

Maddocks Delegations and Authorisations

**C7 Instrument of Delegation
by CEO to Community Asset Committee**

Mansfield Shire Council

Instrument of Delegation

by the Chief Executive Officer

**to the Bonnie Doon Community Centre
Community Asset Committee**

In exercise of the power conferred by s 47(1)(b) of the *Local Government Act 2020 (Act)*, I, as Chief Executive Officer of Mansfield Shire Council, by this Instrument of Sub-Delegation –

1. delegate to each person who is from time to time appointed as a member of the Community Asset Committee, established by resolution of Council passed on **17 March 2026** and known as the “Bonnie Doon Community Centre Community Asset Committee” (**Community Asset Committee**), each power and/or function and/or duty set out in the Schedule;
2. declare that a delegate can only exercise the delegations contained in this Instrument of Sub-Delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee;
3. declare that this Instrument of Sub-Delegation –
 - 3.1 comes into force immediately upon its execution;
 - 3.2 remains into force until varied or revoked; and
 - 3.3 is subject to the conditions and limitations set out in paragraph 4 and 5, and in the Schedule;
4. declare that the delegate must comply with specified governance requirements to ensure appropriate standards of probity are met and monitor and report on the activities and performance of the Community Asset Committee;
5. declare that the delegate must not determine the issue, take action or do the act or thing if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 47 of the Act or otherwise.

This Instrument of Sub-Delegation is dated [DAY] [MONTH] 2026 and is made by the Chief Executive Officer.

Signed by the Chief Executive Officer of Council)
in the presence of:)

.....
Witness

SCHEDULE

Powers and functions

To manage the **Bonnie Doon Community Centre (75 Arnot Street, Bonnie Doon)**, as shown in Appendix A, community asset on behalf of Council in the best interests of the community, including:

1. Day-to-day operations including cleaning, bookings and community engagement.
2. Supporting partnerships and collaborative activity with user groups.
3. Maintaining efficient and effective financial control for the purpose of building and maintenance costs which includes repairs, maintenance, security, utilities and services including;
 - 3.1 entering into contracts, not exceeding the value of \$2,000 for the specific purpose of maintenance and renewal of the Bonnie Doon Community Centre, without written approval by the CEO Mansfield Shire Council or Delegate;
 - 3.2 incurring expenditure, not exceeding the value of \$2,000 for the specific purpose of maintenance of the Bonnie Doon Community Centre, without written approval by the CEO Mansfield Shire Council or Delegate;
 - 3.3 In entering into any contract in respect to clause 2.1, the Committee must be able to demonstrate that it has considered the best value for money in the options available to it.
 - 3.4 50% share of electricity costs and 100% of cleaning costs borne by the BDCG
4. Undertaking maintenance and minor repairs responsibilities as described in Appendix B.
 - 4.1 Plumbing or electrical work on the facility must be carried out by a qualified, licensed contractors with written Council approval before starting any work.
5. Council will inspect essential safety measures and fire equipment, BDCG is to report emergency repairs immediately to Council.
6. Liaise with Council for long-term planning for consideration in Asset Plans and potential Capital Works budgets for major maintenance or improvement works within the constraints of Council's budget capability in consultation with the Committee in December annually..
7. Maintaining appropriate financial control, including records of income and expenditure.
8. Ensuring all activities comply with Council policies, procedures, and applicable legislation.
9. Preparing funding submissions in consultation with Council where relevant to improvements.
10. Insuring for public liability (minimum coverage amount of \$20 million) and contents to support appropriate volunteer insurance for Committee-led activities currently held under a VMIA volunteers insurance policy or similar policy with a copy of the Certificate of Currency to be emailed to council annually upon renewal to property@mansfield.vic.gov.au
11. To do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Council Responsibilities

To support the Community Asset Committee Council will:

12. Undertake maintenance and minor repairs responsibilities as described in Appendix B.
13. Cover 50% of electricity costs, 100% of water costs, maintain essential safety measures and inspect fire equipment, undertake emergency repairs and infrastructure renewal as required.
14. Liaise with the Committee for long-term planning for consideration in Asset Plans and potential Capital Works budgets for major maintenance or improvement works within the constraints of Council's budget capability for consideration in December annually..
15. Maintain building and asset insurance.
16. Provide access to relevant policy documents, procedures, and training to assist the Committee in understanding and meeting its obligations.
17. Subject to approval, support or auspice external grant applications made by the Committee for eligible projects or improvements.

