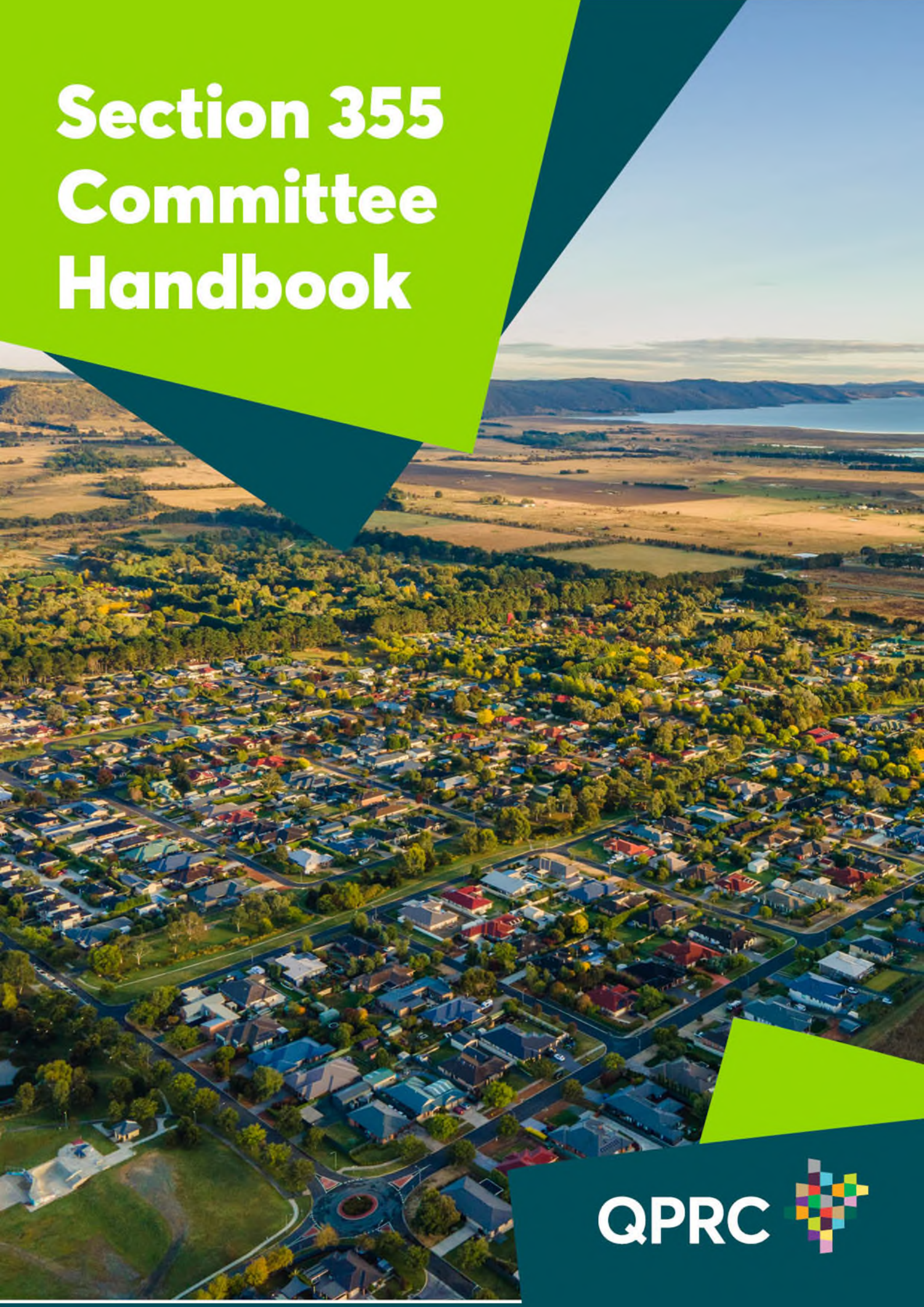


Section 355 Committee Handbook



QPRC



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SUMMARY

Council recognises and appreciates the important work done by volunteers through Section 355 (S355) Committees.

