

CONSTITUTION OF THE PICTON SPORTSGROUND COMMUNITY COMMITTEE

| QUALITY CONTROL | | | |
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| TRIM REFERENCES | D12/14873 – 12/54 | | |
| RESPONSIBLE POSITION | Director Corporate and Community | | |
| APPROVED BY | Council | | |
| REVIEW DATE | October 2024 | REVISION NUMBER | 6 |
| EFFECTIVE DATE | ACTION | MINUTE NUMBER | |
| 29 November 2006 | Adopted | 42070 | |
| 31 January 2007 | Amended | 42126 | |
| 31 July 2013 | Amended | 44407 | |
| 29 March 2017 | Adopted | 45508 | |
| 30 March 2022 | Adopted | 46795 | |
| 30 October 2024 | Adopted | 47674 | |

1. INTRODUCTION

- 1.1 The Picton Sportsground 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 Sportsground; 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.
- 2.3 To maintain a record of bookings of the Sportsground and its facilities in the Outlook Calendar associated with the Committee's Council identified email address - pictonoval@brokenhill.nsw.gov.au.
- 2.4 To provide access to the Sportsground and its facilities for use by citizens of and visitors to Broken Hill without distinction.

- 2.5 To allow any regular user of the Sportsground to erect structures under such conditions as the Committee shall see fit, provided that no such agreement shall be concluded without the approval in writing of the Council; to ensure any necessary approvals are sought and so that Council's insurers are aware of the event activity.
- 2.6 To ensure a copy of current rules of use of the Sportsground and its facilities and the current schedule of fees and charges are exhibited in an appropriate public place at the sportsground.
- 2.7 To recommend to Council the making of rules or setting of any fees and charges, none of which to be implemented without formal approval by Council.

3. COMMITTEE NAME

- 3.1 The Committee shall be called the Picton Sportsground Community Committee.

4. COMMITTEE ASSET LOCATION AND ADDRESS

- 4.1 The Committee shall manage and maintain the Picton Oval, situated at 347 Kaolin Street.
- 4.2 The postal address of the Committee will be c/- PO Box 448, Broken Hill NSW 2880, unless otherwise advised.



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 oversee and conduct the necessary duties of watering, weeding and lawn edging, sundry repairs and maintenance to watering systems and fixtures.
- 5.2 To present the Sportsground at a standard of appearance that is satisfactory to the community.

- 5.3 To provide a satisfactory service to users of the Sportsground and to advise Council promptly of safety and maintenance concerns.
- 5.4 To request Council assistance in removal of dead trees and any other task that requires the use of high-risk power tools such as chainsaws.
- 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 recommend to Council any fees and charges for use of the Sportsground, each financial year for Council's consideration.
- 5.8 To accept all bookings for use of the Sportsground and keep all necessary records in respect of same.
- 5.9 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.
- 5.10 To bring to Council's attention by way of recommendation through the Council 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 Committee Membership is a voluntary position. Any honorariums for services such as groundskeeping, cleaning etc are to be recommended by the Committee and are subject to the approval of Council through the meeting minutes. Reimbursement of out of pocket

expenses for telephone and postage, relating to bookings of the facility are permitted on presentation of detailed receipts, all expenses are to be recorded appropriately.

6.9 Unreasonably withholding consent for the letting of the facility to any organisations which agreed to comply with and adhere to the rules adopted for the use of the facility, providing an acceptable letting period is available.

6.10 Vote on monies for expenditure on the works, services or operations of Council.

6.11 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.

6.12 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 |
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| EXTERNAL | | |
| Walls – structure and cladding | Inspection and reporting of defects to Council Minor repairs | Major repairs and replacement |
| Walls – finishing | Cleaning, removal of graffiti and paint touch ups | Painting and resurfacing |
| Water supply and fittings – taps and valves | Maintenance and lubrication Inspection and reporting of defects to Council Replacement of washers | Repair and replacement |
| Water supply and fittings – pipe works | Inspection and reporting of defects to Council Securing off in emergency | Repair and replacement |
| Plumbing – sewerage lines and septic | Inspection and reporting of defects to Council Emergency unblocking or make safe repairs | Repair and replacement |
| Guttering, down pipes, waste pipes and drains | Inspection and reporting of defects to Council Clear foreign objects, blockages, mud etc. | Repair and replacement |
| 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 metres 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 – frames and locks | Inspection and reporting of defects to Council Lubrication of hardware | Repair and replacement |

