

Operations Manual Woomelang Retirements Units



Yarriambiack
SHIRE COUNCIL

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Dear Committee Members

Yarriambiack Shire Council (Council) has a large network of volunteers who give their time, expertise and energy selflessly to provide for and develop our community. A large part of this network is involved with the management of community facilities, reserves and halls across our Shire.

To assist you in your role as volunteer, Council has produced this *Woomelang Retirement Units Community Asset Committee Operations Manual*. The Manual has been prepared to assist community volunteers who have been appointed to the Committee. The current Committee manages the Woomelang Retirement Units on behalf of Council and have the responsibility of improving and maintaining the areas under their control.

You will be provided with forms and templates to assist with your administrative tasks.

Documents of relevance to the Committee are the Instrument of Delegation, which includes the Community Asset Committee Charter.

Please do not hesitate to contact the Council representative if you need any assistance or if you have any suggestions for future editions of this Manual.

Thank you on behalf of your community.

Tammy Smith
Chief Executive Officer

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1 Application of Manual

This Manual has been developed to provide guidance to the Committee managing the Woomelang Retirement Units.

2 Definitions

Act means the *Local Government Act 2020* (the Act).

Community Asset Committee means a Community Asset Committee (Committee) established by a Council under section 65 of the Act.

Council means the Yarriambiack Shire Council.

Delegation means the Instrument of Delegation and accompanying Charter, which outlines the powers, duties and functions delegated to the Committee by the Chief Executive Officer (CEO) to manage the Facility.

Facility means the retirement units and site as defined by the Instrument of Delegation.

3 Delegations To Community Asset Committees

The CEO may delegate any power, duty or function of the Council to members of a Committee. Accordingly, lawful actions of Committees are in effect actions of the Council.

4 Relationship between Council and Committees

Council is committed to playing an important role in the ongoing guidance, support, training, development and success of Committees. Providing up to date information to Committees is a key way to ensure Committees operate effectively and efficiently.

For any queries or questions, Committees can contact Council at:

Warracknabeal Customer Service Centre

Governance Officer, Belinda Penny

Phone: 5398 0100

Free call 1800 065 647

34 Lyle Street Warracknabeal Vic 3393

4.1 Key contacts at Council

Council staff are available to assist Committees. The Council representative will be the principal point of contact between the Council and each Committee, but other staff are available to provide advice and support on specific matters. Details are provided below.

Governance Officer (GO)

- a) governance queries;
- b) guidance on powers, duties and purpose or procedural matters;
- c) guidance on interpreting the operations manual.

Manager Corporate Service (MCS)

- a) insurance queries;
- b) budgets; and
- c) financial reporting (including bank reconciliation).

Buildings and Maintenance Coordinator

Any queries relating to the maintenance of facilities.

5 Functions and Responsibilities

The key functions and responsibilities of the Committee are to:

- a) Control, manage and maintain the land and facilities in an efficient and effective manner, in the best interests of Council, residents and users of the facilities within the limitations specified in the Delegation.
- b) Maintain the highest level of cooperation between the Council, the Committee and the local community.
- c) Apply procedures, rules and conditions of use necessary for the proper use of the Facility.
- d) Ensure that any procedures, rules and conditions of use are consistent with the objectives of the Committee stated in the Instrument of Delegation and Charter, this Manual and any Council policies.
- e) Report any breaches of rules, conditions of use and local laws, which cannot appropriately be dealt with by the Committee to the Council representative.
- f) Ensure compliance with all Acts, Regulations and other legal requirements at the Facility.
- g) Not commit, or permit to be committed, any act which will have a negative impact on any of the Council's insurance policies; and
- h) Ensure the Facility is always kept in a well-maintained condition and is used in a reasonable and lawful manner by all individuals.

6 Committee's Legislative Obligations

6.1 Local Government Act 2020

Section 65 of the Act:

As a Committee established under the provisions of section 65 of the Act, decisions made by the Committee are in law, decisions of the Council. Therefore, Committees must ensure that they consider very carefully the decisions they make. If a Committee is in doubt about any matter they are discussing, they should contact their Council representative to seek guidance.

Section 47 of the Act:

A delegation under section 47 of the Act, to the members of a Committee, must be exercised subject to the terms and conditions specified by the CEO, which include:

- a) a specified limit (in accordance with the Instrument of Delegation) on any financial delegation and the specific purpose for which that financial delegation may be used;
- b) compliance with governance requirements to ensure appropriate standards of probity are met; and
- c) specific monitoring and reporting of the activities and performance of Community Asset Committees.

Committee members can only exercise their Delegation while acting as a Committee member at a Committee meeting.

The CEO must submit an annual report to Council in relation to the activities and performance of the Committee.

7 Governance and Good Management Practice

7.1 Starting a New Committee

At its first meeting in the financial year, the Committee should elect a President, Secretary and Treasurer recorded in the minutes and the secretary should inform the Council of these details.

The committee may also elect a deputy President. The positions of Secretary and Treasurer may be held by the same person, however, it is good practice for the role of Secretary and Treasurer to be held by different Committee members from an audit viewpoint.