Requirements

The members of the Community Asset Committee must, when exercising the powers, functions and duties delegated to them:

18. Comply with the following governance requirements:

Appointment and Membership of the Committee

- 18.1 The Committee, unless otherwise approved by Council, shall comprise an odd number of members.
- 18.2 Membership composition is as follows:
 - (a) 1 x Council Representative (Chair)
 - (b) 2 x Bonnie Doon Community Group Inc. Representatives
- 18.3 Representatives are nominated directly by the individual organisations. It is the decision of the organisation if they choose to appoint a proxy representative.
- 18.4 Bonnie Doon Community Group Inc. representatives will be confirmed following each Annual General Meeting (AGM) of the Bonnie Doon Community Group Inc.. One of the Bonnie Doon Community Group Inc. representatives will hold the position of Chairperson of the Committee.
- 18.5 Council may declare a Committee member's position vacant if the member fails to attend three consecutive meetings without approved leave of the Committee.
- 18.6 Members of a community asset committee are not a 'specified person' required to lodge personal interest returns pursuant of the Local Government Act 2020 and as such are not required to lodge a personal interest return.

Meetings of the Committee

- 18.7 The Chairperson shall give notice of all meetings to all Committee members.

- 18.8 Members of the Committee including the Chairperson present at a meeting shall have one vote on each matter. In the event that voting on any matter is equal, the Chairperson shall have a second vote.
- 18.9 The Chairperson shall take the chair at all meetings at which they are present. In their absence, the members present may appoint one of their members to chair the meeting.
- 18.10 In accordance with Council's Governance Rules, Committee members shall declare any conflicts of interests in matters being addressed by the Committee.
- 18.11 Full and concise minutes of the proceedings will be kept by a Council representative at all meetings including members present, apologies and non-attendees.
- 18.12 The Committee will meet at least once each year, or more frequently as required. An annual meeting will be scheduled in February to finalise Capital Works priorities and formally notify Council of the proposed works program.
19. Monitor and report on its activities and performance at least in accordance with the following:
- Financial Records and Reporting
20. BDCG will maintain and keep financial records in accordance with the relevant Acts or any other sub-ordinate legislation in force at the time and shall record all monies received and paid for the purposes for which such monies are received and paid.
21. Provide a copy of the annual statement for each financial year, beginning 1 July and ending 30 June, and submit this statement to the Chief Executive Officer no later than 31 December each year.
22. Act in the public interest at all times and in the best interests of managing the Bonnie Doon Community Centre, including;
- 22.1 Act honestly, with integrity, in a financially responsible manner, with a reasonable degree of care, diligence and skill, and in good faith in the best interests of managing the Bonnie Doon Community Centre.
- 22.2 Declare and appropriately manage conflicts of interest.
- 22.3 Participate actively and respectfully in meetings and decision-making processes.
- 22.4 Maintain confidentiality, even after their appointment expires or otherwise terminates.
- 22.5 Avoid improperly using their position or any information acquired in their role as a Committee member to gain advantage for themselves or another person or to cause detriment to the Committee.

Exceptions, conditions and limitations

The Community Asset Committee is not authorised by this Instrument to:

23. enter into contracts, or incur expenditure, for an amount which exceeds the approved budget.
24. delegate its functions;

25. borrow money;
26. incur any bank overdraft;
27. carry out, or permit to be carried out, any act which would or would be likely to render Council's insurance policies invalid;
28. spend, without written approval of Council:
29. exercise its powers in a way which is inconsistent with this Instrument of Delegation.

Dissolution

30. Council, or the by resolution of the Committee, may disband the Committee and responsibility for managing the facility reverts back to Council with 6 months' written notice.
31. The Chairperson shall, within one month of the disbanding of the Committee, arrange for:
 - a) a financial statement to be prepared and presented to Council; and
 - b) the return to Council of all keys for the facility formerly under the management of the Committee.

Appendix A: Bonnie Doon Community Centre



Figure 1: Bonnie Doon Community Centre

Appendix B: Schedule of Maintenance Responsibilities

Explanation of Notes

Misuse

Using something incorrectly, mistreating, or abusing it.

Working at Height

No works above 2.1 meters unless proper OH&S requirements are met.

Approval

No work may begin until written approval has been received from Council by emailing property@mansfield.vic.gov.au

Reporting and notification

Reporting faults or incidents to Council immediately for urgent issues

Any plumbing or electrical work on the facility must be carried out by a qualified, licensed contractors with written Council approval before starting any work.

