



COMMITTEES – SECTION 355

OPERATION OF COMMITTEES WITH AUTHORITY DELEGATED UNDER SECTION 377 OF THE LOCAL GOVERNMENT ACT 1993

1 OBJECTIVE

To ensure the efficient and lawful operation of Committees endorsed by Council with delegated authority to manage its facilities, property and/or activities in accordance with Section 377 of the Local Government Act 1993.

2 REQUIREMENTS

That all Section 355 Committees operate in accordance with the following guidelines and attached manual:

3 PECUNIARY INTEREST

Members of the Committee should not participate in voting on decisions that may affect them by means of a potential financial loss or gain. This is in accordance with the pecuniary interest requirements of all members of committees of Council in Section 443 of the Local Government Act 1993.

4 SUGGESTED PROPOSAL TO FORM A REPRESENTATIVE SECTION 377 COMMITTEE

4.1 Committee Membership

A representative Committee should comprise of between six (6) and eight (8) members. Written nominations should be invited over a period of fourteen (14) days for a position on the Committee. Nominations may be made as a representative of an organisation or simply as an interested individual.

4.2 Term of Membership

Unless otherwise determined by Council the term of membership shall be no less than twelve (12) months and not exceed four (4) years (i.e. to coincide with Council term). Retiring members shall be eligible for reappointment.

4.3 Vacant Position

Should a vacancy become available on the Committee at any time, nominations may be called by way of advertisement to fill the role of a community representative or in the case of a representative of an organisation, that particular body may be invited to submit an alternative member for consideration by Council.

This course of action would normally only be taken if major problems surface within the Committee and were unable to be resolved. Most vacancies which occur in the various Committees within Council's area are filled utilising the procedure detailed in (ii) above.

4.4 Quorum

A quorum for a meeting shall be a majority of the members.

4.5 Office Bearers

At its first meeting the Committee will be required to elect the following office bearers:

- Chairperson
- Secretary
- Treasurer (if appropriate)

Additional positions may also be elected if considered necessary e.g. Publicity officer, bookings officer etc.

All positions should be declared vacant and re-elected at each annual general meeting.

4.6 Non Committee Members

Non committee members are able to attend committee meetings if the Committee is in agreement, however they are unable to participate in voting and decision making.

4.7 Meeting Procedure

At all meetings of the Committee correct meeting procedure as adopted by Council must be adhered to. This includes matters relating to persons addressing the meeting, resolution of motions etc.

4.8 Meetings

The dates and venues for committee meetings shall be determined by the members ensuring that the following occurs:

- regular meetings shall be held at least quarterly, and
- an Annual General Meeting is held.

4.9 Minutes

Copies of minutes from all meetings should be forwarded to Council.

5 ROLE OF THE COMMITTEE

5.1 Financial Obligations (if appropriate)

5.1.1 Income and Expenditure

All income received from the facility/function is receipted into a bank account. Such funds are to be used for running, maintenance and improvement expenses.

All Committees are required to forward to Council annual financial statements for each financial year ended 30 June.

5.1.2 Management Plans/Long Term Improvement

The Committee should prepare management plans for the facility/property for long term financial planning requirements i.e. items to be purchased, future improvements etc. Management plans should be established for one (1), three (3) and five (5) year programs. These plans and future improvement programs should be received on an annual basis. Written advice of such improvements and aims should be forwarded to Council for consideration and possible inclusion in its Management Plan and Budget. Council's budget is prepared in May, and therefore any financial requests for the following twelve month period should be submitted to Council by 1 May of each year.

5.1.3 Purchase of Items

Any items purchased with funds raised by the operation of the facility/site become the property of Council as fundamentally Council income has been utilised.

5.2 Operating Obligations

5.2.1 Fees and Charges

Recommend proposed fees and charges to Council on an annual basis for adoption. As Council operates on a financial year budget the fees and charges are to be set for this period.

5.2.2 Hours of Operation/Opening Hours (if appropriate)

Recommend suggested hours of operation and/or opening hours to Council.

5.2.3 Volunteers

Co-ordinate appropriate levels of voluntary labour to ensure that the facility/property is available at an acceptable standard to those members of the public and organisations wanting to use it.

A register of volunteers is to be maintained.

5.3 Bookings

The Committee is responsible for the booking/use of the facility of the property and to ensure the appropriate fees are paid. It should also ensure that fair and reasonable access is available to all users.

5.4 Damaged Property/Maintenance Requirements

The Committee must advise Council of any works or repairs required at the site, other than minor repairs. If a safety problem is evident immediate notification must be forwarded to Council.

5.5 Approval of Works

Prior to any works being undertaken on the facility/site it must be approved by Council and completed in accordance with Council's requirements.

5.6 Insurance

5.6.1 Public Liability

The Committee will be covered by Council's Public Liability policy against any claim arising from an accident associated with the use of the facility/site.

The Committee must ensure that all regular users/hirers of the facility/site e.g. dance instructors, sporting groups etc carry their own public liability insurance.

5.6.2 Industrial Special Risks

Any buildings, structures and Council owned contents are covered against damage by fire, storm, vandalism etc in Council's Industrial Special Risks insurance policy. All property in or on the facility/site not owned by Council should be appropriately insured by its owner. As outlined in 3.1.3 above any items purchased with income received from the facility/site becomes the property of Council, notification of any such purchase should be forwarded to Council immediately to ensure it is included on Council's Industrial Special Risks Insurance policy.

NOTE: The items outlined in this policy are general to cover all Section 377 Committees. It may be appropriate for more specific guidelines to be established for each committee of groupings of similar committees e.g. public hall.

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