7.2 Records Management

All Committee records should be captured as evidence of the decisions, operations and management of the Committee.

Council will establish a Sharepoint site where the Committee is to upload and record all Community Asset Committee documents.

Committee Emails

A Committee should have an email address which is only used for Committee correspondence. The Committee email should be able to be accessed by all members of the executive. Personal email addresses cannot be used for Committee correspondence.

7.3 Handing Over to a New Committee

The existing Committee has a responsibility to hand over to an incoming Committee. Some of these responsibilities include the following.

The outgoing Treasurer should:

- a) prepare a financial report and have it verified by the incoming Committee and Council representative;
- b) provide copies of any business plans and financial reports prepared over the Committee's term;
- c) advise the incoming Committee of any committed funds;
- d) organise the changeover of bank account details;
- e) advise the Council representative of the incoming Committee's contact details, if applicable;
- f) advise service providers (e.g. gas and water) of the incoming Committee's contact details, and
- g) hand over the books to the incoming Committee.

The outgoing Secretary should:

- a) hand over all correspondence;
- b) provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term;
- c) hand over passwords for email addresses (if applicable); and
- d) notify the Council representative of the new officer bearers and the Committee membership.

The outgoing President should ensure that the handover is completed in a timely and professional manner, and that the incoming Committee is adequately briefed.

The incoming Committee members should familiarise themselves with:

- a) their responsibilities, both as a Committee and as a Committee member, and
- b) the particulars of the Facility they have been appointed to manage.

New Committee members are not formally appointed until approved by Council. This must be completed by a resolution of Council.

Yarriambiack Shire Council will undertake an induction process for new members to ensure understanding of the Charter and Operations Manual.

7.4 Dealing with Public Complaints

Committees may receive complaints from members of the public about something it did or did not do. All complaints should be referred to the Governance Officer, and must be treated in accordance with Council's Complaints Handling Policy. It is not the responsibility of the Community Asset Committee to investigate and resolve the complaint, unless authorised by the Chief Executive Officer to do so.

Members of the public may take their concerns to Council, their Member of Parliament or the Ombudsman if they feel that a Committee and or Council has not dealt with them adequately.

7.5 Dealing with the Media

The Committee shall not issue any media releases or make statements to the Media unless approval has been granted by the Chief Executive Officer. Community Asset Committees must abide by Council's Media and Communication Policy requirements.

For assistance relating to dealing with the media the Committee should contact the Council representative.

7.6 Social Media

The Committee shall not create social media pages that represent the Asset Committee.

8 Membership

The Community Asset Committee Membership is outlined in the Woomelang Retirement Units Community Asset Committee Charter.

8.1 Attending Meetings

Committee members are expected to attend all meetings (in person or by electronic means), but illness, family crisis or other good reasons may result in absences. The President, Secretary or other office bearers should be contacted in advance to tender apologies or requests for leave of absence, which will be recorded in the minutes. It is important that apologies are tendered and accepted by the Committee. Any member's position on a committee can become vacant if they are absent from three (3) consecutive meetings without leave being obtained from the Committee.

8.2 Nomination of Membership

Community Representatives

Upon advice from the Secretary, Council shall call for expressions of interest (EOIs) for the appointment of community representatives to the Committee by giving public notice not less than 28 days prior to the Committee's annual general meeting (AGM) or a special meeting convened for the proposed appointment of a member. Public notice will be undertaken in accordance with Council's Community Engagement Policy.

Candidates for appointment must nominate verbally, or via written correspondence to be tabled at an AGM and/or special meeting.

Candidates must

- a) be over 18 years of age and over;
- b) have not been convicted of any indictable offence (a serious crime that is tried by a judge);
- c) have not been convicted of fraud (convicted by a court of obtaining of material advantage by unfair or wrongful means or an intentional dishonest act done with the purpose of deceiving);
- d) have not committed any other act or omission that might render or be seen to render them unfit for them to be a member of the Committee; or
- e) not have criminal convictions, financial or taxation dealings that might render or be seen to render them unfit for office.
- f) be willing to consent to a National Police Check. (Council will coordinate and pay for the Police Check).

Recommendations for Appointment

The Committee shall accept and nominate preferred candidates to the Council for appointment to the Committee via the AGM Minutes.

All formal appointments of members to the Committee must be via a resolution of Council endorsing the AGM Minutes and are to be subject to successful police checks.

Council may in its absolute discretion, decline to appoint to the Committee any person who has been nominated or recommended for appointment. In such an event, Council shall inform the Committee of the reasons for its decision.

8.3 Resignations

There are two common types of resignations: a resignation of an office bearer who will remain on the Committee and a resignation of a member who will leave the Committee.

Members who decide to resign and leave the Committee should aim to give reasonable notice so that a new member can be recruited, if necessary.

A resigning President must submit their resignation in writing to the Committee and the CEO. The Committee then decides on a replacement President and records its decision.

To resign from any other officer bearer position, but not from the Committee, a written resignation must be submitted. The Committee must accept and record the resignation in the minutes. The Committee may propose another member to fill that position.

Council must approve new representatives.

In all cases a resigning member must hand over all Committee records to the President or Secretary.