This handbook is to assist volunteer members in operating a S355 Committee. It is a general overview of requirements that may apply to a S355 Committee, depending on the function(s) performed and/or the asset(s) being managed.

The handbook sets out the boundaries and delegations that Council has authorised for committees to operate. S355 Committees and their members act on behalf of Council and so are bound by the same legislation.

In July 2022 Council resolved to appoint Councillor members to every S355 Committee. You can find a list of all QPRC S355 Committees and their Councillor delegates on the [website](#).

CONTACT WITH COUNCIL

Committees are encouraged to communicate with Council at any time, particularly if urgent maintenance is required on their facility.

Purpose	Name and Position	Contact details
General contact	Sue Froewis Community Development Officer	S.355support@qprc.nsw.gov.au (02) 6285 6501 0400 830 545
	Rahni Orr Deas Community Development Officer <i>Parental Leave cover until July 2026)</i>	S.355support@qprc.nsw.gov.au (02) 6285 6704 0491 446 848
Alternative contacts	Joanna Wherry Coordinator, Community	joanna.wherry@qprc.nsw.gov.au Copy in S.355support@qprc.nsw.gov.au (02) 6285 6045 0428 234 831
	Chris Duncan Manager Community and Recreation	chris.duncan@qprc.nsw.gov.au Copy in S.355support@qprc.nsw.gov.au (02) 6285 6168 0439 060 012
Urgent maintenance requests	Peter Callander Team Leader, Maintenance	peter.callander@qprc.nsw.gov.au Copy in S.355support@qprc.nsw.gov.au 0419 621 578

REPORTS TO COUNCIL

The following reports are due to Council within the timeframes indicated.

Activity	Description	Timeframe
Minutes of Meetings	Draft minutes of Committee meetings.	Within 2 weeks of the meeting date
Disclosure of Interest	Any pecuniary interest disclosures.	Within 2 weeks of the meeting date
Financial Report	A statement of income and expenditure and a copy of the corresponding bank statement dated 30 June.	By 31 July annually
Annual Report	A summary of the key achievements including and supported by other items determined at the AGM.	Where possible, by 30 September
Membership Updates	Provided throughout the year as relevant and within the Annual Report.	Throughout the year as required, or by 30 September
Fees & Charges	Any proposed changes to Fees & Charges for the next financial year.	By 30 November annually

Template documents are available to help committees with reporting. For more information or support please contact the S355 Support Team.

DEFINITIONS

<i>S355</i>	Section 355 Committees that operate under the authority of the Local Government ACT 1993
<i>Council</i>	Queanbeyan-Palerang Regional Council
<i>Pecuniary interest</i>	Any interest that a person has in a matter because of a reasonable likelihood or expectation of a financial gain or loss to that person Section 442 of the NSW Local Government Act
<i>Conflict of interest</i>	Exists where a reasonable and informed person would perceive that a volunteer could be influenced by a private interest when carrying out a public duty.
<i>Offence whilst holding office</i>	Predominantly related to property, including robbery, extortion, and various forms of larceny (referred to in part 4 of the NSW Crimes Act 1900
<i>GST</i>	Goods and services tax

1. COMMITTEE MEMBERSHIP

Generally, S.355 Committees have a minimum of 4 four and a maximum of 12 members.

Committee members are recognised volunteers of Council and are covered by Council's insurances. Youth membership (from ages 12-24) is encouraged to help with a Committee's long-term sustainability.

Members are eligible for re-appointment unless they:

- fail to attend meetings without reasonable explanation;
- become bankrupt;
- fail to disclose any pecuniary interest in Committee business matters and/or and take part in discussions or votes on these matters.
- are convicted of an offence while holding office
- become unfit to hold a position

Or if

- a Councillor passes a resolution to remove the member from the Committee.

1.1 Office bearers and duties

Based on their needs and size, S355 Committees can elect the following office bearers.

1.1.1 Chairperson (Chair)

The Chair of a Committee is responsible for:

- providing coordination, guidance, and leadership for the successful functioning of the Committee
- representing the Committee in the public
- ensuring the administrative and other tasks are carried out.