Item	Council Responsibility	Bonnie Doon CAC
Building		
Electric Wiring and Fittings in Building	Maintain and repair all building wiring from main supply to switchboard.	<ul style="list-style-type: none"> Report faults to Council Pay for repairs if damage caused by misuse
Light Fittings and Globes	Repair or replace faulty fittings	<ul style="list-style-type: none"> Replace globes (energy-efficient recommended) Pay for repairs if damage caused by misuse Cost of any additional new fittings
Exhaust Fans	Repair or replace faulty fans	Keep clean and operable Pay for repairs/replacement if misuse Installation of new equipment
Power Points	Repair or replace faulty power points	<ul style="list-style-type: none"> Pay for repairs if misused Cost of additional power points
Tag and Testing	Tag and test hardwired building items as per legislation	<ul style="list-style-type: none"> Tag and test non-hardwired electrical equipment as per legislation
Internal Toilets	Repair or replace faulty fittings	<ul style="list-style-type: none"> Keep clean Report leaks or faults Pay for repairs if misused
Plumbing and Fixtures, (including Hot Water Services)	<ul style="list-style-type: none"> Major maintenance Purchase, installation, repair/replacement due to age or fault 	<ul style="list-style-type: none"> Pay for repairs if misused (e.g., blocked drains) Cost of new additional fixtures not standard within the building
Fire Equipment (Extinguishers, Hydrants and Hose Reels)	<ul style="list-style-type: none"> Installation of required equipment and servicing Responsibility for statutory signage (e.g. 	<ul style="list-style-type: none"> Report faults to Council Cost of replacement due to misuse

Item	Council Responsibility	Bonnie Doon CAC
	<ul style="list-style-type: none"> emergency exits, fire safety). 	
Emergency and Exit Lighting	<ul style="list-style-type: none"> Installation, maintenance, repair and replacement costs Responsibility for statutory signage (e.g. emergency exits, fire safety). 	Report faults to Council
Emergency Repairs and Infrastructure Renewal	<ul style="list-style-type: none"> Major works to replace or upgrade physical structure Urgent safety repairs 	<ul style="list-style-type: none"> Report issues to Council immediately Liaise with Council for long-term planning for consideration in Asset Plans and potential Capital Works budgets
Essential Services (incl. smoke alarms, fire exit doors)	<ul style="list-style-type: none"> Annual servicing and inspection of Essential Safety Measures Responsibility for statutory signage (e.g. emergency exits, fire safety). Ensure emergency floor plans are current 	<ul style="list-style-type: none"> Induct users on ESM items and safe usage Ensure emergency floor plans are visible
Building Fabrics & Internal Fittings		
Windows	<ul style="list-style-type: none"> Major structural maintenance Repair/ replacement due to age or fault 	Repairs if damage caused by misuse
Cleaning	No responsibility	Full responsibility
Painting (Ceilings, Walls and Other Surfaces)	Repairs due to age or fault	Repairs if damage caused by misuse
Ceilings	<ul style="list-style-type: none"> Major structural maintenance Repair/ replacement due to age or fault 	Repairs if damage caused by misuse
Doors	<ul style="list-style-type: none"> Maintenance, repair or replacement of all external and internal doors due to age Major structural maintenance 	<ul style="list-style-type: none"> Regular cleaning Repairs if damage caused by misuse
Roofs	Maintenance, repair or replacement due to age or structural damage	Report faults to Council
Skylights	Maintenance, repair or replacement due to age or structural damage	Repairs if damage caused by misuse

Item	Council Responsibility	Bonnie Doon CAC
Guttering	Maintenance, repair or replacement due to age or structural damage	Repairs if damage caused by misuse
External and Internal Walls	Major structural maintenance	Repairs if damage caused by misuse
Building Alterations	No responsibility	Must seek Council approval before any alterations
Window Coverings	No responsibility	<ul style="list-style-type: none"> • Installation, cleaning, repair and replacement • Repairs if damage caused by misuse
Heating/Cooling fixtures	Maintenance, repair or replacement due to age or structural damage	Repairs/replacement if damage caused by misuse
Access and security systems	No responsibility	<ul style="list-style-type: none"> • Any access or security systems (including CCTV) must have prior written Council approval before installation. • Appropriate signage must be installed for CCTV in line with Privacy Legislation, and no systems are permitted in private areas (e.g., bathrooms, change rooms).
Other Permanent Fixtures	No responsibility	<ul style="list-style-type: none"> • Regular cleaning; repair/replacement if damage caused by misuse • Installation of basic equipment with Council approval
Utilities and Other Requirements		
Water	Cost of Supply and Usage	<ul style="list-style-type: none"> • Use of water-efficient appliances and equipment • When installing or replacing fixtures (e.g., taps, toilets, dishwashers), choose products with high water efficiency ratings (e.g., WELS-rated appliances). • Repair of leaks as soon as possible If you notice dripping taps, leaking pipes, or faulty fixtures, act quickly to prevent water waste and potential damage. Report major leaks to Council immediately. • Ensuring water-saving initiatives to conserve water • Implement measures like signage to encourage responsible water use, install aerators on taps, and avoid unnecessary water consumption during cleaning or other events.
Electricity	<ul style="list-style-type: none"> • 50% share of electricity bills 	<ul style="list-style-type: none"> • Account to be held by User Group with responsibility of 50% share of electricity bills