8.4 New Members

Incoming Committee members must familiarise themselves with:

- a) their responsibilities, both as a committee and as individual Committee members by reading this Manual; and
- b) the particulars of the Facility they have been appointed to manage.

9 Roles and Responsibilities

The Committee at each annual general meeting shall elect the following bearers:

- a) President;
- b) Deputy President (optional)

- c) Secretary; and
- d) Treasurer.

9.1 The President

The key responsibility of a President is facilitating the operations of the Committee.

The President is the leader of the formal meeting, and as such is responsible for maintaining order, the conduct of business and ensuring that meeting procedures are followed.

The President's main responsibilities are:

- a) to provide coordination, guidance and leadership to ensure the successful functioning of the Committee;
- b) to represent the Committee in the public domain;
- c) to ensure administrative, and other tasks from meetings are carried out;
- d) to chair all meetings of the Committee;
- e) to act as the principal liaison person between the Committee and Council (although this can be delegated to another member of the Committee); and
- f) to arrange an annual report of the Committee to be prepared for presentation at the annual general meeting and to the Council (e.g. the Presidents Report).

Specifically in relation to meetings the President is responsible for ensuring:

- a) meetings are convened;
- b) a quorum is present for all decisions;
- c) meeting decisions are properly recorded in the minutes;
- d) the agenda is adhered to;
- e) that the motions and amendments are unambiguous and otherwise in order;
- f) all members are given the opportunity to speak;
- g) the maintenance of order;
- h) the business of the meeting is conducted;
- i) voting rights are observed;
- j) a casting vote is used when necessary;
- k) the announcement of the result of all votes is clear; and
- l) the management of discussion and prevention of members from dominating to the exclusion of others.

In the absence of a President or Deputy President (if elected), the Committee shall elect another person to chair the meeting.

9.2 The Secretary

The Secretary is responsible for the administration associated with the meeting.

The duties of the Secretary include: -

- a) arranging meetings;
- b) preparing and distributing the agenda;
- c) arranging inwards and outwards correspondence;
- d) maintaining all records and correspondence;

- e) receiving all incoming correspondence and bringing it to the attention of the Committee;
- f) writing and dispatching all outwards correspondence required by the Committee;
- g) keeping Committee members properly informed by sending them notices of meetings, agendas, copies of correspondence, reports, etc. as required;
- h) liaising with the President between meetings so that the business of the Committee is attended to and, in consultation with the President, to call extraordinary meetings as required;
- i) preparing the minutes;
- j) carrying out the follow-up action which arises from the business of the meeting eg: arranges correspondence; and
- k) arranging annual general meetings.

9.3 The Treasurer

The Treasurer is responsible for keeping the Committee's financial records in good order.

The Treasurer's duties include:

- a) maintaining a bank account in the name of the Committee (signatories to the account should be the President, the Secretary, and the Treasurer, with at least two to sign);
- b) recording and banking money received;
- c) paying accounts as authorised by resolution of the Committee;
- d) keeping all invoices, receipts, cheque butts, bank statements etc for audit purposes;
- e) ensuring that accurate records of all transactions are maintained;
- f) assisting the Committee in the preparation of the annual budget;
- g) preparing the annual financial report based on the July/June financial year;
- h) preparing and presenting financial reports for Committee meetings;
- i) reporting at each Committee meeting current details on bank balances, transactions since the previous report, the Committee's current financial position and any other information that the Committee may require;
- j) arranging the audit of financial statements; and
- k) completing the financial reports (balance sheet, profit and loss statement and bank reconciliation statements) quarterly and submitting them to the Council's Governance Officer by 10 October, 10 January, 10 April and 10 July.

9.4 Committee Members who are not Office Bearers

Non-office bearing members' duties include:

- a) actively participating in Committee activities and business;
- b) managing the Facility and assisting in the preparation and implementation of management plans, and reporting against those plans;
- c) attending Committee meetings and participating in decision making; and
- d) bringing to the Committee's attention any identified problems or issues.

9.5 Non-Members as Office Bearers

Committees may find it useful to appoint someone who is not a Committee member, but has relevant skills, to undertake tasks such as bookkeeping and secretarial work.

9.6 Member's Conduct

Committee members must act appropriately in their role to ensure that public resources are used prudently for the public interest. This includes, acting in good faith, with integrity, exercising impartiality, treating others with respect, and exercising due care and diligence when conducting their Committee role.

10 Meetings

10.1 Meeting Schedule And Procedure

Each Committee is free to decide meeting times and schedules. Committees should meet as often as necessary to ensure good management of the facility. As a minimum, Council requires that the Committee meet quarterly on such dates that the President or Committee determines.

Committee members should also be provided with any progress reports on any works being done, maintenance plan/reports and risk and safety management reports prior to meetings.

At the start of the meeting the President usually asks:

- a) if there are other items of business that any member wishes to be added to the agenda, and
- b) if any member wishes to change the order of the agenda. The addition of new items at the meeting is generally acceptable, but if those items are contentious and/or some members are absent from the meeting, the President may decide to refer such items to a subsequent meeting of the Committee.