During meetings, the Chair ensures:

- meetings are correctly convened
- a quorum is present for all decisions
- meeting decisions are recorded properly in meeting minutes
- order is maintained

The Chair can vote on any motion and if a vote is tied, the Chair can exercise a casting vote. If the Chair is absent, the Committee may appoint another member to temporarily act as Chair.

1.1.2 Secretary

The secretary is responsible for the administration work of the Committee including:

- taking and distributing meeting minutes
- maintaining all records and correspondence to and from the Committee
- preparing notices of meetings, agendas and reports
- liaising with the Chair between meetings.

1.1.3 Treasurer

If the Committee handles funds, a Treasurer should be appointed. The Treasurer is responsible for keeping the financial records in good order. The person in this role does not need to be a financial professional. Duties include:

- maintaining a bank account in the name of the Committee (once approved by Council)
- ensuring signatories to the account - Chair, Treasurer, and Secretary (or one other office bearer) with any two to sign
- recording and banking money received
- paying accounts as authorised by the Committee
- keeping invoices, receipts, and bank statements etc. for audit purposes
- reporting on financial information to Committee at each meeting.
- preparing an annual financial report.

1.1.4 Other office bearers

Other (optional) office bearers can be elected. These include:

- Deputy Chair
- Bookings Officer
- Publicity Officer
- Community Specialist/Club representative

1.1.5 General Committee members

Non-office bearing Committee members attend meetings and participate in Committee activities, business and decision making. They should also bring relevant issues to the attention of the Committee.

Non-committee members with the relevant skills may be appointed to undertake tasks such as bookkeeping and secretarial work. In some cases, this will be a volunteer; in other cases, the Committee may engage a relevantly qualified person to keep financial records.

1.2 Election of office bearers

Positions should be declared vacant and re-elected each year at the Annual General Meeting.

Members of the public are encouraged to attend Committee meetings and consider becoming a volunteer member at any time. Committees should advise Council of changes to membership either throughout the year or within the Annual Report so these can be noted on Council records.

1.3 Onboarding and training of Committee members

Council is required to confirm that Committee members have undertaken training that is mandated for all Council volunteers. The training is in video format or with a Council staff member and provides a general overview of:

- QPRC Code of Conduct
- Public Interest Disclosures
- Work Health and Safety
- Respectful Behaviours
- Financial Procurement

Council keeps records of training and will inform Committees when it needs to be refreshed or updated. Additional training can be provided on request.

2. COMMITTEE MEETINGS

2.1 Terms of Reference (ToR)

The ToR defines the Committee's purpose, membership, meeting procedures and delegated responsibilities. It provides transparency, accountability, and alignment with Council's strategic objectives. It also provides a clear understanding to members, Council staff, and the community about the role and function of the Committee.

2.2 General

Each Committee decides its own meeting frequency and times, though it is suggested that at a minimum, the meetings should be held quarterly. The aim is to meet as often as necessary for good management of the Council asset.

S355 Committee meetings are open to the public because the Committee is representing the community in the management of a public asset. However, visitors can only take part in discussions at the invitation of the Chair. Visitors cannot propose motions or vote.

The business that a Committee deals with at the regular meeting will be largely determined by its level of activity. The basics that need to be covered include reports from the:

- Chair
- Treasurer
- Secretary, including a list of correspondence received and sent
- Progress reports on any works being done

2.3 Holding Committee meetings

2.1.1 Notice of the meeting

The Committee should share dates and venues for its meetings and provide notice to the local community via newsletters, noticeboards, letter-drops and/or printed advertisements in local newspapers, newsletters and/or by electronic means.

Committees should advise Council of its meeting schedule to enable this information to be shared across Council's public channels.

Reasonable notice of meetings should also be provided to both committee members and the public. Committees are invited to publish a schedule meetings on Council's website each year.