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| Windows – glazing | All regular cleaning and maintenance Immediate securing if broken | Repair and replacement |
| Locks and security systems | Maintain key register Replace keys and locks not on Council Key Register Immediate securing of building if damaged Minor lubrication of locks Engage security service if required | Purchase, installation, service and maintenance where compatible with Council's Key Register |
| INTERNAL | | |
| Internal walls and ceilings – fabric | Inspection and reporting of defects to Council | Repair and replacement |
| Internal walls – painting | Cleaning | Painting and resurfacing |
| Ceilings – structure | Inspection and reporting of defects to Council | Repair and replacement |
| Ceilings – surfacing | Inspection and reporting of defects to Council | Repair and replacement |
| Floor structure | Inspection and reporting of defects to Council | Repair and replacement |
| Floor surfaces and coverings | All regular cleaning and maintenance | Repair and replacement |
| Doors (including cupboards, doors and door fittings) | Regular cleaning Lubrication of hardware | Repair and replacement |
| Windows – curtains and blinds | Regular cleaning and minor repair | Replacement |
| Internal electrical wiring and fittings | Make safe immediately | Repair and replacement |
| Light globes | Replacement of globes | Replacement of globes where Committee risk assessment unable to manage risk |
| Light fittings | Inspection and reporting of defects to Council | Repair and replacement |
| Water supply and fittings | Maintenance and lubrication Inspection and reporting of defects to Council Replacement of washers | Repair and replacement |
| Internal plumbing – pipes, cisterns, toilet bowls. Hand basins, sinks | Minimise any leakage and further damage | Repair and replacement |
| Heating, air-conditioning fixtures, hot water systems, appliance | Payment of all gas, water and electricity bills, and inspection and reporting of defects and services | Repair and replacement |
| Consumables to kitchens, toilets and bathrooms | Supply and replenish | No responsibility |
| Sanitary disposal | Supply and maintain | No responsibility |

| Cleaning – including all amenities | Full responsibility | No responsibility |
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| ESSENTIAL SERVICES | | |
| Testings and tagging of electrical cords | Regular visual inspections. Remove damaged items from service. Arrange testing and tagging of electrical cords by a Licensed Electrician (or competent person) every two years or at Council's direction | Pay for all testing and tagging. Audit of currency of tags as part of regular inspections |
| Emergency lighting / exit signs | Inspection and reporting of defects to Council | Six monthly testing Repair and replacement |
| Evacuation plan | Display prominently | Prepare in consultation with Committee |
| 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 | Monitor and report to Council | Act as required |
| First Aid Kits | Maintain and replenish | Initial Supply |
| SURROUNDS | | |
| Paths and paved areas | Inspection and reporting of defects to Council Weed maintenance | Repair and replacement |
| Fencing and gates | Inspection and reporting of defects to Council Lubrication of hardware Maintain key register | Repair and replacement |
| Nature strips and grassed areas | Mowing, regular re-seeding and weed maintenance | Returfing, fertilising, selective herbicide spraying |
| Sports fields and playing surfaces - watering | Report any concerns or issues with irrigation system | Selection of watering schedules/ amounts/ maintenance or irrigation system including repair works |
| Sports fields and playing surfaces - | Minor maintenance, inspection and reporting of defects, Whipper snipping of grass around fence line and goal posts. Removal of rubbish and debris. | General maintenance of surface including mowing, herbicide spraying, scarifying, top dressing and fertilising where required. All major repairs |
| Sports fields and playing surfaces – other | Inspection and reporting of defects to Council | Construction, repair and replacement, annual seasonal renovation (cricket pitch only) |
| Garden beds and shrubs | Watering, fertilising, maintenance, replanting and keeping tidy | Construction and refurbishment |
| Trees | Inspection and reporting of defects to Council Feeding and watering | Planting and all pruning, inspection of potential tree removal and removals if necessary |
| outdoor furniture | Inspection and reporting of defects to Council Cleaning | Repair and replacement |

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| Internal roadways and car parks | Inspection and reporting of defects to Council Maintain free of obstructions | Construction, repair and resurfacing, signage |
| facility perimeter signage | Inspection and reporting of defects to Council | Installation, repair and replacement |
| Light towers | Monitoring usage for cost recovery (per Council's Schedule of Fees and Charges) | Total responsibility for purchase, installation, utility costs, repairs and maintenance |
| Australian rules football goal posts and nets | Inspection and reporting of defects to Council | Repair and replacement |
| Other Nets and goal posts | Total responsibility | No responsibility |
| Sports surface line marking | Complete as required | Assist Committee upon request |
| Fire prevention works | Remove all flammable materials from around buildings | Audit according to regulations |
| Hazardous substances and dangerous goods storage | Responsible for storing to relevant Work Health and Safety Standards | Audit according to regulations |

8. STRUCTURE AND MEMBERSHIP

- 8.1 The minimum membership required for a committee to remain viable is four (4) members, however the Committee shall ideally consist of eleven (11) members to be appointed by resolution of the Council, such members to be nominated in the following manner:
- At least one (1) Councillor representative
 - Allowance for at least one (1) representative per user group
 - Reasonable number of community representatives reflecting the size and operations of the facility (to be approved by Council).
- 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 a 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 (3rd) week in August each year.
- 12.2 Finance Reports - Committees are to provide Council with financial statements by third (3rd) week in August each year.

Financial Statements are to include the following information:

- Profit and Loss Statement
- Balance Sheet
- Supporting documentation as per clause 10.11 of the Section 355 Asset Committee Manual

- 12.3 Quarterly GST Reporting - Quarterly GST Reporting is to include the following information:

- A Profit and Loss Statement
- A Balance Sheet
- Completed Business Activity Statement (BAS)

- 12.4 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 (3rd) 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, Framework and 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 Picton Sportsground Community Committee.

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

“User Group” shall mean organisations which are granted use of any portion of the facility on a license, annual, seasonal or longer-term basis.

“Oval” shall mean the Picton Oval.

“Sportsground” shall mean the Picton Oval complex.