10.2 Addressing the Meeting

Committee members addressing the meeting must direct their remarks through the President. A Committee member addressing the meeting shall not be interrupted by any other member, except that the President has the right to provide any direction to the member regarding the conduct of that address (appropriate language, length of time taken, etc.).

10.3 Quorum

If, thirty minutes (or some other time generally agreed by the Committee as appropriate) after the start of the meeting a quorum has not been obtained, the President will decide to:

- a) postpone the meeting, or
- b) conduct the scheduled business of the Committee but refer all decisions and motions to a subsequent meeting when a quorum is present for re-consideration and/or ratification.

If, at any time during the meeting a quorum cannot be maintained, the President will decide to:

- a) close the meeting and refer any unfinished business to a subsequent meeting, or
- b) continue to conduct the scheduled business of the Committee, but refer all decisions and motions made with no quorum present to a subsequent meeting when a quorum is present for reconsideration and/or ratification.

10.4 Making Decisions/Motions

Committee decisions must be made by a formal vote and recorded in the minutes.

Decisions are made by passing motions. Any Committee member may move a motion and the President accepts the motion for consideration. This could be as simple as:

“I move that the Treasurer’s report be accepted,” Bill Smith moves.

“I second that motion,” says Mary Black.

The President says: “All in favour.” (counts six raised hands) “All against.” (counts no raised hands) “The motion is carried.”

The minutes will record the wording of the motion, who moved it, who seconded it, whether it was CARRIED or LOST.

For Example:

MOTION:

“That the Treasurer’s report be accepted as presented”

Moved: Bill Smith Seconded: Mary Black MOTION CARRIED

Committees may have motions that are more complicated and contentious arising from their discussions. In such cases it might 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.

If a vote is tied, the President may exercise a casting vote.

A Committee can only make decisions (i.e. adopt motions) if a quorum is present.

Any decision of the Committee, which the Committee does not have delegated power to implement, cannot be implemented until approved by the Council.

10.5 Conflicts of Interest

Section **Error! Reference source not found.** of the Act, defines general and material conflicts of interest.

A general conflict of interest arises if a Committee member has an interest in a matter that is being considered by the Committee if an impartial, fair-minded person would consider that the member’s private interests could result in that person acting in a manner that is contrary to their public duty.

A material conflict of interest arises if a Committee member would gain a benefit or suffer a loss depending on the outcome of the matter before the committee.

For example, a local builder on a Committee would have a conflict of interest in any building contracts let by the Committee for which they had tendered.

A conflict could be interest based; for example, a Committee member who is a member of the local football club would have a conflict of interest in a decision to lease part of the facility to the football club.

[Refer to Form – Conflict of Interest Declaration](#)

10.6 Minutes

The minutes should enable a Committee member not present at the meeting to be informed of all actions and decision arising and the reasons for those actions and decisions.

Minutes are a permanent record of the Committee’s decisions and proceedings. The Secretary should keep minutes that will be passed on to the incoming Secretary at the end of the Committee’s term. In the longer term the minutes must be stored and

archived in accordance with the Public Records Act because as Council appointed "entities", Committees are public bodies.

Upon ratification of the previous meeting's minutes, the minutes should be saved as a PDF and stored in Council's applicable Sharepoint Folder. They should not be altered.

10.7 Keeping Good Conflict of Interest Records

Keeping good public records is crucial for a Committee being regarded as open and transparent in managing conflicts of interest.

The Committee minutes must record how conflicts of interest were handled. For example, a Committee member who is a builder declaring they have a conflict of interest on the next agenda item where a building contract/engagement is to be discussed.

Private interest should not be confused with specialist knowledge, which is not a conflict of interest. For example, a member who is a builder, but who does not have a conflict of interest, would have useful specialist knowledge.

11 The Annual General Meeting (AGM)

11.1 Order of Business

The agenda for the AGM is to include:

- a) reception and confirmation of the minutes of the previous AGM;
- b) to receive the President's Annual Report of the Committee's activities, operations, and usage of the Facility for the previous 12 months;
- c) to receive the Treasurer's report including the Financial Report for the relevant financial year;
- d) to receive an outline of the Committee's proposed activities for the next 12 months, which may also include seeking the community's approval of those plans;
- e) election of committee members (where applicable – term is for one year); and
- f) recommendations to Council for appointment.

Attendees can ask questions of the Committee (only in the time set aside in the meeting to do so), but it is not a forum for taking motions from the floor or voting on proposals. These actions can only be undertaken by Committee members and any such business should be held over to the next regular meeting.

11.2 Duties of the Secretary

Prior to the AGM, the Secretary must:

- a) notify the Council representative at least 28 days prior to the date of the meeting – including the date, time, format, location and a contact person;
- b) notify the Council representative of any Committee positions open for nomination and advise the process the Committee has agreed upon for nomination;
- c) distribute information and nomination forms on request;
- d) ensure the annual report is complete and available for inspection at the meeting;
- e) ensure that all the necessary equipment is available for the meeting including nomination forms, attendance sheet, whiteboard, etc;
- f) bring all nominations received prior to the meeting; and
- g) in conjunction with the President, prepare a meeting agenda for distribution at the meeting.

