

KEMPSEY SHIRE COUNCIL

SECTION 355 COMMITTEES TOOLKIT

Procedure 5.2.4

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VARIATION

Council reserves the right to review, vary or revoke this procedure which will be reviewed periodically to ensure it is relevant and appropriate.



355 COMMITTEES TOOLKIT

MASTER COPY

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1 INTRODUCTION

This toolkit was developed to assist committee members in carrying out their roles and responsibilities of managing facilities and/or activities on Council's behalf.

This toolkit contains a number of forms and information that will assist committees in the management of the function that you have been delegated from Council in accordance with Council's requirements.

The toolkit has been laid out and grouped under the same headings as the Section 355 Committee Guidelines Procedure which outlines the operations of 355 Committees.

The Section 355 Committee Guidelines is available on the Council website:

www.kempsey.nsw.gov.au/355-committee

The 355 Committee Toolkit is available on the Council website:

www.kempsey.nsw.gov.au/355-toolkit

If you have any questions concerning this Toolkit or 355 Committee issues please don't hesitate to contact Council:

Phone: 02 6566 3200

Email: ksc@kempsey.nsw.gov.au

2 DELEGATION OF COUNCIL'S POWER TO A COMMITTEE

Whilst management and control of the facility is delegated to your Committee by Council (under s.355 of the Local Government Act), Council may exercise overriding authority and may revoke the powers of the Committee as appropriate.

Council Procedure 5.2.3 Section 355 Committee Guidelines is attached in the Appendix of this Toolkit and is available on the Council website:

www.kempsey.nsw.gov.au/355-committee

2.1 RESPONSIBILITIES OF 355 MANAGEMENT COMMITTEES

Council's 355 Management Committees are responsible for:

- a) maximising the use of the facility for the benefit of the community and to optimise revenue.
- b) hiring the facility at fees approved by Council.
- c) ensuring that the facility is kept secure and in a safe, clean and tidy condition at all times – the Committee must comply with Council's policies, procedures and training.
- d) conducting twice yearly inspections of the facility in accordance with section 3.4 CALENDAR OF ACTIVITIES and promptly submitting the completed COUNCIL FACILITY CHECKLIST to Council. This form is attached in the Appendix of this Toolkit.
- e) liaising with Council before carrying out any work or major maintenance.
- f) liaising with Council before applying for any grant funding regarding the building or grounds of the facility.
- g) paying electricity, gas, water usage and telephone charges.

2.2 SERVICES TO BE PROVIDED BY 355 MANAGEMENT COMMITTEES

Management Committees are also responsible for:

- a) arranging for the building to be cleaned, inside and out (including windows, mowing and paths)
- b) providing soap, paper towels, toilet paper and cleaning products
- c) arranging repairs to stoves, fridges and other electrical appliances as required
- d) arranging electrical tagging of new and second hand appliances
- e) arranging for minor repairs (less than \$500) to be carried out. Repairs and maintenance over \$500 will require an inspection. Work will be prioritised by Council based on resources available.
- f) arranging for the septic tank to be emptied as required
- g) arranging for extra rubbish bins outside that which is provided by council as part of the normal garbage service.
- h) water usage charges (access charges will be met by Council)
- i) restocking First Aid Kit as required. Use-by dates must be checked and replaced where necessary.

It is inevitable that there will be some grey areas regarding maintenance issues; please contact Council to discuss if in doubt.

2.3 SERVICES TO BE PROVIDED BY COUNCIL

Council is responsible for:

- a) paying rates, water access charges, and garbage collection
- b) occasional inspection of facility
- c) fire inspections and compliance with Fire Regulations
- d) assisting committees in organising major repairs to be carried out
- e) arranging annual pest control inspection for white ants as well as spraying for spiders and cockroaches.

3 COMMITTEE PROCEDURE

3.1 CODE OF CONDUCT

A copy of the Code of Conduct will be handed to each committee member at the time of their induction. This code outlines how committee members will abide by Council's code in the operations of the Committee. VOLUNTEER AND COMMUNITY REPRESENTATIVES CODE OF CONDUCT is attached in the Appendix of this Toolkit with the induction documentation.

3.2 COMMITTEE INDUCTION

Each Committee member will be formally inducted into Council Procedure 5.2.3 Section 355 Committee Guidelines and Toolkit as part of their acceptance as a member of the 355 Committee. Once inducted, committee members are required to undertake their functions in accordance with the guidelines and instructions provided in both the Committee Guidelines and Toolkit. Failure to do so may result in Council taking action.

3.3 PAYMENTS TO COMMITTEE MEMBERS

Payment to a committee member is not permitted except for out-of-pocket expenses. This will only be for telephone and postage reimbursement for the Booking Officer. Any other requests for payment to committee members must be referred to Council.

3.4 CALENDAR OF ACTIVITIES

This calendar of activities outlines when Committee members are required to undertake functions to ensure that their committee is complying with the 355 Committee Guidelines.

Council will arrange auditing (not including preparation of financials) for Committees with funds less than \$2,000. To enable this, the eligible facilities must have their financials to Council by the date specified below.

Due Date	Activity
By 31 March	For period September - February <ul style="list-style-type: none">• Complete & Submit Six Monthly Facility Inspection Report• Submit Six monthly Volunteer Register
From 1 July	<i>Committees holding funds OVER \$2000</i> <ul style="list-style-type: none">• Arrange for Financial Statements to be audited for presentation at AGM
By 15 July	<i>Committees holding funds LESS THAN \$2000</i> <ul style="list-style-type: none">• Send completed financials and books to Council for auditing• Will be returned to Committee ASAP, prior to AGM
By 15 August	AGM meetings to be held by 15 August
within 7 days of AGM in August	Return the following documents <ul style="list-style-type: none">• Minutes of AGM• Audited Financial Statements• Committee Members Register - notifying Council of the new office bearers for the ensuing year• Key Register
By 30 September	For period March - August <ul style="list-style-type: none">• Complete & Submit Six Monthly Facility Inspection Report• Submit Six monthly Volunteer Register

3.5 ANNUAL GENERAL MEETING (AGM) COMMITTEE RETURN

Committees are required to hold their AGM in annually in accordance with section 3.4 CALENDAR OF ACTIVITIES. It is a requirement that all committees forward the following information to Council within seven (7) days of the AGM.

- Copy of the minutes of the AGM
- Copy of the Audited Financial Statements per Financial Year
- COMMITTEE MEMBERS REGISTER – notifying Council of the new office bearers for the ensuing year. Please include email address where available.
- KEY REGISTER

**Share your up-coming Committee Event on
the Kempsey Shire Council Facebook page.**

Email details to our Community Liaison Officer
public.relations@kempsey.nsw.gov.au

market – flower show – fundraiser

4 FINANCIAL CONTROL

4.1 FACILITY / SERVICE FEES AND CHARGES

In accordance with s.377 of the Local Government Act 1993 Council cannot delegate to any person or body authority to make a charge or fix a fee, which includes the setting of fees for the use of the facility or service. Council will review Fees and Charges in January each calendar year and will distribute Fees and Charges to the committee for review.

