

## **DELEGATION OF AUTHORITY**

### **Tooraweenah Memorial Hall**

In order to provide for the expedient exercise and performance of its functions, Gilgandra Shire Council hereby:

- a) delegates to the Tooraweenah Memorial Hall Committee under Section 377 of the Local Government Act, 1993, the exercise of Council's function specified in Schedule 1, subject to the limitations specified in Schedule 2.

The delegation shall commence on 1 January 2016 and remain in force until expressly amended or revoked by the Council by further resolution.

#### **SCHEDULE 1 (Functions)**

1. The responsibility for day-to-day management of the Facility so as to:
  - i. Promote usage of the Facility to greatest extent possible
  - ii. Make and have control over all bookings for the hire, use and utilisation of the Hall and its facilities.
  - iii. Make recommendations to Council regarding the appropriate fees for usage of the Facility
  - iv. To levy fees for usage of the Facility.
  - v. Ensure, as far as possible, that fees received from usage generates sufficient revenue to meet the necessary maintenance of the Facility and the cost of future enhancement, expansion or upgrade of the Facility as recommended by the Committee and approved by Council.
  - vi. Show due diligence for the health and safety of persons using the Facility.
2. The responsibility to ensure that usage of the Facility is in accordance with any Rules adopted by the Committee and/or Council in respect of the Facility.
3. The responsibility to keep proper books of account for all income received for the hire of the hall. A copy of the annual financial statement is to be forwarded to Council within seven days of presentation to the Annual General Meeting. All books of account must be made available for inspection to Council's Finance Manager on request.
4. The responsibility to expend revenue received from use of the Facility and any other operational funds which may be received, towards day-to-day operational expenses and any maintenance the Committee considers necessary and appropriate within available budget.

5. The responsibility to ensure that any maintenance works are carried out by licensed contractors with public liability insurance and workers' compensation (if not a sole trader) and further to ensure that contractors can show compliance with WH&S standards and regulations. All works must comply with the Building Code of Australia and relevant Australian Standards. Please note that Council staff will be available to assist in this regard if required.
6. To make recommendations to the Council as to any other maintenance, enhancement, expansion or upgrade of the Facility that the Committee considers necessary and appropriate and to expend revenue towards any such maintenance as approved by the Council.
7. To make other such recommendations to the Council in respect of the Facility as the Committee thinks appropriate from time to time.
8. Should Council not approve a recommendation, it is incumbent on Council to advise the Committee within seven days of Council's resolution. This advice is to be made by email to the President, Treasurer and Secretary of the Committee. No advice within the specified time will indicate Council's approval of the recommendation.

#### **SCHEDULE 2 (Limitations)**

9. The functions do not include any which are excluded from being delegated to the Committee by s377(1) of the Local Government Act 1993 or any other law as applicable from time to time including, but without limitation:
 

s377(1)(f)	the borrowing of money
s377(1)(g)	the voting of money for expenditure on Council works, services or operations
2377(1)(i)	the acceptance of tenders which are required to be invited by the Council
10. Without limiting the generality of the above, exercise of the Functions is subject to:
  - i. The limitations specified in 1.3 of Council's "Guide to Operations – Section 355 Community Committees" as amended from time to time
  - ii. Decisions of the Committee being made in accordance with the meeting procedures outlined in the Guide
  - iii. Compliance by the Committee with accounting requirements
  - iv. Compliance with all other relevant law
11. The Committee shall not direct staff.

#### **Glossary:**

In this delegation, "Facility" means **Tooraweenah Memorial Hall at Tooraweenah**

Adopted: 16 December 2015, Resolution No. 325/15