2.1.2 Agenda

Prior to any meeting, an agenda should be prepared. An agenda is a short document that sets out the business to be dealt with at the meeting. It is usually prepared by the Secretary in consultation with the Chair, but any Committee member can nominate items of business to be included. The agenda is circulated with the minutes of the previous meeting and any reports to be considered at the meeting preferably at least one week prior to the meeting.

At the start of the meeting the Chair may ask if there are any additional items to be added to the agenda. New items of business are generally accepted however, if they are contentious or if some members are absent, the meeting may decide to defer discussion of these issues.

2.1.3 Quorum

A quorum is the minimum number of Committee members that must be present and remain present for the duration before a meeting is considered valid. For QPRC S355 Committees, a quorum is a majority of members, i.e. half the members, plus one (e.g. for a 12-person Committee, seven members will need to be present for a quorum). Where there is an odd number of members, e.g. seven, quorum will be rounded up to four.

If, after 15 minutes from the start of the meeting, a quorum has not been reached, the Chair may decide to postpone the meeting or conduct the meeting but refer all decisions and motions to another meeting when a quorum is present.

2.1.4 Decision Making

Committee decisions are made through motions. Any Committee member can move a motion, and the Chair accepts the motion for consideration. Motions should be moved by one Committee member and seconded by another. They are then discussed and voted on by the Committee. If a vote is tied, the Chair can exercise a casting vote.

Motions can be simple i.e. 'I move that the Treasurer's report be accepted' through to motions that are complicated and contentious. In such cases, it may be useful for the motion to be written down and read out or circulated prior to voting, so that everyone is clear about what is being decided.

Decisions can only be made at a meeting where there is a quorum.

2.1.5 Public Participation

Members of the public are entitled to attend Committee meetings but how they participate is up to the Committee. This can range from simply allowing the public to witness the Committee's proceedings to actively encouraging input into the discussion of items of general business. This could include:

- Allowing question time at the start of a meeting
- Accepting questions in writing for consideration either at the start of the meeting or as part of general business, and
- Encouraging deputations and petitions.

If a Committee attracts a high level of public interest, it can develop guidance on how members of the public are expected to conduct themselves in Committee meetings. This might include limiting questions to two per person, giving the Chair the right to eject any person disrupting the meeting etc.

2.1.6 The Annual General Meeting (AGM)

The AGM is a public meeting where the committee reports to its community. It must be held no later than 30 September each year. The AGM agenda includes:

- ratification of the minutes of the previous AGM and signing by the Chair
- the Chair's report on the Committee's activities of the past 12 months
- presentation of financial statements by the Treasurer or Secretary
- review of the Committee Terms of Reference
- an outline of the Committee's proposed activities for the 12 months.
- the ratification/ election of office-bearers for the next 12 month term.

The AGM should be advertised at least seven clear days in advance. Committee members should receive the agenda, reports, and minutes from the last AGM at least one week before the meeting.

Attendees can ask questions of the Committee (at the appropriate time), but it is not a forum for taking motions from the floor or voting on proposals. These actions should be held over to the next regular meeting.

The minutes of the AGM are to be forwarded to Council, along with notification of changes to names, addresses and contact numbers of office bearers.

3. CODE OF CONDUCT

S.355 Committee members must abide by the QPRC Code of Conduct. This Code is available on Council's website.

3.1 Purpose of the Code of Conduct

The Code of Conduct assists Councillors, members of staff and volunteers to:

- understand the standards of conduct expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence
- act in a way that enhances public confidence in the integrity of local government.

Committee members must be aware of any incompatibility between their private or personal interests and the impartial performance of their public or professional duties.

They must declare pecuniary interests or conflict of interests they have with any matters on the agenda. These declarations need to be stated at the start of the meeting and be recorded in the minutes, including the reason given for the interest or conflict. Any member declaring such interests must not take part in discussion or voting on the relevant item.

3.1 Bribes, gifts, and benefits

S355 Committee members should avoid situations that are, or appear to be, where a person or body is attempting to secure favourable treatment from them or from the Council, through the provision of gifts, benefits or hospitality of any kind to them or someone personally associated to them.