The following category types have been developed to assist facility committees in determining the appropriate fee to charge.

Category Types for HALL FACILITIES

Not for Profit Groups	This refers to meetings for non-profit, non-incorporated excluding associations
Regular Users	This refers to regular uses (weekly or otherwise), business users providing a recreational services including but not limited to: Yoga, Karate, Dance Classes, Art Classes, Playgroups, Associations
Non-Commercial Occasional Hire	Non-Commercial Private functions including but not limited to Weddings, Private receptions, Birthday functions
Commercial Hire	Commercial use and special events and conferences, including but not limited to: Commercial caterers, conferences, themed events, art exhibitions, discos, State Government, Federal Government and events where a charge or a donation is levied for any component of the event
Meeting Room	This refers to the hire of a specific room such as a meeting / supper room only
Main Hall	This refers to the main hall where the hall is hired only instead of the whole facility
State and Federal Government Elections	This refers to the hire of the hall for any State or Federal Government election per day
Key Deposit	This refers to the charge levied to regular users of the facility
Security Deposit Bond	This refers to the amount charged as a bond against damage to the facility
Cleaning Rate	This refers to the hourly rate charged to the user if they fail to return the facility at the end of the hire period to its original condition

Category Types for Service Facilities – TENNIS CLUB

Court Hire Fees - Competition	This refers to the hire fee for competition tennis
Court Hire Fees - Social	This refers to the hire fee for social tennis

Category Types for Service Facilities - BAND

Community Hire	This refers to a community group hiring the service. Rate to be based per hour
Commercial Hire	This refers to where the service is hired by a commercial event or where a charge or a donation is levied for any component of the event excluding Local Government events. Rate to be based per hour
Annual Concert	This refers to charge per person to attend the annual concert
Junior Band Membership	This refers to how much the membership is for Junior Band members
Senior Band Membership	This refers to how much the membership is for Senior Band members
Instrument hire	Refers to how much band members are charged to hire an instrument
Silver Strings Membership	This refers to how much the membership is for the Silver Strings members
Choral Society Membership	This refers to how much the membership is for the Choral Society Membership

4.2 GRANT SOURCES

355 Committees have a number of sources where they can obtain additional funding to help provide the facility or service. Committees seeking grant funding should notify and seek council permission first.

Links to some of the many grant opportunities are available on the Council website:
www.kempsey.nsw.gov.au/grants

4.3 CORRECTIVE SERVICES INITIATIVE

Corrective Services NSW is able to assist local communities by providing labour to non-profit community groups through the Community Service Order Schemes.

Committees can contact Corrective Services regarding using the Community Projects Team directly, but need to notify Council as permission is required by the property owners to engage the Team.

A brochure with further information is attached in the Works Appendix of this Toolkit and links to it and the Corrective Services website can be found on the Council website.
www.kempsey.nsw.gov.au/community-projects

5 MAINTENANCE AND IMPROVEMENTS TO FACILITIES

Each Committee has the responsibility for ensuring that the facility under its control is maintained in a state of reasonable repair and does not represent hazards to users. This may entail regular maintenance, (e.g. cleaning, replacement of consumables – paper towelling, mowing and watering) and periodic maintenance of a major nature (e.g. Repainting, replacement of worn or broken items).

Council's staff will inspect the various facilities from time to time, but Committees are expected to keep Council informed of any substantial repair or upgrading work or maintenance of a major nature required on the facility under their control.

Any alterations or works considered necessary or desirable, but beyond the means of the Committee must first be referred to Council.

5.1 MAINTENANCE REQUIREMENTS / REQUESTS

Council is required to ensure effective use of the funds available for all its services and works throughout the shire.

In setting priorities, Council identifies needs, which are then funded in Council's annual budget. The budget is developed in February each year, adopted in June and implemented in the ensuing financial year (1 July – 30 June).

In some instances Council can provide funds for urgent repairs due to damage, excessive wear, safety and security requirements. Contact Council for information.

CLEANING

The Committee is responsible for regular cleaning of the facility.

WORK ORDER REQUESTS

For unplanned maintenance or work greater than \$2,000 that needs to be carried out during the year please complete a work order request with three (3) quotations and forward to Council. The form WORK ORDER REQUEST FOR WORKS OVER \$2,000 is attached in the Appendix of this Toolkit.

CARRYING OUT WORK ON COUNCIL PROPERTY

For minor repairs (less than \$500) the committee can arrange to carry out works on the facility itself, e.g. paint the kitchen or conduct a working bee. Refer section 9 RISK MANAGEMENT.

If a contractor is required to carry out minor work (less than \$500) e.g. change light switches or fix a toilet, the committee can arrange and pay this directly with the contractor using the COUNCIL PREFERRED CONTRACTORS list which is attached in the Appendix of this Toolkit.

Contact Council for repairs and maintenance over \$500 as these will require an inspection. Work will be prioritised by Council based on resources available.

5.2 KEY REGISTER

Key registers provide Council with a record of all people who hold keys to Council facilities. Key holders are not necessarily members of a Council 355 Committee – they may be regular hirers of a facility who require regular access to that facility.

All key holders must sign the KEY REGISTER when keys are issued to them. The date of return must also be noted on the register by the Committee at the time of return.

The KEY REGISTER is to be kept up-to-date by the Committee and a copy forwarded to Council when changes occur. The KEY REGISTER should also be updated following each Annual General Meeting when membership of the Committee, and thus key holder, may change.

The KEY REGISTER is attached in the Appendix of this Toolkit.

Refer to the following procedures for a full explanation of Council's requirements.

KEY REGISTER PROCEDURE

1. Each key or set of keys to a Council facility is to be numbered for identification purposes.
2. The key holder must sign the KEY REGISTER to confirm acceptance of that particular set of keys and record the date that the keys were issued.
3. When a key holder who is a Committee member resigns from the Committee, the key must be returned to the Committee and the date of return noted on the KEY REGISTER.
4. Similarly, when a key holder who is not a Committee member ceases using the facility (e.g. when a regular hire ceases), the key must be returned to the Committee and the date of return noted on the KEY REGISTER.
5. When a key holder who is not a Committee member is no longer the person responsible for the key (e.g. the key holder leaves the hirer's group), the key must be returned to the Committee and the date of return noted on the KEY REGISTER. The Committee will then issue the key to the new key holder for that hirer's group.
6. At the Committee's Annual General Meeting (AGM) in September, the KEY REGISTER must be updated and all current and new key holder must sign the Register. (This includes Committee members and other key holders.) The completed Key Register is to be forwarded to Council with the other AGM paperwork.
7. As keys are issued by or returned to the Committee during the year and the changes recorded in the Key Register, a copy of the updated KEY REGISTER is to be forwarded to Council.
8. For security reasons, the Committee is to keep the KEY REGISTER up-to-date so that Council always has a current record of who has access to its facilities.

6 INSURANCE

Council holds the following types of insurance where 'members of a committee established by Council' are included in the definition of 'the insured'.

