

## CONSTITUTION OF THE FRIENDS OF THE FLORA AND FAUNA OF THE BARRIER RANGES COMMUNITY COMMITTEE

QUALITY CONTROL		
TRIM REFERENCES	D12/14954 – 12/51	
RESPONSIBLE POSITION	Chief Corporate and Community Officer	
APPROVED BY	Council	
REVIEW DATE	March 2022	REVISION NUMBER 13
EFFECTIVE DATE	ACTION	MINUTE NUMBER
1 November 2001	Adopted	39244
19 December 2001	Amended	39320
26 June 2002	Amended	29522
25 June 2003	Amended	39986
24 September 2003	Amended	40138
25 October 2006	Amended	42035
298 November 2006	Amended	42070
31 January 2007	Amended	42126
25 August 2010	Amended	42460
25 January 2012	Amended	43138
31 July 2013	Amended	44407
29 March 2017	Adopted	45508
30 March 2022	Adopted	46795

## 1. INTRODUCTION

- 1.1 The Friends of the Flora and Fauna of the Barrier Ranges Community Committee is a Section 355 Asset Committee established by Council under Section 355 of the Local Government Act.

## 2. COMMITTEE OBJECTIVE

- 2.1 To undertake an advisory role in respect of the care, maintenance, repair, beautification, improvement and management of the Sanctuary; the Committee shall liaise with Council through a Contact Officer or current Councillor representative/s on the Committee, in respect of proposed projects.
- 2.2 To carry out works as approved by Council.

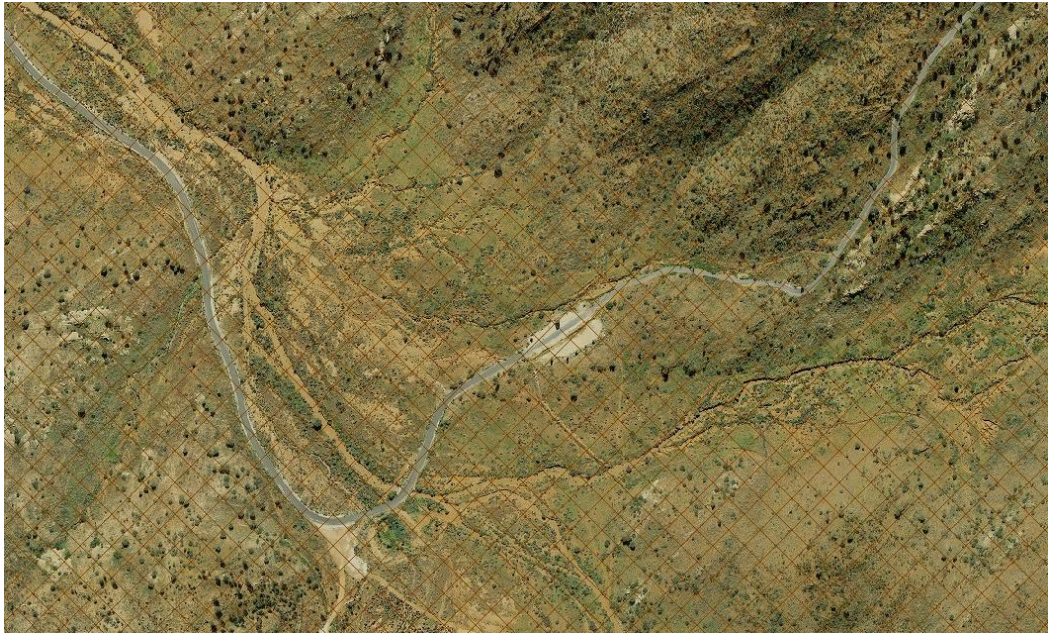
## 3. COMMITTEE NAME

- 3.1 The Committee shall be called the Friends of the Flora and Fauna of the Barrier Ranges Community Committee.

## 4. COMMITTEE ASSET LOCATION AND ADDRESS

- 4.1 The Committee shall manage and maintain the John Simons Flora and Fauna Sanctuary at the Living Desert, situated off Nine Mile Road.
- 4.2 The postal address of the Committee will be "to be advised" and alternatively c/- PO Box 448, Broken Hill NSW 2880.





## **5. COMMITTEE DELEGATION**

Committees are responsible for the tasks delegated by Council which may include letting, cleaning, maintenance, minor repairs and operations.

- 5.1 To assist in the maintenance and future development of native flora and fauna within the Sanctuary.
- 5.2 To present the Sanctuary at a standard of appearance that is satisfactory to the community.
- 5.3 To undertake roles as Volunteer Tour Advisors on a rostered basis.
- 5.4 To assist Council with the opening and closing functions of The Living Desert on a rostered basis.
- 5.5 To recommend to Council an annual works maintenance program and any special projects proposed by the Committee.
- 5.6 To co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance at nil cost and without voting rights.
- 5.7 To ensure that all Committee members abide by all of Council's Work, Health and Safety requirements, that all designated personal protective equipment (e.g. gloves, safety glasses) required by Council are used; and to ensure that safety procedures for use of the Sportsground are monitored.
- 5.8 To bring to Council's attention by way of recommendation through the Council Standing Committee or his/her delegate any item requiring a policy decision outside the authorised delegation of the Committee.