Gifts of a token value (up to \$100) can be accepted provided the description of the gift and the circumstances in which it was accepted are reported to Council for inclusion on QPRC's gift register.

3.2 Use of Council resources

A Committee member must:

- use Council resources effectively in the course of their public duties, and must not use them for private purposes; and
- not convert to their own use any property of Council.

4. MEETING MINUTES

Minutes are a written record of a meeting and must be kept for all meetings of the Committee. Minutes should record decisions, rather than a detailed account of the discussion.

Draft meeting minutes should be emailed to Council within 2 weeks of a meeting.

4.1 What to include

At a minimum, the minutes should record:

- meeting start and finish time
- where the meeting is held
- the names of the Committee members present and those who are absent, noting those who provided apologies
- disclosure of any pecuniary interests or conflicts of interest
- the time of any arrivals and departures of members during the meeting
- a list of all items of business considered
- the exact wording of any motions moved, including the name of the mover and seconder, and the mover and seconder of any amendments to the motion
- a record of all members who supported or opposed the motion if requested by any member
- the results of consideration of any motions – carried, lost, withdrawn, lapsed, amended
- details of any questions taken on notice
- details of any deputations made to the Committee, or any guest speakers.

Minutes should enable a Committee member who was not present at the meeting to be informed of all actions and decisions arising, and the reasons for those actions and decisions.

4.2 Other details

A number of other details should be, or can be, included in the minutes.

- All payments should be approved at a meeting and recorded in the minutes.
- Each recommendation passed by the Committee must have a sequential identifying number and the year, e.g. 1/2025, 2/2025 etc.
- If they choose to, members can have their name recorded against or for a motion if the motion is carried contrary to the way they voted.
- Every page of the minutes should be numbered and bear the date of the meeting.
- Minutes should be endorsed at the following meeting as being a true and accurate record. They can also be confirmed by consensus via email to all members. The motion endorsing the minutes should only be moved by a member who attended that meeting.
- Draft minutes should be forwarded to the QPRC S355 Support team email.

If a Committee wants a matter to go to Council, a Councillor may submit a Notice of Motion for consideration or alternatively the Committees can contact Council requesting for an item to be referred.

Minutes are a permanent record of the Committee's decisions and proceedings. The secretary should keep a Minute Book or appropriate electronic record that will be passed on to the incoming secretary at the end of the Committee's term. In the longer term the minutes are public records of Council and are archived in accordance with the State Records Act.

5. FINANCIAL MANAGEMENT

Certain financial requirements are legislated under the Local Government Act 1993 and Regulations.

Council may act, including using external debt recovery, to recover any payment made by a Committee, or member of a Committee, outside their delegated authority. Committee members with financial delegations must receive procurement training.

Committees 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. the Committee cannot borrow money or arrange for a bank overdraft.

Committees are requested to:

- use the ABN of QPRC (95 933 070 982) and display this number on all receipts and invoices.
- apply the Goods and Service Tax (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.

Records of financial transactions can be assisted by the following information:

Receipts/ Cash book (hard copy or electronic) to record all monies received.

Where a hard copy is used, it should consist of pre-numbered receipts and duplicates, so that the original can be detached, and the duplicates remain in the book. Where an error is made in writing out a receipt both the original and duplicate should be cancelled and both copies retained in the book.

Expenditure

All payments should be authorised by two Committee office bearers. Where possible, accounts should be submitted to a meeting for approval prior to payment so that particulars can be recorded in the minutes. Where payment must be made before the next Committee meeting, particulars are to be recorded in the minutes of the next Committee meeting to confirm the payment. Payments must be also recorded separately either in the receipt/cash book or by electronic means. GST incurred or received must be included in the income and expenditure report.

Banking

Committees should open an account at an approved bank within the Queanbeyan-Palerang LGA. The account should be in name of the Committee and have drawing facilities. All monies received should be banked in the form they were received.

Petty cash

Payments must be supported by receipts/dockets. The total of receipts and cash in the container must equal the total cash float. Receipts must be attached to the cash withdrawal receipt.