6.1 PUBLIC LIABILITY INSURANCE

Council's public liability insurance covers damage or injury to the public as a result of an act or omission by Council due to negligence. In this instance 'Council' means employees, councillors, committee members and volunteers. Public liability claims often end up in court and it is most important that accurate details are recorded immediately after an incident/accident. The form referred to in section 7.3 355 COMMITTEE INCIDENT REPORTING can be used for this purpose and forwarded to Council. Photos of the incident/accident site must also be taken.

This information may be used by Council for its investigation and in court should the matter proceed. The volunteer involved may also be called upon to act as a witness.

6.2 PROPERTY INSURANCE

Council's property insurance covers damage to its buildings resulting from occurrences such as storm, fire, impact, malicious damage, theft, burglary and earthquake. Each claim carries an excess (the amount not covered by the insurer). For Council this excess is usually \$50,000. The policy does not cover property owned by third parties such as persons hiring the halls or volunteers who bring their own property to the facility.

6.3 REGULAR HIRERS INSURANCE (INCLUDING CASUAL)

This policy provides the public liability insurance for casual/regular hirers of Council facilities. A casual or regular hirer is a person or group of persons other than a sporting body, club, association, corporation or incorporated body, which uses the facility for **non-profit** purposes.

There is no limit to the number of times this person/group can hire the facility during one year. Hirers who meet this definition will not require their own public liability insurance.

Includes Private Social events such as Birthday Parties including 18th and 21st, Weddings and Wakes.

6.4 BROADFORM INSURANCE

The purpose of the insurance is to cover hobbyists, small scale artists and home based activities that would potentially be unable to participate due to the insurance costs involved. Commercial businesses or individuals (with an ABN for example) are not included and will require their own insurance.

Council's insurance allows for up to 100 users per annum to receive insurance. To ensure that each user is covered by this insurance, the usage of this insurance must be carefully monitored. Committees should provide Council with the details of users requiring cover i.e. stall holders / hobbyist / performers at each event, within one week following the event. Each user counts as 1 unit of insurance from the 100 available.

Please ONLY advise a list of those stallholders actually requiring coverage i.e. stallholders who DO NOT have Public Liability Insurance through a business or other means. (Note that most home owners insurance includes public liability cover that extends outside the home.

Examples of activities include:

- **Hobbyist** running a workshop, charging a cover fee to cover cost and some profit would be covered.
- **Stallholders:** Activities that are **not included** are live animal sales, selling baby clothes/toys or play equipment, new untagged electrical goods, second-hand electrical goods, second hand tools, massage services.
- **Performers:** Individual performers at a market or event counts as 1 unit of insurance from the 100 available. A band of up to 8 members also counts as 1 unit. Activities **not included** are performances involving knives, swords (including theatrical knives and swords) and any use of fire.
- **Alcohol is permitted** in Council facilities in line with section 8.6 BONDS and section 8.7 USE OF LIQUOR of this Toolkit.

If an event does not fall into one these categories, please contact Council by email to ksc@kempsey.nsw.gov.au with details of the event, in advance to confirm if it would be covered.

6.5 INSURANCE REQUIRED BY FACILITY HIRERS

Hirers of facilities, if not meeting the definition of a 'Casual Hirer' must hold their own public liability insurance (standard cover \$20 million) and provide a copy of a current policy to the committee for their records. Hirers should be made aware that property and equipment brought onto the facility by them is not covered under Council's insurances.

If a workshop is being held in the facility, delivered by a person using their professional expertise or skill and a fee/donation is being charged this would not be covered under the blanket policy. They are deemed to be providers who should have their own insurance, i.e. running a business.

7 VOLUNTEER INDUCTION

7.1 COUNCIL'S OBLIGATIONS TO VOLUNTEERS

Under the Work Health and Safety Act 2011 (WH&S), Council has the same 'duty of care' to volunteers as to employees and therefore requires all volunteers to participate in an induction program.

The Committee Chairperson (or suitable representative) is authorised to undertake the induction process with the Volunteer. Information concerning volunteering for Council and mutual obligations is included in the **Volunteers Handbook** which forms part of the **Induction Documentation**.

The **Induction Documentation** is included as an Appendix to this Toolkit and contains the following documents:

<ul style="list-style-type: none">• Volunteer Handbook• Code of Conduct	to be reviewed with the new volunteer and kept for future reference as required
<ul style="list-style-type: none">• Volunteer Application• Volunteer Agreement• Induction Checklist	to be returned to council upon completion
<ul style="list-style-type: none">• Working with Children Check	Complete and take to Roads & Maritime Services with Identification. Provide proof of completion to Council

The Induction Documentation can also be found on the Council website:

www.kempsey.nsw.gov.au/volunteers

7.2 WORKING WITH CHILDREN CHECK

Council may require 355 Committee Volunteers to complete a Working with Children Check. There is no cost to apply for a Volunteer Working with Children Check.

The simple form can be completed online at **www.kidsguardian.nsw.gov.au** (Council can assist where volunteers are unable to access online services).

- Once you have submitted the form online you will receive an application number.
- Go to a NSW Motor Registry, RMS agency or Service NSW office (find a location at www.service.nsw.gov.au/service-centre). You will need to take your application number and proof of your identity.
- The Volunteer must also provide the RMS application number to Council as soon as possible.
- When advised of clearance by NSW Working with Children Check, the Volunteer must advise Council of the WWC number provided on the notification.

If an application is rejected, the Volunteer will not be able to work in a volunteer role with Council.

7.3 355 COMMITTEE INCIDENT REPORTING

Incidents or accidents, whether to volunteers or members of the public, should be reported to Council as soon as possible after they occur using the INCIDENT EARLY NOTIFICATION REPORT form which is included in the Appendix of this Toolkit. The form should be completed by a Committee member and forwarded to Council.

Serious incidents or injuries to someone on Council property or at an event managed by a Council Committee should be **reported immediately to Council** on **6566 3200**. This service is **available 24 hours**.

8 HALL HIRERS AGREEMENT

Managing a Council facility for community use is central to the purpose of many of Council's Management Committees. Making the facility readily accessible to the community, whilst at the same time raising funds for its maintenance and future improvements, are some of the main objectives of these Committees.

The following guidelines form the basis for acceptable hiring procedures.

8.1 USER AGREEMENT FOR COUNCIL FACILITIES

It is essential that all hirers sign a User Agreement for Council Facilities prior to their use of a facility. The User Agreement sets out the conditions of hire which the hirer accepts by signing the Agreement. Additional conditions of hire may be imposed by Council or the Committee, depending on the circumstances of the hire, e.g. the hirer may be asked to conduct a risk assessment.

A sample hire form is available as part of the in the Facility Hire Appendix of this Toolkit.

8.2 BOOKINGS

Each Committee will have a contact person who is responsible for the facility's bookings – the Booking Officer. The Booking Officer's name and telephone number will be made available to the community and listed on Council's website.

To make a booking, a person or group contacts the Booking Officer and books the facility for a particular day and time or a regular series of bookings.

