out and are easy to read. Use the Agenda as a basis for the format of minutes.
3. Don't try to record every statement made at the meeting. The minutes are a record of the decisions made and action items – each decision must be accurately recorded.
4. A copy of the minutes without errors or additions (unless initialled and signed by the Secretary and Chairperson, after adoption at the meeting) are to be kept. It is the Chairperson's responsibility to see the minutes are unaltered after adoption and are signed as an accurate record. Minutes should be forwarded to Council within 14 days of a meeting to be placed on the committee's web page.
5. You can record the names of the mover and seconders of each motion or amendment. Record the numbers for and against if specifically requested by those present.
6. List correspondence, business arising and items for general business by number. Organise your papers in this order and try and see that the agenda follows this order. Shuffling reams of paper, lost items and trying to take minutes while finding the next item is a hassle. Decisions can also be noted on the business papers and then transferred to the minutes later.

7. If minute-taking is a shared or revolving duty, allow each person to perfect their skills by taking minutes for at least 3-4 consecutive meetings.
8. Draft minutes can be viewed with the chairperson, or if done by the minutes secretary, with the secretary. Two heads are better than one to remember events.
9. Remember, minutes should communicate and assist evaluation. They ensure accountability and are a permanent record of the group's activities.
10. Send them out as soon as possible after the meeting, so that follow-up action is more easily taken.
11. Include a record of the place, date and time of the next meeting.

#### **11.4 Standard (formal) Procedure– Motions/Recommendations**

1. A motion needs to be lawful, productive, relevant, appropriate, easily understood and be positive in its intent, eg. "*I move that the facility be an alcohol free zone*". If the motion does not meet these requirements, the Chairperson can reject it. Reasons must be given for this decision.

A motion must be "seconded" before it can be accepted by the chairperson and opened for debate. There is no legal requirement to record the mover and seconder however; it can be done at the Committee's discretion. If there is no seconder, the matter lapses. Once a motion has been moved and seconded, the order of debate is

- Mover (raised original motion)
- Secunder (allows debate on the motion)
- Speaker against the motion
- Speaker for the motion
- Speaker against the motion
- Speaker for the motion.

The debate continues in this manner until there are no further speakers. A member of the Committee may speak no more than once to each motion or amendment at the meeting. The mover may then speak again, but in doing so closes the debate. Once the mover has closed the debate the chairperson must put the motion to a vote.

2. Amendments

Amendments may be made after the motion. The amendment must:

- be clear and be part of the motion being considered
- have a seconder
- not exceed the power of the meeting
- not be a direct negative of the motion
- be put to the vote before the motion

## 11.5 Standard Procedure – Correspondence

The following information is provided to assist you but may be deviated from if the Committee agrees.

1. Keep a copy of correspondence sent out on behalf of Committee.
2. Set up a correspondence electronic file to record correspondence of the Committee.

This should include:

- Noting Inwards correspondence/mail
  - Noting Outwards correspondence/mail
  - Record the date of receipt or dispatch of mail
  - A system for both Inwards and Outwards to enable correspondence to be easily located if the need should occur
  - Identify whose responsibility it is to act on, eg Secretary.
4. Ensure any correspondence received since the last meeting is easily accessible for the meeting.
  5. Record action required and which Committee member is responsible for this action.
  6. Establish and maintain a filing system for mail, both In and Out.
  8. Correspondence can be filed numerically or by subject noting that related items of correspondence can be placed together.
  9. Data must be backed up regularly and be able to be provided to the Committee when required.

## SECTION 12: COUNCIL POLICIES

Committee members are to aware of certain adopted Council Policies where they relate to you as a Committee Member or the facility you are managing, namely but not limited to:

- Code of Conduct
- Code of Meeting Practice
- Smoke-free Outdoor Areas Policy
- Procurement and Purchasing Policy
- Work Health Safety Policy
- Gifts and Benefits Policy
- Social Media Policy
- Sponsorship Received by Council Policy
- Volunteering with Council Policy

Policies can be viewed on Council's website at <https://www.byron.nsw.gov.au/Council/Your-right-to-Council-information/Policies>.

A number of templates and resources are available for committees and boards, as described throughout this document. Refer to Council's website <https://www.byron.nsw.gov.au/Council/Committees-and-groups/Section-355-Committees-and-Boards-of-Management/Templates-for-Section-355-committees>