GST

Council has resolved to make payment of any GST payable and retain any GST refundable by a S355 Committee on the Committee's behalf. Committee Treasurers should obtain and

keep all tax invoices in relation to all expenditures, as Council is only able to claim back applicable GST where these records are held. Each Committee is obliged to provide information for Business Activity Statements (BAS) as of 31 July each year for preparation of statements and audit of Committee books.

5.1. Reporting

A statement of income and expenditure (including GST incurred/received) and a copy of the corresponding bank statements to 30 June must be provided by 31 July for auditing purposes.

Annual Reports must also be compiled each year and contain brief details of:

- membership
- office-bearers
- achievements for the past 12 months
- short, medium and long-term goals
- record of volunteer contributions
- inclusion of assets and liabilities under the Committees' control
- risk management & compliance activities through the year
- financial statement of income and expenditure (including GST incurred/received) and a copy of the corresponding bank statement dated 30 June (as provided by 31 July)

Where possible, Annual Reports (and supporting documentation) should be sent to Council by 30 September each year.

6. CONTROL & MANAGEMENT OF COUNCIL FACILITIES

Committees are responsible for the management of a Council facility including arranging and paying for electricity, cleaning, and other items in the general maintenance, except rates and property insurance.

Committees operate with minimum Council intervention or involvement. However, the facilities involved represent an investment of public funds and Council bears ultimate responsibility for the facility.

Regular liaison between S355 Committees and Council staff is encouraged to resolve any problems before they escalate.

6.1 Fees and charges

Based on Committee recommendations, Council fixes all fees and charges annually when developing its budget for the following year. Committees should forward their recommended fees and hire charges before 30 November each year (for the following financial year). These should be sent to the S355 Support team email account.

Fees and charges recommended (including a bond) should be calculated to cover the costs of managing and maintaining the facility including periodic maintenance such as repainting, top dressing, furniture replacement, running of events, etc.

Council retains the right to set or increase fees and charges to secure a reasonable income for the facility. Committees cannot make changes to their fees and charges after adoption of the annual Operational Plan and Fees and Charges unless they have been publicly exhibited and approved by Council.

All bookings are to be charged in accordance with QPRC's adopted Fees and Charges.

Committees may reduce or waive fees for external hirers to support not-for-profit groups and community initiatives. However, this should be indicated in the Committee's Fees and Charges and the request should put forward as a motion to the Committee for acceptance at a meeting.

Committees will collect and retain any approved fees for the use of the facility for maintenance and running expenses.

If, for any reason, a Committee ceases to function, all funds held at that date should be transferred to Council, without deductions. All assets, improvements and equipment will also revert to Council.

6.2 Access

Council encourages the use of facilities by members of the public. Subject to the payment of relevant fees and charges, the public has a right to seek the use of facilities. Committees should exercise due diligence when hiring out Council's facilities to minimise the risk of damage and negligence. An appropriate bond should be charged for all public events. Care should be taken to verify that one group or one section of users/hirers do not unduly subsidise others and that all users contribute on an equitable basis.

Committees must guarantee that the premises and surroundings of the facility are safe. A plan and description of the facility will be annexed to the delegations of authority granted by Council to Committees in their Terms of Reference. If Committees are unable to make their facilities safe, they must immediately notify Council.

Council's buildings must not be used for any purpose that may conflict with Council's planning and health requirements, or Work Health and Safety Act 2011 and Regulations. Committees should inspect premises prior to hire to enable them to determine that the facility is returned to its pre-hire state.

6.2.1 Keys to facilities

Keys to all Council buildings and facilities are kept on a master system by Council. Staff will provide a key to each Committee Executive. Any additional keys may be requested by the Committee, but the allocation of these must be recorded on a key register. Each key must be signed for by the recipient and returned to the Committee on cessation of membership.

Keys issued to members other than the Executive office-bearers are the responsibility of the Committee. Any replacement of lost or misplaced keys will be charged to the Committee.