The Booking Officer will advise the hirer of the fee, bond and deposit applicable, prepare the User Agreement and forward it to the hirer and enter the relevant information into the booking diary. The completed User Agreement is to be returned with payment to the Booking Officer, who will check it to ensure that all the relevant sections have been completed. At this point it may become apparent that additional information is required from the hirer, e.g. a copy of their insurance policies, a risk assessment. If in doubt, contact Council.

The Booking Officer will give/send a tax invoice/receipt to the hirer.

The Booking Officer is to advise potential hirers that fees are subject to change and that this usually occurs from 1 July when Council adopts the fees and charges for the upcoming financial year. Fees charged are to be those applicable to the date that the hire actually takes place, not the date that the booking is made (e.g. if a booking is made in March for a hire in August and the fees increase in July, the new increased fee is to be charged).

8.3 BOOKING DIARY

All bookings are to be recorded in the booking diary at the appropriate date including the following information as required by Council's auditors: date booked, hirer details (name, address and phone number), function date and type, hire times, hire fee, deposit, date paid, receipt number, insurance (Council's or hirer's – details), post-hire inspection comments, cleaning/damage charge.

The booking diary is the property of Council.

8.4 FEES AND CHARGES

The schedule of fees and charges is set by Council, taking into consideration the recommendations of the Committee and the operating requirements of the facility. Council will review Fees and Charges in January each calendar year and will distribute Fees and Charges to the committee for review.

Fees and charges may not be varied without the prior written approval of Council.
Refer Section 4.1 FACILITY / SERVICE FEES AND CHARGES.

8.5 FEES WAIVED OR DISCOUNTED BY COUNCIL

Fees for hire of a Council facility may only be waived or discounted by Council.
The Committee or hirer should put their case in writing for Council to consider.

Where fees for a hirer have been waived or discounted by Council, the Committee is advised to keep a record in its booking diary for reference when preparing its next budget.

Should a Committee be unable to discharge its financial responsibilities due to discounts being applied, it is advised to make a submission to Council requesting reimbursement.

8.6 BONDS

The Committee is to charge a \$200 bond as a safeguard against possible damage to the facility or equipment, or to cover the need for additional cleaning, where appropriate. Hirers should be advised that the bond will be refunded if all conditions of the hire are adhered to. Receipt and repayment of the bond monies must be recorded by the committee.

A bond deposit is not required for regular hirers of the hall, but is required for casual hire for functions. The Bond amount is the same for all Community Halls and is determined at the commencement of each financial year along with the other Fees and Charges.

Bond moneys do not attract GST if refunded in full. If any bond moneys are withheld, these funds attract GST.

Any costs incurred through damage or loss to the facility associated with the hire will be deducted from the bond (including GST). **If the costs exceed the bond moneys, the hirer will be expected to reimburse Council for all costs incurred as stated in the Hirer's Agreement.**

Please use the FACILITY CASUAL USERS POST EVENT REPORT which is included in the Facility Hire Appendix of this Toolkit. This outlines what users are to do at the conclusion of the hire.

8.7 USE OF LIQUOR

The Committee is responsible for advising hirers of the conditions relating to the use of alcohol at a Council facility. These prohibit:

- (a) the consumption of alcohol by persons under the age of 18 years;
- (b) bringing bulk alcohol or kegs into a community facility; and
- (c) selling alcohol on the premises without a Function Licence (this includes a free drink with an entry fee or fee for a meal that includes alcohol).

There are many different types of Function Licences. Hirers wishing to sell alcohol can obtain an application for a Function Licence from the NSW Office of Liquor, Gaming and Racing on 9995 0894, website: www.olgr.nsw.gov.au.

The application must be lodged by the hirer at least 28 days before the date of the function and can only be obtained by non-proprietary associations. A copy of the Function Licence must be forwarded to Council prior to commencement of the hire.

9 RISK MANAGEMENT

9.1 HAZARD IDENTIFICATION

A hazard is a situation which could potentially cause injury to a person or damage to property. A warning sign should be placed near the hazard to alert users of the facility to the danger. The committee must then advise Council.

The committee is encouraged to formulate some common sense rules for hirers of the facility, such as stacking of tables and chairs, cleaning of spills from floors, rubbish removal, e.g. "chairs must not be stacked any higher than X (the number will depend on the type of chair) and placed against the wall after use".

Extract from Council Procedure 5.2.3 Section 355 Committee Guidelines

A routine inspection process will alert Committee to possible dangers or faults, fire or accident risks to users of the facility, and can be carried out periodically using a Hazard Checklist. A copy can be forwarded to Council for action if required.

Council Procedure 5.2.3 Section 355 Committee Guidelines is attached in the Appendix of this Toolkit and is available on the Council website:

www.kempsey.nsw.gov.au/355-committee

The COMMUNITY FACILITY CHECKLIST form includes Hazard inspection and is to be completed regularly and forwarded to Council in accordance with section 3.4 CALENDAR OF ACTIVITIES in this Toolkit.

The COMMUNITY FACILITY CHECKLIST is available in the Appendix of this Toolkit.

9.2 BUILDING INSPECTIONS

Regular building inspections are essential to identify potential risks, hazards and issues requiring maintenance. All inspections must be thoroughly documented.

Professional Inspections

Council staff will conduct regular inspections of the facility.

Inspections by the Committee

The committee must conduct twice yearly inspections of the facility, in accordance with section 3.4 CALENDAR OF ACTIVITIES, using the COMMUNITY FACILITY CHECKLIST. The completed checklist is to be forwarded immediately to Council.

The COMMUNITY FACILITY CHECKLIST is available in the Appendix of this Toolkit.

Informal Inspections

Informal inspections are incidental to the course of committee operations e.g. you may notice something that needs attention as you are walking through the facility. Any defect or problem needs to be rectified or reported immediately.

9.3 RISK ASSESSMENT & SAFE WORK METHOD STATEMENTS (SWMS)

A risk assessment is simply a careful examination of what is in the work place that could possibly cause harm to people, property or the environment. It allows you to weigh up whether you have taken enough (reasonably practicable) precautions to control the hazard or if you should do more.

To complete the risk assessment use the RISK ASSESSMENT MATRIX/TOOL (WHSF 0041) which is attached in the Appendix of this Toolkit.

Risk Assessments must be completed for any works or planned event where there is no Safe Work Method Statement currently available.

In most instances a Risk Assessment will be sufficient with no need to complete a Safe Work Method Statement. For example, a fund raising event such as a disco held in a hall facility will only need a Risk Assessment to be completed. Whereas physical works such as widening a gate opening in a fence would require a Safe Work Method Statement.

SAFE WORK METHOD STATEMENT (SWMS)

A SWMS sets out each step of a process or procedure and details how to safely perform an activity or task. SWMS attempt to recognise what could go wrong and then set out what should be done to help avoid injuries.

Council has developed a set of SWMS for those activities that may be carried out by volunteers. If a new activity is to be undertaken, a new SWMS will need to be developed. Volunteers will be provided with work activity training using the relevant SWMS.