The outgoing Secretary should:

- a) hand over all correspondence, including minute books (if applicable) and all copies of this Manual;
- b) provide copies of all management plans or statements, and corresponding performance reports, prepared by the Committee over its term; and
- c) provide all details to the incoming Committee of any contracts (e.g. agreements or any other contracts for services).

11.3 Duties of the President

Prior to the election, the President shall:

- a) state the purpose of the meeting which is to elect recommended candidates to form a Committee for a one year period commencing on a particular date and annually to elect office bearers to the Committee for the following 12 months;
- b) clearly identify the Facility over which the Committee is to be appointed and clearly define the "community of interest" for those present;
- c) detail the number of Committee members being sought;
- d) nominate the Committee members who will be responsible for presenting the reports to the meeting, providing a summary, and answer any questions. (Usually the Treasurer presents any financial reports, and the President presents any performance or management reports, but any Committee member may be nominated);
- e) describe how the meeting will be conducted, and the process for the election;
- f) hand over to the Council representative present to be the President conducting the election of nominated members.

The President shall be responsible for ensuring that all reporting requirements are submitted/lodged with the Council representative within 21 days of holding the AGM.

The outgoing President should ensure that the handover is completed in a timely and professional manner, and that the incoming Committee is adequately briefed.

11.4 Duties of the Treasurer

Prior to the AGM, the Treasurer must ensure the Financial Report is ready for inspection at the meeting.

The outgoing Treasurer should:

- a) balance the books and have them verified by Council, ensuring all supporting documentation is uploaded to Sharepoint;
- b) provide copies of any business plans and financial reports prepared over the Committee's term;
- c) advise the incoming Committee of any committed funds;
- d) organise the changeover of bank account signatory details;
- e) advise service providers (e.g. gas, electricity, and water) of the incoming Committee's contact details; and
- f) hand over the books to the incoming Committee.

11.5 The Election of Members and Roles

The Councillor representative (can be delegated to the CEO) will:

- a) declare all positions vacant and preside over the election of Committee members;
- b) list all nominations received prior to the meeting for the relevant Committee positions;
- c) call for additional nominations (if applicable) for the relevant Committee positions;
- d) verify the eligibility of all nominations;
- e) after a reasonable interval, declare nominations closed;
- f) if the number of candidates is less than the number of vacancies, declare all candidates as the recommended candidates;
- g) if the number of candidates exceeds the number of vacancies, announce that an election will be held and give details on how it will be conducted. For example, each eligible voter can only cast one vote for one candidate; and
- h) check that all persons wishing to vote are eligible and are recorded in the minutes as attendees.

NOTE: New Committee members are not formally appointed until endorsed by Council and cannot conduct Committee business until endorsed.

The names, contact details, and position held within the Committee, for all new members should be recorded and saved in Sharepoint within five days of the Annual General Meeting.

All people who attended the Annual General Meeting should be recorded in the minutes of the AGM. Noting that the AGM is open to the public.

12 Financial Management

12.1 General Financial Record Keeping

The Committee must establish and maintain comprehensive financial records. Bookkeeping and accounting methodical bookkeeping is essential to good financial management. If the books are properly kept, then there is a clear record of all receipts and payments and of the funds available to the Committee.

Money received should be banked regularly – at least weekly – and all payments and receipts must be recorded promptly.

12.2 Bank Account

The Committee shall open and operate a bank account titled "Name of Committee".

12.3 Revenue and Spending

Revenue received by a Committee must be directed to activities associated with the Facility.

From funds received, the Committee may pay the cost of maintenance and capital improvements as the Committee determines in accordance with the instrument of delegation.

The Committee should not carry excessive funds for no foreseeable purpose.

12.4 Contracts

Committees must not enter any contracts above their delegated powers (as outlined in the instrument of delegation).

12.5 Receiving Money

All rental income should be paid by direct deposit to the Committee's bank account. No cash should be received.

12.6 Residential Rental Fees

Residential Fees for the Retirement Units must be reviewed and set as outlined below:

- a) Must be set in accordance with a certified valuer's valuation.
- b) A valuation should be sought by the Council every three years to determine the rental fee.
- c) Only 80% of the rental fee identified can be charged to ensure it meets the definition of affordable housing.
- d) The Community Asset Committee cannot change or alter the fee without approval from the Council. Fees and Charges are set and adopted during the Budget process annually.

12.7 Paying Money

Payments shall be authorised in accordance with the requirements in the Financial Controls section and should be made by either:

- a) Cheque (not preferred method of payment); or
- b) electronically through internet banking (Council's preferred method).

As each cheque is drawn or electronic payment made, the paperwork detailing the expenditure should be retained and filed in cheque number or date order. If there is no paperwork, then a cheque or payment voucher should be drawn up giving details of the payment, i.e. payee, amount, date, cheque number and what the payment is for.

12.8 Cash Book

Electronic bookkeeping software can be used to record the Committee's transactions. If recording manually, a cashbook is required.

12.9 Bank Reconciliation

The Treasurer must arrange for a bank statement to be received each month and ensure a reconciliation occurs at this time, verifying the entries. When submitting a bank statement to Council, the Committee also need to reconcile their closing balance from their financial report, to the closing balance on the bank statement.