6.3 Maintenance and improvements

Alterations to facilities or recreation grounds must be in accordance with development controls of Council. Each Committee is responsible for making sure the facility under its control is maintained in a state of reasonable repair and does not present hazards to users. Council will inspect the various facilities from time to time, but Committees are expected to inform Council of any substantial repair or upgrading work required on the facility under their control. Fees received by the Committee will be retained by the Committee to cover the cost of maintenance and improvement.

Any works considered necessary or desirable, but beyond the means of the Committee, should be referred to Council in writing so that early consideration can be given and included

in a works program or the allocation of Council funds. Repair work of more than \$2,000 or any structural alterations must first be referred to Council for approval and advice before any work is undertaken. Work can only be carried out by qualified Council approved personnel.

Committees are encouraged to apply for available grant funding from the Commonwealth and/or State Government or external bodies. Council's Grants Officer is available to advise and assist.

Some grants funds allow Committees to lodge applications directly. Some must be approved and applied for by Council and signed by the General Manager or their delegate. Where required, Council will provide a letter of support for the application.

All grant funding requires acquittal on completion of the project. To ensure acquittals can be properly finalised by Council, the Committee must keep, and submit to Council, a record of all invoices, statements, payments, in-kind contributions, and milestones.

6.3.1 Public buildings

Council is generally responsible for major maintenance and improvements, such as external painting or re-roofing and building extensions, subject to the availability of Council funds, grant funding and/or income generated by the facility. Council will also maintain emergency equipment such as fire extinguishers, and defibrillators.

However, the Committee is expected to accept responsibility for the cost of items such as:

- cleaning and replacement of consumables e.g. bins, paper towels and soap
- replacement of worn or broken items
- internal painting
- plumbing maintenance
- electrical maintenance
- minor repairs, such as broken windows and fittings
- installation of new internal fittings, such as cupboards
- utilities – gas and electricity
- excess water
- provision and maintenance of furniture and equipment
- consumable first aid supplies

6.3.2 Reserves and open spaces

Council is generally responsible for major maintenance and improvements, such as irrigation systems, subject to the availability of Council funds, grant funding and/or income generated by the facility. The Committee should advise Council of periodic maintenance of a major nature, (e.g. line-marking, topsoiling, replacement of worn or broken items, fencing).

Maintenance works can be carried out by:

- voluntary labour subject to prior induction and risk management
- contractors
- Council staff and equipment on the basis that the Management Committee pays Council the appropriate hire rates.

7. INSURANCES

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 that indemnifies Council against any claims that arise as a result of their activities.

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 \$100,000.

7.1. High risk activity

In hiring Council facilities, Committees are not delegated to authorise or run high-risk activities. All high-risk activities need specific Council approval. High-risk activities include but are not limited to:

- fireworks displays
- jumping castles (or jumping mats)
- public events that require traffic management
- show events
- music events or festivals

If an event is considered high-risk, Committees should contact Council for advice. The approvals process may take time, so early notification is recommended.

7.2 Damage and Injury claims

7.2.1 Council Property Damage

Council maintains insurance cover for its assets for damage in excess of \$100,000. For any major damage to Council's property:

- Report the damage to Council
- Photos of the damage should be taken as soon as possible
- Damage to property claim form to be completed

7.2.2 Volunteer injury

Injuries to volunteers should be reported directly to Council as quickly as possible. Volunteers are covered by Council's Personal Accident Cover. The cover is subject to terms and conditions which may vary from year to year. Please note that general insurers are not permitted by law to provide medical expenses cover in Australia, this policy does not extend to cover medical expenses. Medical expenses are insured by either Medicare or private health insurance.

7.2.3 Third-party injury

Any incident on Council property involving injury to a third-party should be reported to Council as soon as possible. When an accident occurs, members of the S355 Committee are instructed to NOT admit liability.

7.2.4 Casual hirers

Council maintains Casual Hirers Liability Insurance that covers casual hirers of Council-owned facilities. A casual hirer is any person or group who hire a Council facility for non-commercial or non-profit making purposes less than 10 times per year.

All short-term, unincorporated users of Council facilities (e.g. for weddings, birthdays etc.) are covered by Council's Hirers Policy. Please check with Council to confirm the facility is covered.