## **6. RESTRICTION OF DELEGATION**

The Committee may not make decisions concerning the following:

- 6.1 The employment of staff. Committees may not have paid employees as this authority cannot be delegated under Section 355 of the Act. Volunteers will be covered by Council Insurance where they are registered with the committee and where they have acted in good faith and lawfully within this instrument of delegation and schedules.

- 6.2 Fixing of charges or fees (the Committee may submit recommendations for approval to Council in relation to the fixing of charges and fees for the use of the facility under its control).
- 6.3 Borrowing any monies.
- 6.4 The sale, lease or surrender of any land or other property vested in its care under the provision of the Act (as amended).
- 6.5 Formation of submissions to government policies or implementation of policies without the prior written consent of Council.
- 6.6 The payment or making of any profit, gain or gift, to or by its members as well as allowance or travelling expenses incurred whilst attending committee meeting.
- 6.7 The carrying out of any works on or to the facility including alterations, reconstruction or construction without the prior written consent of Council (this does not include minor maintenance work).
- 6.8 As a voluntary Committee, members do not receive payment for their services.
- 6.9 Vote on monies for expenditure on the works, services or operations of Council.
- 6.10 The exercise by the Committee of its powers and functions will be subject to such limitations and conditions as may from time to time be imposed by law, specified by resolution of the Council or in writing by the General Manager to the Committee. The Committee will observe any rules and regulations made by Council, in relation to the facility/ function under its management and control.
- 6.11 If at any time the Committee is deemed to be functioning outside the limits of its powers as described herein, all powers may be revoked by written notice to the Committee signed by the General Manager or his/her representative.

## 7. COMMITTEE VS COUNCIL RESPONSIBILITY

ITEM	COMMITTEE	COUNCIL
<b>EXTERNAL</b>		
Walls – structure and cladding	Inspection and reporting of defects	Repair and replacement
Walls – finishing	Cleaning, removal of graffiti	Cleaning, removal of graffiti Painting and resurfacing
Water supply and fittings – taps and valves	Maintenance and lubrication Inspection and reporting of defects Replacement of washers	Repair and replacement
Water supply and fittings – pipe works	Inspection and reporting of defects Securing off in emergency	Repair and replacement
Plumbing – sewerage lines and septic	Inspection and reporting of defects	Emergency unblocking or make safe repairs Repair and replacement
Guttering, down pipes, waste pipes and drains	Inspection and reporting of defects Clear foreign objects,	Repair and replacement

	blockages, mud etc.	
External roofs, guttering and flashing	No responsibility	Repair and replacement
Skylights	No responsibility	All maintenance and repair as required
Light globes and fittings	Replacements of globes no higher than two meters above head height	Replacement of any street lighting or light fittings Replacement of globes two meters above head height
Doors, including door hardware	Immediate securing where damaged	Repair and replacement
Windows – flywire screening	All regular cleaning and maintenance	All regular cleaning and maintenance Repair and replacement
Windows – frames and locks	Inspection and reporting of defects Lubrication of hardware	Repair and replacement
Windows – glazing	All regular cleaning and maintenance Immediate securing if broken	All regular cleaning and maintenance Repair and replacement
Locks and security systems	Immediate securing of building if damaged Minor lubrication of locks	Maintain key register Replace keys and locks not on Council Key Register Purchase, installation, service and maintenance where compatible with Council's Key Register Engage security service if required
<b>INTERNAL</b>		
Internal walls and ceilings – fabric	Inspection and reporting of defects	Regular cleaning Repair and replacement
Internal walls – painting	Cleaning Inspection and reporting of defects	Regular cleaning Painting and resurfacing
Ceilings – structure	Inspection and reporting of defects	Repair and replacement
Ceilings – surfacing	Inspection and reporting of defects	Repair and replacement
Floor structure	Inspection and reporting of defects	Repair and replacement
Floor surfaces and coverings	Cleaning and inspection and reporting of defects	All regular cleaning and maintenance Repair and replacement
Doors (including cupboards, doors and door fittings)	Cleaning Lubrication of hardware	Regular cleaning Repair and replacement
Windows – curtains and blinds	Cleaning and minor repair	Regular cleaning and minor repair Replacement

