Bass Coast Shire Council Instrument of Delegation (Special Committees)

Bass Coast Shire Council (Council) delegates to the special committees established by resolution of Council passed on 20 March 2019 and known as the following Special Committees ("the Committees")

- Cape Paterson Hall
- Cape Paterson Sports Facility
- Corinella Public Hall
- Coronet Bay Hall and Reserve
- Dalyston Hall
- Dalyston Recreation Reserve
- Glen Alvie Recreation Reserve
- Glen Forbes Recreation Reserve
- Kernot Hall and Reserve
- Krowera Hall
- Newhaven Hall
- Pioneer Bay Reserve
- Rhyll Hall and Reserve
- Surf Beach Community Park
- Pound Creek Recreation Reserve

the powers and functions set out in the Schedule, and declares that:

1. This Instrument of Delegation is authorised by a resolution of Council passed on 20 March 2019;

2. The delegation:
   2.1 Comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
   2.2 Remains in force until Council resolves to vary or revoke it; and
   2.3 Is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and

3. All members of the Committee will have voting rights on the Committee.

4. The members of the Committee pursuant to s 81 (2A) of the Act, are exempted from being required to submit a primary return or ordinary return.

The Common Seal of Bass Coast Shire Council was hereto affixed in the presence of:

........................................Chief Executive Officer

Dated ..................................................

ED18/124368
SCHEDULE

Powers and functions

To exercise Council’s functions and powers to perform Council’s duties in relation to the management of the facility (conferred by Section 86 of the Local Government Act 1989), and for those purposes:

a) To ensure fairness in access and use of (Hall/Reserve).
b) To ensure (Hall/Reserve) and surrounds are clean and presentable and ensure maintenance of buildings, furniture and fittings.
c) To ensure Council are informed of developments and improvements.
d) To be a point of contact for the public with respect to the operation of the (Hall/Reserve).
e) The power to set dates, opening and closing times at (Hall/Reserve).
f) The power to negotiate uses of the facility.

Administration

1. Provide Council with a financial report each quarter and submit GST calculation sheets annually.
2. Provide minutes of every meeting as per Section 93 of the Local Government Act 1989.
3. Provide an annual report to be submitted to Council and include information on bookings, injuries/accidents, maintenance, improvements undertaken and future requirements and other matters considered relevant by the Committee. The Annual report should be submitted after the Committee has held its annual general meeting (AGM).

Maintenance

1. Capital works, repairs and maintenance responsibility is divided between the Council and Committee.
2. Any capital works and projects must be approved by Council before applying for grants or seeking other forms of funding. Capital works includes any major structural changes or additions to a building or landscape.
3. Committees have the authority to undertake minor repairs up to the value of $5000. Consent must be gained from Council for any expenses above this. Works must be carried out by qualified personnel, relative to the task being performed. All certificates of compliance must be forwarded to Council on completion.
4. Maintain a register of key holders and provide this to Council.

Risk management/Insurance

Committees of Management will ensure;

1. The Hall/reserve is maintained in a manner that meets all Workcover and Occupational Health and Safety Regulations.
2. Hazards, incidents and/or near misses are addressed through direct action and/or reporting of the hazard/incident and/or near miss to Council.

3. Each Committee must maintain a volunteer register containing name, address, type of activity performed and times of work.

4. New volunteers will be inducted to the site using the volunteer induction checklist.

Finance

Committee funds shall be used only towards meeting the aims and objectives of the Committee.

The Committee:

1. May set its own user fees, membership fees and entrance fees for the facility.
2. Can seek and receive grants of up to $5000 without seeking approval from Council.
3. May operate bank accounts which are to be held in the Committee's name. All monies received by the Committee must be paid into this account. Council must have the ability at all times to access details of the committee bank accounts.
4. Is responsible to pay all utility, municipal and water charges incurred in operating the Hall/Reserve.
5. Cannot borrow money other than advances from the Council.
6. May not expend in excess of $15,000 per financial year without Council approval.
7. May not expend more than $5,000 on any single purchase without Council approval.
8. Cannot sponsor any event or program with a budget in excess of $1000.
9. Can pay the Council any sums of money for agreed works undertaken by the Council for the Committee.

Contractors

The Committee does not have the power to enter into contracts other than those for administrative functions and engaging of short-term special purpose entertainers, facilitators and guest speakers. Such persons shall be deemed 'contractors', not employees of the Council. Such contractors shall have relevant insurance cover relating to their engagement.

Committee Structure

The Committee will comprise of no less than 4 members with a suggested limit of 9 members who are officially appointed by the Council.

Office bearers for the following; President, Vice President, Secretary, Treasurer and booking officer positions shall be appointed at the Annual General Meeting. The Committee shall have the power to engage non-voting volunteers for a specific purpose or period.

The Council may remove, reform or amend membership at its discretion.

Vacancy

Where a vacancy occurs, the Committee may submit nominations to the Council for appointment for filling the vacancy for the duration of the remaining term of office. The Council may choose to fill the vacancy or call for public nominations.