Refer to Financial Report for further details.

12.10 Financial Controls

The Committee as a whole, not just the Treasurer, is responsible for the financial affairs of the Committee. The Committee must review quarterly reports (at a minimum) of income and expenditure and must approve of all expenses paid, or to be paid, for the quarter, via report submitted at a Committee meeting.

Authorisation

The Delegation will determine authorisation limits. The Committee should set definite limits on expenditure and on the persons authorised to purchase under the delegation limit.

The Treasurer is authorised by the Committee to pay emergency maintenance and utilities costs. All emergency works and payments are to be endorsed via a circular motion via email outside of the scheduled meeting dates. The motion and record of the email is to be included in the next scheduled meeting Agenda.

Cheque signing or Electronic Approvals

The bank account shall require two members to sign each cheque or authorise electronic payments. This should be arranged by having three Committee members authorised with their signatures registered with the bank, with any two to sign each cheque or authorise electronic payments.

Cheques should always be crossed, marked not negotiable and the details entered before being signed.

Noting that Council's preferred method of payment is electronic transfer.

12.11 Developing a Budget

The Committee should, as the year-end approaches, give serious consideration to producing a budget for the following year and present this at the AGM. This can easily be carried out by looking at the income and expenditure pattern for the current year. Add to that any extra works/services that the Committee would like to see in place and determine the overall estimated expenditure.

Once the expenditure is set then the Committee can look at the options available to fund the expenditure. Remember that inflation will influence the cost of services and an allowance should be built into each item to cover the likely increased cost.

Council will supply a template to assist with this process.

12.12 Waste Collection

Council is responsible for supplying bins and the waste collection charges.

13 Retirement Units Management

13.1 Delegation

A Committee cannot delegate its powers to any other body, but it can establish sub-Committees to consider certain matters. These sub-Committees may be either standing Committees with ongoing functions (e.g. finance sub-Committee) or working groups for a task (e.g. spring planting sub-Committee).

Sub-Committees have no power in their own right. Their recommendations must be brought back to a full Committee for consideration and resolution.

13.2 Asset Management

Council is responsible for ensuring the assets are recorded, and updated in their overarching asset management system.

Where assets are purchased or capital works improvements are undertaken at the units, an Asset Handover Form must be completed and submitted to the Manager Corporate Services.

The Asset Handover Form is to be accompanied with Photos of the new works, along with the invoices outlining the costs for the assets and/or works.

[Refer to Form – Asset Handover](#)

13.3 Tenant Appointments

All tenants are to be appointed in accordance with the Tenant Selection Policy ([Appendix A](#)).

A [Registration of Interest Form](#) is to be complete by interested candidates who would like to reside in the units.

Once a unit becomes available, in accordance with the Tenant Selection Policy, applicants are to complete the Vacant Unit Application Form.

Shortlisted applicants must undertake an interview process.

Members who form the selection panel are to complete a [Conflict of Interest Form](#) specific for the tenant appointment activity. The panel must be approved by Council's Governance Officer prior to proceeding.

All members of the Committee are bound by confidentiality and must ensure all information obtained through the tenant appointment process remains strictly confidential.

14 Capital Works

The Committee:

- a) must not carry out or authorise any capital works, extensions or additions which materially alter the buildings or surrounds of the Facility.
- b) is encouraged to investigate and make recommendations in writing to the Council on the development of future capital works and the provision of future facilities and amenities for the Facility.

15 Procurement

Purchasing goods, services and/or works must be undertaken in accordance with Council's Procurement Policy, the Woomelang Retirement Units Instrument of Delegation and the Community Asset Committee Charter.

The Committee is authorised to procure goods, services and works in accordance with the Community Asset Committee Charter – Woomelang Units, Appendix 1 – Works and Maintenance to the value of \$14,999 and the Instrument of Delegation.

6.1 Thresholds

Procurement Value (AUS \$ excluding GST)	Responsibility	Minimum Market Engagement	Agreement Type	Record Keeping
\$0 - \$100	All departments	Price Comparison	Purchase Order Terms & Conditions	Note in Purchase Order Requisition of Price Comparison
\$101 to \$15,000	All departments	1 emailed or written Quote		Quote must be Registered with Purchase Order Requisition.
\$15,001 to \$25,000	All departments	3 emailed or written Quotes *		Quote must be Registered with Purchase Order Requisition.
\$25,001 to \$80,000	All departments	Request for Quotation (Select or Public)	Contract	Evaluation Report
\$80,001 to \$150,000	All departments	Public Tender	Contract	Evaluation Report approved by CEO
>\$150,000				Evaluation Report and approval by Council resolution

For items purchased between \$0-\$100, a price comparison is not required where the purchases are procured locally and support a Yarriambiack Shire Council business.

16 Quarterly Reporting to Council

The Committee is to provide the following quarterly documentation to Council no later than the following dates:

Quarter End	Due Date for Reporting
30 September	10 October
31 December	10 January
31 March	10 April
30 June	10 July

The quarterly reports are to contain:

- a) Agenda and Minutes of meetings held for the applicable quarter.
- b) Financial Statements as at the date of the financial quarter. Includes Balance Sheet and Profit and Loss Statement.
- c) Bank reconciliation, including a copy of the bank statement signed by the Treasurer and President and the reconciliation worksheet.
- d) A report on purchases for the quarter, along with supporting evidence of invoices.
- e) Asset Hand Over Forms.
- f) Conflict of Interest Forms completed.

