

# Section 355 Committee Delegations



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Directorate	Community, Arts and Recreation
Branch	Community and Recreation

## 1. SUMMARY

Council recognises and appreciates the important work done by volunteers through Section 355 (S355) Committees. Following are the delegations that have been endorsed by Council to assist committee members in the ongoing work of S355 Committees.

In July 2022 Council resolved to appoint Councillor members to every S355 Committee. All QPRC S355 Committees with their Councillor delegates can be found on the QPRC website at <https://www.qprc.nsw.gov.au/Council/Council-Business/Committee-Representatives>.

## 2. CONTACT WITH COUNCIL

Section 355 Committees are encouraged to communicate with Council at any time, particularly if urgent maintenance is required on their facility or if members are uncertain about their delegations. Direct contact details are below.

PURPOSE	NAME & POSITION	CONTACT DETAILS
General contact and advice	Terry Campese Coordinator, Community	<a href="mailto:terry.campese@qprc.nsw.gov.au">terry.campese@qprc.nsw.gov.au</a> (02) 6285 6198 0457 857 773
General contact and advice	Chris Duncan Manager, Community and Recreation	<a href="mailto:chris.duncan@qprc.nsw.gov.au">chris.duncan@qprc.nsw.gov.au</a> (02) 6285 6168 0439 060 012
Alternative contact	Mark Spear Coordinator, Recreation	<a href="mailto:mark.spear@qprc.nsw.gov.au">mark.spear@qprc.nsw.gov.au</a> (02) 6285 6331 0400 926 290

## 3. GENERAL DELEGATIONS

- 3.1 S355 committees act on behalf of Council and Council is responsible for everything S355 committees do whilst acting in accordance with their delegations. If committees act outside of their delegations, members may be held liable for those actions.
- 3.2 Repair work costing more than \$2,000 or any structural alterations must be referred to Council before any work is undertaken.
- 3.3 Council does not permit payments, including honorariums, to be made by a committee to any of its members. The committee may, at a properly constituted meeting, approve payment to reimburse reasonable out-of-pocket expenses incurred by members in their work for the committee.
- 3.4 A committee cannot enter into agreements, which may be construed as an employer/ employee relationship without prior Council approval.
- 3.5 S355 committees are bound by all Council policies including, but not limited to:
  - a. S355 Committee Guidelines
  - b. Code of Conduct
  - c. Volunteering Policy
  - d. Sustainable Procurement and Contracts Policies

<https://www.qprc.nsw.gov.au/Policies-Strategies-and-Plans/Adopted-QPRC-Policies>

- 3.6 Committees are also required to adhere to general government regulations such as Working with Children Checks (where applicable) and the Work Health and Safety Act 2011.
- 3.7 S355 committees are not delegated to authorise or run high risk activities in hiring Council facilities. All high-risk activities, **need specific Council approval** including but not limited to:
- a. Fireworks displays
  - b. Jumping-castle (or jumping-mats) use
  - c. Public events that require traffic management
  - d. Show events
  - e. Music events or festivals
- 3.8 If an event is considered high-risk Committees should contact Council's Manager Community and Recreation for advice. The approvals process may take time, so earlier notification is recommended.

#### 4. FINANCIAL MANAGEMENT

- 3.1 Council and its committees are required to comply with strict financial requirements under the *Local Government Act 1993* and Regulations. Council may take action, including external debt recovery action, to recover any payment made by a committee, or member of a committee, outside their authority.
- 3.2 Each committee with financial responsibilities must maintain a record of all financial transactions and must only operate within the levels of the funds held at any one time, i.e. it cannot borrow money or arrange for a bank overdraft.
- 3.3 Committees are requested to:
- use the ABN of QPRC (95 933 070 982) and display this number on all receipts and invoices.
  - apply GST to fees and charges for use of the facility where appropriate, in accordance with Council's adopted Fees and Charges
  - provide Council with a summary at the end of each financial year of the amount of GST collected on revenue and the amount of GST to be claimed as input tax credits on expenditure.
  - retain financial records that relate to GST for a minimum of seven years. Should QPRC be audited by the Australian Taxation Office, financial records will be requested and provided.
- 3.4 Each committee is obliged to provide the financials for the year end 30 June for preparation of statements and audit committee books within one month after the end of the financial year (30 July). Financials must include:
- a statement showing all income received and payments made by the committee during the financial year ended
  - a list of all assets under the committee's control any liabilities, such as Council loans for improvement works
  - a bank reconciliation
  - a bank statement certifying the balance of funds held at 30 June.

Committees must also provide an annual report.

## 5. INSURANCES

S355 committees, associated volunteers and casual hirers of facilities (less than 10 times per year) are covered by Council's Statewide Insurance Hirers Policy and related public indemnity insurances. Council also maintains insurance cover for its assets for damage in excess of \$12,000.

Permanent hirers of Council-owned and managed facilities (more than 10 days over any 12-month period) such as incorporated associations, sporting bodies etc must have their own public liability insurance cover of not less than \$20 million, indemnifying Council against any claims that arise as a result of their activities

S355 Committees MUST ensure that all incorporated or profit-making bodies have adequate public liability cover. Committee members must also ensure that the correct licences and approvals are held by facility users