Council must be notified of any potential claims as soon as possible. Should a claim occur from negligence of Council as facility owners (e.g. a third party breaks a leg after tripping on a broken step) then Council's Public Liability – Professional Indemnity Policy is the policy to respond to the claim. However, if a claim occurs from the negligence of the Hirer, (e.g. a third party breaks a leg after slipping on a drink spilt on the floor) the Casual Hirers Policy is to respond.

Sporting bodies, clubs, association, corporations, or incorporated bodies are not covered. As per the hire form, bodies not covered must provide proof that they have current insurance coverage for \$20m. A record of the hire form and proof of the insurance cover should be retained.

7.2.5 Permanent hirers

Permanent hirers of Council-owned and managed facilities are those who hire a facility for more than 10 days over any 12-month period. Permanent hirers must have and maintain Public Liability insurance policy with a reputable insurance office indemnifying Council and in the case of the facility being on a Crown Reserve indemnifying the Minister in the sum of not less than \$20 mil in respect of every claim.

Incorporated associations, sporting bodies, or associations of any kind must provide their own Public Liability Insurance cover, indemnifying Council against any claims that may arise because of their activities.

Hirers must provide Council with proof of insurance in the form of a current Certificate of Currency issued by the Insurer. The Committee must confirm that all incorporated or profit-making bodies have adequate public liability cover. Committee members must also verify that the correct licences and approvals are held by facility users

7.2.6 Property Damage/Theft

Council has a blanket policy that covers all Council building assets and, where notified, all contents which are assets belonging to Council. Any claims for loss or damage are subject to an excess payment. Note that only items belonging to Council can be covered under this policy.

In the event of theft or vandalism to Council property or assets, the incident should be reported to the Police in the first instance and appropriate action taken to secure the property and verify safety of the area.

The reporting officer must fill out an Incident Report form and submit it to Council for certification. The reporting will serve as an important database of information on small incidents for future reference and budgeting.

Committees will be liable for all claims below excess. A claim under this provision must be made on the appropriate Property Claim form accompanied by the Incident – Report form.

If a claim is successful under this provision, the items will be on a replace/restore basis only through Council's purchasing system.

This provision only refers to property belonging to Council:

For a claim to be successful, it must be demonstrated that the Committee had exercised a "duty of care" prior to the damage or loss. It is important that the assets of the Committee are listed on Council's records. Written advice is required on new assets in the Annual Report to Council.

8. RISK

A risk is the chance of something occurring that has the potential to cause loss, damage, or injury. Most activities have risk associated with them.

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

8.1 Identification of Risk

There are many ways to identify risks including checklists, judgments based on experience, records, expert opinion etc.

The aim of risk identification is to generate a list of events that might affect the Committee's operations or objectives. These risks are then considered in more detail to identify the potential impact of each risk. The identification process should be broad, so that all possible risks, no matter how small, are considered. Steps should then be taken to reduce the risk(mitigate) as much as possible to try to eliminate loss, damage, or injury.

As a minimum, Council's insurer has advised that where a facility is hired out, the responsible Committee should have a Pre-Hire Checklist that should be completed by a Committee member prior to the hirer taking possession of the facility. The checklist should identify and address any items that may be a risk of causing loss, damage, or injury.

The checklist is also helpful as it can prove that the facility was in good order before the hire, therefore the damage must have occurred during the hire period.

Where the Committee identifies a major risk and mitigating it is outside the scope of the Committee, a report should be forwarded to Council. Council is available to assist with a risk assessment.

9. GENERAL DELEGATIONS

S355 Committees act on behalf of Council and Council is responsible for everything Committees do whilst acting in accordance with their delegations. If Committees act outside their delegations, members may be held liable for those actions.

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.

SECTION 355 COMMITTEE HANDBOOK

A Committee cannot enter into agreements, which may be construed as an employer/employee relationship without prior Council approval.

S355 Committees are bound by all Council policies including, but not limited to:

- S355 Committee Handbook
- Code of Conduct
- Volunteering Policy
- Sustainable Procurement and Contracts Policies

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.