SAFE WORK METHOD STATEMENT (WHS-0008a) is attached in the Appendix of this Toolkit. Please contact Council to confirm if a SWMS exists for the task/event you are planning.

THE PROCESS – STEP BY STEP

1. Complete the **Risk Assessment Checklist** (form WHSF0041)
Identify any risks that might be expected during the course of this work, rate them High (H) Medium (M) or Low (L).
2. After risks have been identified complete the **Safe Work Method Statement** (form WHSF0008a Parts 1 – 5)
3. Return both forms to Council for review.
4. **Induction of workers**
Once approval has been given, induct all persons working on this activity to ensure they are familiar with the safety procedures identified. Each person must sign to indicate they have been instructed on the safe work methods (form WHSF0008a – Part 6).
5. **Additional Hazards**
Please note that if during the course of the work, hazards are encountered that were not included on Safe Work Method Statement, they need to be entered onto the **Safe Work Method Statement - Part 7** of form WHSF0008a. All workers will need to sign again to show they are aware of this hazard.

Please contact Council if you require assistance with this process.

10 WORK HEALTH & SAFETY (WH&S)

10.1 THE WORK HEALTH AND SAFETY ACT 2011

Council is required to comply with the provisions of the New South Wales Work Health and Safety Act 2011. In complying with the Act, Council has a statutory responsibility to take appropriate measures to ensure that no person (including employees, volunteers, contractors or visitors to a Council workplace) suffers harm or injury to their health and safety from the way in which Council conducts its activities.

Council has a duty to ensure that risks to health and safety at a workplace are identified, assessed, eliminated or controlled. 'Workplace' means premises where people work and in particular includes:

- any land, building or part of a building;
- any vehicle, vessel or aircraft;
- any installation on land, on the bed of any waters or floating on any waters;
- any tent or movable structure.

Any questions about occupational health and safety should be directed to Council.

10.2 COUNCIL'S COMMITMENT TO PROMOTING A SAFE AND HEALTHY WORKPLACE

Council is committed to providing a safe and healthy work environment for all employees, volunteers and visitors to a Council workplace. It is acknowledged by Council that ensuring the highest possible standards of health and safety is an important responsibility which is shared by all managers and Council employees.

Council will provide volunteers with work health and safety information and procedures relevant to their activities. In ensuring a safe workplace, Council is committed to taking all reasonable and practical steps.

10.3 DISCARDED SHARPS AND NEEDLE STICK INJURIES

For safe disposal of sharps, please comply with the Safe Work Method Statement for their removal. If a needle stick injury occurs, please advise the person affected to visit their local doctor or hospital as soon as possible for further advice.

Notify Council of the needle stick injury using the Committees Incident/Accident Reporting Form.

10.4 DRUGS AND ALCOHOL

It is not acceptable for volunteers to carry out any duties while under the influence of alcohol or drugs, including a prescribed drug or "over the counter" drugs, which may impair judgement or co-ordination.

If any issues arise relating to the use of drugs or alcohol by volunteers, they should be reported promptly to Council.

10.5 EMERGENCY EVACUATION PROCEDURE

All Committee members and hirers of the facility must familiarise themselves with the emergency exits, evacuation plan, external assembly point, and the location of fire extinguishers and fire protection equipment (such as hose reels and fire blankets) before

using the facility. Hirers must, at the commencement of each use of the facility, make this information known to all those attending the hire event under their control.

An Emergency Contact Numbers list should be prominently displayed at the facility.

10.6 FIRST AID

Each Facility has been issued with a First Aid Kit. It is the responsibility of the Committee to restock as required. Use-by dates must also be checked and items replaced where necessary.

Each user group of a Council facility (e.g. soccer club, bridge club, senior citizens association) must provide its own first aid kit. The first aid kit must be appropriate for the number of participants in the group's activities and the types of activities being conducted, in accordance with the Work Health and Safety Regulation 2011.

A spills kit and/or first aid officer may also be required, depending on the user group's risk assessment (which is conducted prior to hire of the facility).

10.7 GUIDELINES FOR WORKING ALONE &/OR IN REMOTE AREAS

The activities carried out by Council's volunteers are numerous and diverse. These activities may involve a volunteer carrying out a task working alone or in a remote area.

Volunteers working alone or in a remote location must ensure that they let someone know where they will be working and their expected start and finish times. They must have some form of communication available to them, e.g. fixed telephone (landline) or mobile phone, and immediate access to a first aid kit.

Volunteers must also sign in and out on the Volunteer Register each time they undertake volunteer activities. This is necessary in order to record the hours the volunteer works to ensure insurance cover in the event of an accident or injury while carrying out duties on behalf of Council. Refer to the Volunteer Register.

For safety reasons, a volunteer must not undertake on their own any activity that would normally require two or more persons.

Any activity undertaken by volunteers should be part of a program or decision made by the Committee at a Committee meeting and documented in the minutes, i.e. not a Committee member making their own decision to go off and do something.

10.8 HAZARDOUS SUBSTANCES

All hazardous substances kept on Council premises or used at a Council facility must be labelled and named in a register as set out in the Occupational Health and Safety Regulation 2001. Hazardous substances can include cleaning products such as dishwashing detergents and disinfectants, garden chemicals, paints and thinners and printer supplies.

Material Safety Data Sheets (MSDS) are available from the product's manufacturer or supplier. The MSDS and label identify the ingredients of the product, its health effects, safe use and handling procedures, and first aid instructions. MSDS must be obtained for each hazardous substance used at a Council facility and kept in a folder that is easily accessible to everyone who uses the facility.

In order to reduce the administrative workload of the Committee, it is suggested that the same product be purchased every time to ensure that the MSDS is relevant and up-to-date and that volunteers have received correct information and training, otherwise a new MSDS must be obtained and volunteers provided with new information.

All hazardous substances must be stored as per the warning label on the product and they must be stored in a locked cupboard out of reach of children. Please ensure that all hazardous substances are clearly labelled. Do not pour hazardous substances into other containers.

10.9 MANUAL HANDLING

Manual handling means any activity which requires the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any animate or inanimate object. The Occupational Health and Safety Regulation 2001 require that the employer must identify the hazards arising from manual handling, assess and control them.

Volunteers are responsible for carrying out all activities in a safe manner in accordance with procedures and training undertaken.

Council MANUAL TASK ASSESSMENT (WHSF0067) is attached in the Appendix of this Toolkit.

If you would like further information on manual handling please contact Council.

10.10 PERSONAL PROTECTIVE EQUIPMENT (PPE)

Council has a duty to provide appropriate PPE for volunteer activities. Some examples of PPE are protective helmets, eye protection, hearing protection, gloves, safety footwear and protective clothing.

When the PP required for the activity has been determined, either:

- the PPE can be purchased using Committee funds; OR
- Council can provide funding from the Management Committee Budget to purchase the PPE; OR
- Council can investigate other supply options.

Contact Council to discuss the above options and to arrange training in use of the PPE.