Internal electrical wiring and fittings	Inspection and reporting of defects Make safe immediately	Repair and replacement
Light globes	Replacement of globes no higher than two metres above head height	Replacement of globes where Committee risk assessment unable to manage risk
Light fittings	Inspection and reporting of defects	Repair and replacement
Water supply and fittings	Maintenance and lubrication Inspection and reporting of defects	Repair and replacement
Internal plumbing – pipes, cisterns, toilet bowls. Hand basins, sinks	Inspection and reporting of defects Minimise any leakage and further damage	Repair and replacement
Heating, air-conditioning fixtures, hot water systems, appliance	Reporting of defects and services	Repair and replacement
Consumables to kitchens, toilets and bathrooms	Replenish Inspection and reporting of defects	Supply and replenish
Sanitary disposal	Maintain Inspection and reporting of defects	Supply and maintain
<b>ESSENTIAL SERVICES</b>		
Testings and tagging of electrical cords	No responsibility	All responsibility
Emergency lighting / exit signs	Inspection and reporting of defects	Six monthly testing Repair and replacement
Evacuation plan	Undertake site induction	Prepare in consultation with Committee Display prominently
Paths of travel	Undertake site induction Inspect and maintain clear paths of travel at all times Check all door handles on paths of travel	Inspect and maintain clear paths of travel at all times Check all door handles on paths of travel Audit according to regulations
All other Essential Safety Measures	Undertake site induction	Audit according to regulations All responsibility
<b>SURROUNDS</b>		
Paths and paved areas	Inspection and reporting of defects	Repair and replacement
Fencing and gates	Inspection and reporting of defects Lubrication of hardware	Repair and replacement Maintain key register

Irrigation systems	Inspection and reporting of defects Maintenance and minor repairs	Maintenance, minor and major repairs and replacement
Garden beds	Watering, maintenance, replanting and keeping tidy	Watering, maintenance, replanting
Trees	Inspection and reporting of defects Minor pruning, feeding and watering	Planting, watering and major pruning Tree removal
Outdoor furniture	Inspection and reporting of defects Cleaning	Cleaning and maintenance Repair and replacement
Internal roadways and car parks	Inspection and reporting of defects Maintain free of obstructions	Construction, repair and resurfacing, signage Maintain free of obstruction
Facility perimeter signage	Inspection and reporting of defects	Installation, repair and replacement
Fire prevention works	Monitor and remove all flammable materials from around buildings	Monitor and remove all flammable materials from around buildings Audit according to regulations
Hazardous substances and dangerous goods storage	Maintain storage to relevant Work Health and Safety Standards Undertake site induction	Ensure storage to relevant Work Health and Safety Standards Audit according to regulations

## 8. STRUCTURE AND MEMBERSHIP

8.1 The Committee shall consist of twenty three (23) members to be appointed by resolution of the Council, such members to be nominated in the following manner:

- At least one (1) Councillor representative
- Reasonable number of community representatives reflecting the size and operations of the facility (to be agreed upon by executive).

8.2 Relevant Council staff can be invited by the Committee to provide information and technical advice on any upcoming Agenda items.

8.3 Council reserves the right to amend the number of Committee members and category of representation.

## 9. TERM OF APPOINTMENT

9.1 The term of a committee is the same term as the elected Council.

## 10. PRINCIPAL SPOKESPERSON

10.1 The principal spokesperson for the Committee shall be the Chairperson.

10.2 The Chair may authorise other members to speak on behalf of the Committee, where deemed necessary and / or appropriate.

## 11. MEETINGS

- 11.1 There should be minimum of four meetings held each year, however it is recommended that Ordinary Meetings of the Committees occur on a monthly basis to ensure that any outstanding matters are dealt with expeditiously.
- 11.2 There should be one Annual General Meeting held per year, at which the Committee will appoint its executive.

## 12. REPORTING REQUIREMENTS

- 12.1 Annual Report - Committees are to provide Council with an Annual Report inclusive of financial statements by the third (3<sup>rd</sup>) week in August each year.
- 12.2 Term Report - A Term Report will be prepared by the outgoing Committee in a Local Government Election year, on the achievements of the Committee over its four-year term and forwarded to Council by the third (3<sup>rd</sup>) week in August.

## 13. RECORDS

- 13.1 The Committee is required to keep all proper records.
- 13.2 Minutes of each meeting shall be submitted to Council within fourteen (14) days of the meeting.

## 14. FRAMEWORK

- 14.1 The Committee will comply with all provisions of Section 355 *Local Government Act 1993* (Committees), Section 377 *Local Government Act 1993* (Delegations), and the Model Code of Conduct for all Councils in NSW.
- 14.2 The Committee will comply with all provisions of Council's Section 355 Asset Committee Framework.

## 15. REVIEW

- 15.1 Review of all Section 355 Committees, their structures, and Framework including Constitutions will be conducted by Council following each Local Government General Election, or by Council resolution, at the request of the Committee or at the discretion of the General Manager.

## 16. DEFINITIONS

**“Council”** shall mean Broken Hill City Council.

**“Committee”** shall mean The Friends of the Flora and Fauna of the Barrier Ranges Community Committee.

**“Executive”** shall mean the Chairperson, Deputy Chairperson, Secretary and Treasurer of the Committee.

**“Sanctuary”** shall mean the Living Desert and the John Simons Flora and Fauna Sanctuary.