All reports and documents can be uploaded directly into SharePoint, and notification of the upload of documents is to be made to the Manager Corporate Services and the Governance Officer.

17 Annual Reporting to Council

An annual report on the activities of the Community Asset Committee is to be provided no later than the 31 July each year, for inclusion in Council's Annual Report.

The report is to be provided to the Manager Corporate Services. Supporting photos are required to accompany the report.

18 Access and Inclusion

Council is committed to promoting an inclusive municipality that respects human rights and fosters participation in all aspects of community life.

Committees must ensure that all community members living in the Retirement Units are treated fair and equal, and feel safe residing in the units.

19 Insurance

19.1 Public Liability and Risk Management

The number and value of claims arising from personal injury or property damage is increasing. Council requires the Committee to minimise incidents through sound risk management.

The Committee's responsibilities as the manager of the Facility are to:

- a) avoid situations that may give rise to a claim;
- b) control and record any incident that may lead to a claim being made;
- c) prepare for a claim to be made resulting from an incident no matter how remote it may seem; and
- d) report all property damage/maintenance issues that may contribute to a claim.

In the event of any incident, Committees must follow Council's incident and claims procedures as detailed below:

- a) report all incidents accidents or property losses to the Council representative as soon as possible;
- b) all losses and claims that are not reported in a timely manner can be denied by Council's insurer;
- c) all incidents that are potential claims need to be handled sensitively and as soon as possible after they occur; and
- d) a detailed investigation will be carried out by Council.

In all cases where a member of the public is injured or has property damaged:

- a) action needs to be taken to minimize the chance of any further incidents by securing unsafe areas or facilities; and
- b) first aid and medical care should be provided immediately, and prompt and proper care provided to any injured person.

Incident and Claim Report

The Committee's responsibility is to provide the facts of the incident and report them to Council, **NOT** to make a decision on the validity or otherwise of the claim or potential claim. The Committee should immediately seek assistance from the Council representative.

It is essential that as much information as possible is gathered as early as possible. The longer the time lapse between the incident and the investigation the less likely it is that information will be available or accurate. It is important that a report is made of potential and notified claims because a claim may not arise until many years after an incident occurred.

19.2 Contents Insurance

The Committee notify each tenant that Council's insurance policies do not cover personal contents of the tenant.

19.3 Building (Property) Insurance

Report all property damage, storm, flood damage, theft or any other type of property damage to Council immediately. Council's insurer can deny claims that are not reported in a timely manner.

The building (property) insurance excess may be payable by the committee or by Council depending on the nature of the claim.

20 Risk Management

A 'risk' is the chance of something occurring that has the potential to cause loss, damage or injury. 'Risk management' involves identifying risks and taking precautionary measures to minimize the chance that a particular event will occur.

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

Committees are strongly urged to undertake a formal risk assessment in company with the Council, develop a risk management plan and conduct an annual review. It is better to plan for risks than to think about them after something has gone wrong.

The Committee is required to:

- a) ensure users are aware of the location of emergency exits and fire protection equipment and emergency response procedures;
- b) advise the Council representative immediately of an incident likely to give rise to:
 - i. injury to any person; or
 - ii. damage to any property associated with the Facility or other parties.

A hazard, incident or injury report form should be used to record the details. Refer any public liability insurance claimants directly to the Council representative.

High Risk work activities should not be undertaken by the Committee.

Any Committees that have purchased equipment such as mowers and trimmers must ensure all that maintenance is conducted in line with the product specifications and that faults/repairs/repairer information is recorded.

20.1 Occupational Health and Safety

All works to be undertaken at the Woomelang Retirement Units complex must be undertaken in accordance with the Occupational Health and Safety Act 2004 and Occupational Health and Safety Regulations 2017.

All contractors engaged must be suitably qualified to undertake the task, and must meet the following minimum standards:

- Suitably qualified, with applicable licences and qualification.
- Public Liability insurance with a minimum value of \$10million.

Verification must be sought before works can be undertaken by a contractor.

If clarification is required, please contact Council's Governance Officer.

20.2 Public Safety & Standards

The Committee must take all reasonable steps to protect the tenants and take reasonable care to avoid a foreseeable risk of injury to anyone lawfully entering the Facility.

This section gives details of the standards that Committees need to maintain to ensure that harmful events are minimized and that when they do occur, it is not because of a Committee's negligence.

The aim of a public safety program is to establish procedures to prevent injury to members of the public or damage to third party property.

20.3 Maintaining Public Safety Standards

Committees are required to check the current safety levels and undertake any repairs and improvements as necessary to bring the Facility up to the appropriate standard and maintain that standard. To do that it requires regular inspections, a maintenance program and a system for reporting and remedying faults and defects.