Volunteers are responsible for carrying out all activities in a safe manner in accordance with Council procedures and training. PPE must only be used in accordance with the correct procedures. Any defects or repairs are to be notified to Council. All equipment is to be kept in a clean and hygienic condition.

10.11 SMOKE-FREE WORKPLACE

Council supports a smoke-free environment in the interests of everyone's health and safety. Smoking is not permitted in any Council building, or near doorways or covered walkways.

Smoking is not permitted:

- while working near other persons, flammable liquids and dangerous goods or where any potential exists for fire or explosion;
- when preparing and serving food (both indoors and outdoors).

10.12 SUN SAFETY

The Committee is to carry out a Risk Assessment for any activities in which volunteers will be working outdoors to ensure that all risks are identified and the appropriate Personal Protective Equipment (PPE) is used.

Council encourages all volunteers to protect themselves from ultra violet radiation when carrying out activities outdoors on behalf of Council. This includes wearing appropriate clothing, broad-brimmed hats, sunglasses and minimum SPF 30+ sunscreen.

The following points should be considered as a minimum:

- ensure volunteers have access to cool drinking water and are encouraged to drink water every 30 minutes, or more frequently depending on the risk assessment. Remember that when you start to feel thirsty you are already starting to dehydrate;
- encourage volunteers to take shelter from the sun during all breaks;
- where possible, encourage volunteers to take breaks in well ventilated environments out of the sun;
- encourage volunteers to rotate duties during periods of excess heat and work at a sensible pace;
- encourage the use of additional volunteers to complete a task – this will reduce the length of time it takes to complete a task.

If you would like further information on sun safety please contact Council.



Facility Name: _____ Financial Year: 1 July 20__ - 30 June 20__

Position held	Name	Address	Phone Contact	Email Address (for Council Correspondence)
President				
Vice-President				
Secretary				
Treasurer				
Booking Officer				
Committee Member				
Committee Member				
Committee Member				
Committee Member				
Committee Member				
Committee Member				
Committee Member				
Committee Member				

Please return to Kempsey Shire Council within seven (7) days of the AGM



Facility Name: _____ Inspection Date: _____

Audit Team: _____

Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Grounds Area						
Vehicle roadway safe and in suitable condition						
Path / Pedestrian ways safe & in suitable condition						
Fencing is safe and suitable condition						
Signage in safe and suitable condition						
Stairs in safe and suitable condition						
Handrails in safe and suitable condition						
Grounds area well maintained						
Entrance						
Door security operational and in safe condition						
Lighting operational and adequate for the task						
Access and egress safe and operational						
Signage in safe and suitable condition						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Disabled access in safe and suitable condition						
Floor and floor coverings are safe and in a suitable condition						
Storage Areas						
Items not stored too high						
Heavy items stored at low levels						
Sufficient access to storage racks, bins and shelves						
General Hall & Meeting Room Housekeeping						
Floor area in safe and suitable condition						
All windows in safe, operational and suitable condition						
Stage area in safe and suitable condition						
Stage handrails in safe and suitable condition						
All directional signage legible and in suitable condition						
All doors operational and in suitable condition						
Air conditioning working efficiently						
Interior linings in safe and suitable condition						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Trims and architraves in safe and working condition						
Portable Equipment						
All seating is in safe and suitable condition						
All tables are in a sound and suitable condition						
Kitchen Housekeeping						
Kitchen facilities clean and free of clutter						
Waste container provided						
Waste container emptied regularly						
Waste container free from hazardous materials (e.g. broken glass or other sharps)						
Floor coverings in good condition and free from hazards						
Cabinet tops free of stored items						
Sufficient dishwashing liquid						
Cupboards in working condition and closing						
Floor and floor coverings are safe and in a suitable condition						
Hazardous / Cleaning Substances						
Cleaning chemicals are stored correctly						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Chemicals are approved for use						
Cleaning chemicals are in a locked cupboard						
Toilet Amenities Housekeeping						
Waste container provided and emptied						
Sufficient paper towels / toilet paper						
Sufficient soap / disinfectants						
Washbasins, toilets, showers clean & in working condition						
Floors swept clean						
Floor and floor coverings are safe and in a suitable condition						
Tiled walls and floor in safe and working condition						
Electrical						
All electrical power points and switches operational and in safe condition						
All lighting operational and in safe condition						
Stage lighting in safe and suitable condition						
All electrical items inspected and tagged						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
All electrical cords in safe and working condition						
All urns / kettles are in safe and working condition						
Security alarm system operational						
Fire Protection / Prevention						
Fire Extinguishers and hose reels visible						
Fire Extinguishers and hose reels accessible & operational						
Fire Extinguishers and hose reels inspected						
Emergency Evacuation procedure and map clearly displayed						
Emergency exits clearly signposted & operating						
Emergency Exits unobstructed						
All access and egress points clear						
Emergency Exits operating freely						
Fire Blanket in kitchen operational and close to stove top						
First Aid						
First Aid kit is available						
Contents checklist in place						
First Aid kit fully stocked						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
First Aid signage in place						
Building Exterior						
Exterior of building in a safe and working condition						
Roofing in a safe and working condition						
Gutters and down pipes maintained						
Foundations in good order						
No fire hazard in close proximity to building						

Hazard Rating

The below hazard ratings should be used when assessing the condition of the building and inside infrastructure. The hazard may result in:

- High Death or permanent disability/illness, toxic release with detrimental effect, huge financial loss
- Medium Medical treatment required, onsite release contained with outside assistance high financial loss
- Low No injuries, low financial loss



Facility Name: _____ Inspection Date: _____

Audit Team: _____

Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Grounds Area						
Vehicle roadway safe and in suitable condition						
Path / Pedestrian ways safe & in suitable condition						
Fencing is safe and suitable condition						
Signage in safe and suitable condition						
Stairs in safe and suitable condition						
Handrails in safe and suitable condition						
Grounds area well maintained						
Entrance						
Door security operational and in safe condition						
Lighting operational and adequate for the task						
Access and egress safe and operational						
Signage in safe and suitable condition						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Disabled access in safe and suitable condition						
Floor and floor coverings are safe and in a suitable condition						
Storage Areas						
Items not stored too high						
Heavy items stored at low levels						
Sufficient access to storage racks, bins and shelves						
Club House						
Floor area in safe and suitable condition						
All windows in safe, operational and suitable condition						
All directional signage legible and in suitable condition						
All doors operational and in suitable condition						
Air conditioning working efficiently						
Interior linings in safe and suitable condition						
Trims and architraves in safe and working condition						
Portable Equipment						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
All seating is in safe and suitable condition						
All tables are in a sound and suitable condition						
Kitchen Housekeeping						
Kitchen facilities clean and free of clutter						
Waste container provided						
Waste container emptied regularly						
Waste container free from hazardous materials (e.g. broken glass or other sharps)						
Floor coverings in good condition and free from hazards						
Cabinet tops free of stored items						
Sufficient dishwashing liquid						
Cupboards in working condition and closing						
Floor and floor coverings are safe and in a suitable condition						
Hazardous / Cleaning Substances						
Cleaning chemicals are stored correctly						
Chemicals are approved for use						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Cleaning chemicals are in a locked cupboard						
Toilet Amenities Housekeeping						
Waste container provided and emptied						
Sufficient paper towels / toilet paper						
Sufficient soap / disinfectants						
Washbasins, toilets, showers clean & in working condition						
Floors swept clean						
Floor and floor coverings are safe and in a suitable condition						
Tiled walls and floor in safe and working condition						
Electrical						
All electrical power points and switches operational and in safe condition						
All lighting operational and in safe condition						
Stage lighting in safe and suitable condition						
All electrical items inspected and tagged						
All electrical cords in safe and working condition						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
All urns / kettles are in safe and working condition						
Security alarm system operational						
Fire Protection / Prevention						
Fire Extinguishers and hose reels visible						
Fire Extinguishers and hose reels accessible & operational						
Fire Extinguishers and hose reels inspected						
Emergency Evacuation procedure and map clearly displayed						
Emergency exits clearly signposted & operating						
Emergency Exits unobstructed						
All access and egress points clear						
Emergency Exits operating freely						
Fire Blanket in kitchen operational and close to stove top						
First Aid						
First Aid kit is available						
Contents checklist in place						
First Aid kit fully stocked						
First Aid signage in place						