Item	Council Responsibility	Bonnie Doon CAC
	<ul style="list-style-type: none"> Reimburse User Group upon receipt of bill and send to Council for processing of payment to the User Group. 	<ul style="list-style-type: none"> Use energy-efficient appliances Report major issues to Council Implement energy-saving initiatives (e.g., signage, turning off appliances and heating/cooling when exiting)
Insurance	Council to maintain insurance policy for the building	<ul style="list-style-type: none"> Maintain a current insurance policy for contents and public liability of \$20 million per occurrence.
Telephone, Communications & ICT Internet	No responsibility	<ul style="list-style-type: none"> All installation, connection, maintenance, repair, replacement, upgrade, and usage/equipment costs Responsibility for Wi-Fi or network infrastructure and payment of service.
Environmental sustainability	No responsibility	<ul style="list-style-type: none"> Ensure waste minimization, recycling initiatives, and appropriate disposal of food scraps.
Waste Collection (within Council garbage collection)	<ul style="list-style-type: none"> No responsibility Pay costs associated with standard garbage and recycling collection 	<ul style="list-style-type: none"> Put bins out for collection and bring bins in after pick up Pick up rubbish around areas under agreement Pay for additional bins or extra garbage removal if required
Additional Waste and Bulk Rubbish (outside Council garbage collection)	No responsibility	<ul style="list-style-type: none"> Removal of all rubbish Ensure large volumes are taken to nearest Waste Transfer Centre at User Group's cost
Event or temporary structure approvals	No responsibility	<ul style="list-style-type: none"> If the user group installs marquees or temporary facilities, prior written Council approval is required, and the user group must ensure compliance with all relevant safety standards and regulations, including ensuring structures are securely tied down.
No Smoking	Advise Bonnie Doon Community Group Inc. of Council's No Smoking Policy	<ul style="list-style-type: none"> Ensure no smoking or vaping occurs in the building or within 5m of any doorway or window Display No Smoking signage Ensure cigarette butts are picked up and disposed of properly
Pest Control	No responsibility	All costs associated
OH&S Requirements	Issues handled jointly with Council and Bonnie Doon Community Group Inc.	Notify Council <ul style="list-style-type: none"> Issues handled jointly with Council and Bonnie Doon Community Group Inc.
Storage of Equipment	No responsibility	Store all equipment neatly and tidily when not in use
Landscaping and Grounds		
Landscaping	No responsibility	<ul style="list-style-type: none"> Installation of new and maintain existing landscaping

Item	Council Responsibility	Bonnie Doon CAC
		<ul style="list-style-type: none"> Projects to improve general amenity (subject to Council approval) Installation of any new plants or trees with Council input and approval (species selection to consider drought and frost tolerance)
Garden Maintenance/ Pruning	No responsibility	<ul style="list-style-type: none"> Pruning and tidying leaf litter as required. Bulk green waste to be taken to nearest Waste Transfer Facility at User Group's cost Volunteer/ community projects to improve amenity
Garden Beds (x 2)	No responsibility	Maintain garden beds including weeding
Grass Cutting, Brush Cutting & Spraying of Grounds	Council responsibility	<ul style="list-style-type: none"> Basic maintenance to support amenity and safety Additional grass cutting as required Volunteer/community working bees
Trees	<ul style="list-style-type: none"> Tree inspections Any tree works as required New tree installations as determined by Field Operations, including associated watering during the establishment period 	<ul style="list-style-type: none"> Report dangerous trees to Council Assist with watering any new trees during the establishment period and continue watering as required after establishment
Reserve Roads	No responsibility	<ul style="list-style-type: none"> Development, upgrade, repairs, and maintenance self-managed by Bonnie Doon Community Group Inc.
External Locks and Keys	<ul style="list-style-type: none"> Maintain access to building, electrical switchboard, and meter boxes Council to hold a set of keys for the building 	<ul style="list-style-type: none"> Installation, maintenance, repair, and replacement costs if damage caused by misuse Ensure Council has access to building, switchboard, and meter boxes when required Any proposed change to external locks/door hardware must be notified to Council Report issues to Council
Vandalism/ Graffiti	<ul style="list-style-type: none"> No responsibility except where damage exceeds Council's insurance excess (approx. \$3,000) Council to submit claim and liaise with User Group regarding rectification and repairs 	<ul style="list-style-type: none"> Notify Council Remove graffiti promptly Maintenance, cleaning, and painting if damage is due to misuse; Pay all repair costs up to Council's insurance excess if damage is due to misuse