It is important that the Committee is familiar with and understands the requirements of the:

- a) Residential Tenancies Act 1997
- b) Residential Tenancies Regulations 2021

20.4 Regular Inspection

The purpose of regular inspections is to detect and repair faults and defects before members of the public, employees or volunteers are injured, or the faults and defects cause a more rapid depreciation of the assets and hence higher maintenance and repair costs.

Inspections should be conducted regularly using a checklist. The frequency of inspection will vary with the type, nature and uses of the Facility. Records should be maintained of each inspection including

- a) who undertook the inspection;
- b) the date of the inspection;
- c) copies of the checklist;
- d) results of the inspection and any corrective action required; and
- e) dates the corrective actions were taken and why.

Council's Building and Maintenance Coordinator (or their delegate) will undertake an annual inspection each year. A copy of the inspection findings will be provided to the Committee for noting.

20.5 Maintenance

A well-documented, regular maintenance schedule should be kept for the Facility.

All facilities should be maintained in a safe condition. Failure to maintain facilities can have greater consequences than not providing them.

The Committee should ensure that it allows for maintenance costs of facilities in the budget and that adequate provision is made for the increased maintenance requirement as the Facility ages.

20.6 Fault/Defect Reporting

Faults and defects will be identified as part of the regular inspections, but will also be identified at other times by different people including Committee members, users of the Facility and the general public. They may be fixed immediately or may require action by maintenance staff or a contractor.

The Committee must have a system to record faults and defects that are identified outside the regular inspection program and to ensure that any such faults and defects are brought to the notice of the Committee. Such a system should not rely on casual contact or telephone calls but be a written record that includes details such as:

- a) who identified the fault and defect;
- b) the date it was reported to the Committee, and to which Committee or staff member;
- c) correction action required, and
- d) dates the corrective actions were taken and by whom.

It is essential that prompt action be taken to investigate a matter and carry out the appropriate repairs.

It is particularly difficult to defend a case for liability for injury when the injury has occurred to a member of the public after a specific fault or defect has been reported to a Committee but has not been acted upon.

theft, but to minimize unauthorized use of a facility or area outside supervised times.

20.7 Failure to Meet Risk Management Requirements

Failure to meet the risk management requirements may result in Council taking over management of the Facility until the issue can be resolved.

Council will make every effort to assist the Committee in achieving the requirements before this outcome takes place.

21 Volunteers

Volunteers and voluntary groups are an invaluable resource to the Council and the community and make a significant contribution to the community life.

The engagement of volunteers to assist Council and the Committee will be done in a manner that complies with all relevant Council Policies and associated legislation.

Refer to the Woomelang Retirement Units Community Asset Committee Charter for more details.

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APPENDIX A

Woomelang Retirement Units

Tenant Selection Policy

Aim – To provide a clear and concise pathway for the Woomelang Retirement Units Committee to follow when a Unit becomes vacant; and to inform prospective tenants of the process.

Background - The Woomelang Retirement Units (WRU) were specifically built with the intention of providing support by way of affordable housing to allow older members of the community to remain living independently in their local area for as long as possible.

Criteria – Priority will be given to those who meet one or more of the below criteria:

- Live locally
- Aged 65 years or over
- Have a disability.

Interested tenants must have completed a 'Registration of Interest' form (available from the Secretary) to be placed on the Waiting List to be considered for any vacancy that may arise.

The WRU Committee, to the best of their ability, will endeavour to deliver a fair tenant selection process in line with the above criteria and as detailed below:

Process –

1. If a Unit becomes vacant **more** than 12 months since the last round of applications, a Vacant Unit Application Form will be sent out to all who have completed a Registration of Interest form. The Vacant Unit Application form will be sent to the address as indicated on the Registration of interest Form and must be returned to the WRU Secretary by the due date as stated on the letter. No late forms will be accepted.
2. The WRU Committee reserve the right to advertise the vacant unit at their discretion depending on circumstances. The Committee may choose to advertise vacancies in community newsletters, on notice boards, in local papers and on social media.
3. Expressions of interest for future vacancies can be submitted at any time by contacting the Secretary to obtain a 'Registration of Interest' form. Applicants will not be placed on the Waiting List until this form is received by the Secretary.

It should be noted that an applicant placed on the waiting list is not guaranteed an offer for a vacant unit, nor does their position on the Waiting List guarantee them an offer.

4. A sub-committee of 3 WRU Committee members will assess applications received using the criteria above as the first point of reference.
5. Once applications have been reviewed by the WRU sub-committee, if there is more than one application that meets the criteria, these applicants will be interviewed by 3 WRU Committee Members using a pre-determined set of questions and then general conversation to determine their suitability.

6. Applicants are able to have a family member or support person with them for the interview.
7. At the discretion of the committee, an allied health professional may be requested to be part of the interview panel, in addition to the 3 WRU members.
8. All applicants will be notified by letter as soon as possible after the interview process has been completed.

If a Unit becomes available in under 12 months from the last vacancy and the WRU sub-committee still deems the unsuccessful applicant(s) from the last round a priority, they will be contacted to ascertain if they are still interested. If so, they will go through a short interview process with 2 members of the WRU executive committee using pre-determined questions and general conversation to ascertain any changes to their circumstances and their suitability.

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