Item	Condition	Hazard Present	Hazard Rating (H,M,L)	Action Required	By Whom and When	Need to Notify Council
Building Exterior						
Exterior of building in a safe and working condition						
Roofing in a safe and working condition						
Gutters and down pipes maintained						
Foundations in good order						
No fire hazard in close proximity to building						
Tennis Court						
Court surface is in a safe and working condition						
Fence is in a safe and working condition						
Umpires chair is in a safe and working condition						

Hazard Rating

The below hazard ratings should be used when assessing the condition of the building and inside infrastructure. The hazard may result in:

- High Death or permanent disability/illness, toxic release with detrimental effect, huge financial loss
- Medium Medical treatment required, onsite release contained with outside assistance high financial loss
- Low No injuries, low financial loss



Facility Name: _____

Inspection Date: _____

Room: _____

Supervision of Area: _____

Chemical Name	Storage Location	Amount Stored (up to)	Dangerous Goods Class	Hazardous Substance (Yes / No)	MSDS Issue Date (>5 years must be renewed)	Preliminary Risk Assessment Controls (as stated by MSDS)	Detailed Risk Assessment Required Prior to Use?	
							<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No
						<input type="checkbox"/> eyewear <input type="checkbox"/> gloves <input type="checkbox"/> protect clothing <input type="checkbox"/> spill kit <input type="checkbox"/> face shield	<input type="checkbox"/> Yes (must be filed for 5 years)	<input type="checkbox"/> No



Facility Name: _____

Booking Officer: _____ Date: _____

Name of key holder	Organisation represented	Key no.	Key access – specify areas	Contact no.	Date issued	Signature	Date returned



HIRE OF COUNCIL FACILITY - USER AGREEMENT

Facility: _____

Date of Function

Type of Function

Number Attending

Start Time*

Finish Time*

Kitchen Required **Yes** **No**

Name

Organisation

Address

Telephone Number **(daytime)** **(mobile)**

* include setup / cleaning & pack up time

Office Use Only

Hire Charges

Insurance Type

Security Deposit \$

Total Due \$

Bond Refunded: **YES/NO** **Date Generated:**

Bond Withheld:
(reason)

Site Induction Provided:



HIRING PROCEDURE

- 1. Complete this **USER AGREEMENT**. Include a copy of **Public Liability Insurance Certificate of Currency** if required as per Terms of Condition of this Agreement.
- 2. Return signed User Agreement to facility Booking Officer.
- 3. Receive **confirmation** of your booking.
- 4. **Payment of Hire Fee and Bond to be provided at time of picking up keys.**

Pick up keys from the Booking Officer as arranged. Complete and sign key hire Register. Booking confirmation **MUST** be shown before keys will be given to hirer.

A **Tax Invoice** will be issued upon payment of fees for the agreed days/term of the booking.

- 5. Complete **CASUAL USER POST EVENT REPORT** and **return with keys** to booking officer as arranged. Bond will be refunded if facility is left in accordance with the Conditions of Use as outlined in this User Agreement.

I, _____
(Responsible Person - 'Hirer')

agree on behalf of _____
(Hiring Organisation - if applicable)

that I have read, understand and agree with the conditions as set down by the Kempsey Shire Council in consideration of the hiring of the facility for the above period and agree to abide by the requirements of the agreement:

I have read and understood the Conditions for Facility Use which form part of this User Agreement.

Signature (responsible hiring person)

Date

Print Name

CONDITIONS FOR FACILITY USE

The Hirer agrees to abide by the conditions set down for the hire of a Council facility.

1. Use of the facility will be approved for no more than six (6) months. Bookings will be reviewed every six months to ensure that the distribution of bookings is equitable.
2. Council reserves the right to cancel any booking if maintenance or building works are required.
3. The hirer is to ensure that nothing is permitted which is unlawful in connection with the use of the hall. The hirer is also responsible for the behaviour of those in attendance during the hire period. Children/Youth on the premises are to be supervised at all times by a responsible adult. Hirers must ensure that children/youth are not placed at risk upon entering or leaving the facility building or grounds.
4. Council reserves the right to ban and/or have any person/group removed from the premises where that person/group has, or is likely to cause injury or damage to other persons or property.
5. Please do not hang streamers or balloons from ceiling fans as the ties can wrap around the fans and burn out the motors.
6. Music and noise are to be restricted to a reasonable level. All music and noise must cease by 11.00pm. The level of noise emissions from any band, orchestra, music instrument, DJ or activity within the facility shall not exceed normal background noise level when measured at the nearest residential property boundary.
7. All hirers agree to abide by Council's Smoking and Alcohol and Drugs Policy. No smoking is to occur within 4 metres of the buildings including toilets. The consumption of alcohol is permitted at the facility subject to the following conditions. **These prohibit:**
 - a) The consumption of alcohol by persons under the age of 18 years;
 - b) Bringing bulk alcohol or kegs into a community facility; and
 - c) Selling alcohol on the premises without a Function Licence (this includes a free drink with an entry fee or fee for a meal that includes alcohol).

There are many different types of Function Licences. Hirers wishing to sell alcohol can obtain an application for a Function Licence from the NSW Office of Liquor, Gaming and Racing on 9995 0894 or website: www.olgr.nsw.gov.au.

The application must be lodged by the hirer at least 28 days before the date of the function and can only be obtained by non-proprietary associations. A copy of the Function Licence must be forwarded to Council prior to commencement of the hire.

8. The hirer is responsible for leaving the facility in a clean and tidy condition at the end of the period of hire and in particular:
 - a) To remove all rubbish, food scraps, empty drink containers, bottles and cans from the facility and place them in the bins provided at the facility.
 - b) Sweep the facility, clean up any spillage by application of appropriate cleaning liquids and agents and leave the toilet facility and/or Kitchen in a clean and sanitary condition.
 - c) Clean the tables and chairs used during the time of hire and stack them against the walls of the facility.

If the facility is not left in a satisfactory condition, Bond monies will be withheld and the hirer billed for any costs incurred by Council to return the facility to a satisfactory condition or to repair any damages incurred by the hirer.

9. **INSURANCE**

Public Liability Insurance required by facility hirers

Hirers of facilities, if not meeting the definition of a 'Casual Hirer' must hold their own public liability insurance (standard cover \$20 million) and provide a copy of a current policy to the committee for their records. Hirers should be made aware that property and equipment brought onto the facility by them is not covered under Council's insurances.

If a workshop is being held in the facility, delivered by a person using their professional expertise or skill and a fee/donation is being charged this would NOT be covered under the policy. They are deemed to be providers who should have their own insurance, i.e. running a business.

Regular Hirers Insurance (including Casual)

This policy provides the public liability insurance for casual/regular hirers of Council facilities. A casual or regular hirer is a person or group of persons (other than a sporting body, club, association, corporation or incorporated body) which uses the facility for non-profit purposes.

There is no limit to the number of times this person/group can hire the facility during one year. Hirers who meet this definition will not require their own public liability insurance.

Includes; Private Social events such as Parties including 18th and 21st, Weddings and Wakes.

Property Insurance

Council's property insurance covers damage to its buildings resulting from occurrences such as storm, fire, impact, malicious damage, theft, burglary and earthquake. Each claim carries an excess (the amount not covered by the insurer). For Council this excess is usually \$50,000. The policy does not cover property owned by third parties such as persons hiring the halls or volunteers who bring their own property to the facility.

Broadform Insurance

The purpose of the insurance is to cover hobbyists, small scale artists and home based activities that would potentially be unable to participate due to the insurance costs involved. Commercial businesses or individuals (with an ABN for example) are not included and will require their own insurance.

Council's insurance allows for up to 100 users per annum to receive insurance. To ensure that each user is covered by this insurance, the usage of this insurance must be carefully monitored. Committees should provide Council with the number of users i.e. stall holders/ hobbyists / performers at each event, within one week following the event. Each user counts as 1 unit of insurance from the 100 available.

Examples of activities include:

- *Hobbyist running a workshop, charging a cover fee to cover cost and some profit would be covered.*
- *Stallholders: Activities that are not included are live animal sales, selling baby clothes/toys or play equipment, new untagged electrical goods, second-hand electrical goods, second hand tools, massage services.*
- *Performers: Individual performers at a market or event counts as 1 unit of insurance from the 100 available. A band of up to 8 members also counts as 1 unit. Activities not included are performances involving knives, swords (including theatrical knives and swords) and any use of fire.*

10. The hirer is to vacate the facility on or before the end of the time of hire. Ensure all doors are locked. Return the KEYS with the CASUAL USER POST EVENT REPORT to the facility at the earliest opportunity on the day following the day of hire, or to pay the costs of replacement keys and change of locks should the keys given to the Hirer be lost, as the case may be.
11. The hirer cannot sublet or hire out the facility to any other Individual/ Company or organisation. External caterers required for an event are permitted, however they are the responsibility of the hirer and must abide by the conditions set out in this agreement.



- 12. Hirers of the facility whilst working with children are bound by the NSW Child Protection Legislation and are required to undertake Working with Children Checks and implement Prohibited Employment Declarations for all persons working directly with children. Further information regarding your obligations can be found on the following website: <http://www.kids.nsw.gov.au/kids/check.cfm>
- 13. The hirer is not permitted to take into or use the following substance within the Centre and grounds:
 - a) Any type of firework or flammable substances; and
 - b) Any chemical substance deemed toxic or dangerous.
- 14. No pets or animals are allowed on the premises unless they are a companion animal in accordance with the defined requirements.

The hirer agrees that should the Hirer breach any of the terms above:

- 1. The Council shall be entitled to bring the agreement to an end and to require the immediate vacating of the facility by persons using it and if such circumstances occur. The Council shall not be liable to make good any loss or damages suffered by the termination so effected or pay any compensation to anyone because of the termination.
- 2. The Council shall be entitled to recover from the hirer the cost of remedying or rectifying any breach of this agreement including legal and court costs of such recovery.

The hirer also accepts full and complete responsibility:

- 1. For any loss of or damage to any personal property (including money, jewellery & credit cards).
- 2. Property on hire or loan that is in the facility prior to, during and after the time of hire, which property is in the Facility in connection with or as result of its hire by the Hirer. This includes computers, Wi-Fi, keys, telephones and other equipment that is the responsibility of the hirer.

FAILURE TO ADHERE TO THESE CONDITIONS WILL RESULT IN THE HIRER BEING BILLED FOR ANY COSTS INCURRED BY COUNCIL TO RETURN THE FACILITY TO A SATISFACTORY CONDITION.

Signed (Booking Officer)

Date

Signature (responsible hiring person)

Date

Office Use Only

User Agreement signed	
Copy of Public Liability Insurance (if required)	
Booking entered into bookings register	
Booking confirmed with hirer	



CASUAL USERS POST EVENT REPORT

Facility Name: _____

Alarm Code: _____

This form must be completed and returned with the key.

Hirer:	
Booking No:	Booking Date:

EQUIPMENT

Equipment – (User to supply)	Equipment – (Provided at hall)
<input type="checkbox"/> Vacuum cleaner	<input type="checkbox"/> Fringe mop (broom) for wooden floor
<input type="checkbox"/> Cleaning products	<input type="checkbox"/> Wet mop and bucket
<input type="checkbox"/> Rubbish bags	

CLEANING to be completed AFTER the event

Hall Area	Kitchen Area
<input type="checkbox"/> Stack chairs (no more than 6 high)	<input type="checkbox"/> Wipe bench tops
<input type="checkbox"/> Return chairs to storage area	<input type="checkbox"/> Wipe top of stove
<input type="checkbox"/> Return tables to storage area	<input type="checkbox"/> Wipe out inside of oven
<input type="checkbox"/> Sweep floors	<input type="checkbox"/> Clean sinks
<input type="checkbox"/> Mop floors	<input type="checkbox"/> Sweep floor
<input type="checkbox"/> Remove decorations	<input type="checkbox"/> Mop floors
<input type="checkbox"/> Take away rubbish	<input type="checkbox"/> Wipe cupboards if necessary
	<input type="checkbox"/> Empty and wipe out refrigerators if necessary

OTHER CHECKS to be completed AFTER the event

Outside Venue	Just before you leave
<input type="checkbox"/> Check perimeters of the building for any rubbish	<input type="checkbox"/> Lock all doors and windows and set alarm where fitted
Maintenance Issues Please list any repairs / maintenance issues you notice whilst using the hall:	

If the hall is not left in clean and satisfactory condition an ADDITIONAL CLEANING FEE WILL BE INCURRED.

Signed (Booking Officer)

Date

Signature (responsible hiring person)

Date

