1. Introduction

These guidelines are written to assist committees of management of Crown land reserves in Victoria to fulfil their duties and responsibilities.

This chapter includes information about:

* the nature and functions of a committee of management
* these guidelines
* ‘help from DELWP’.

## 1.1 About committees of management

A Crown land reserve is public land that is set aside for the benefit and enjoyment of the people of Victoria. Examples include coastal foreshores, recreation reserves, public halls, and rail trails.

Members of the public have been involved in the management of Crown land reserves in Victoria for over 150 years. Their contribution benefits the community in a variety of ways – environmentally, socially and economically.

**Across Victoria there are approximately:**

* **1,500 reserves managed by 1,200 local committees of management**
* **2,800 reserves managed by municipal councils as committees of management.**

The role of a committee of management is to ‘manage, improve, maintain and control’ an allocated Crown land reserve for the purposes for which it is reserved under the *Crown Land (Reserves) Act 1978*. The committee is accountable for its actions and decisions to the Minister for Environment, Climate Change and Water.

The instrument of appointment

The Minister, or the Minister’s delegate, formally appoints each member of a committee of management via a written instrument of appointment, in accordance with the Crown Land (Reserves) Act *1978*. The powers and responsibilities of a committee are derived from that Act. The Minister has the right to place conditions and limitations on how these powers are executed by a committee and to prescribe in more detail the extent of the committee’s responsibilities. Generally, the Minister does this at the time of appointment of each committee in the instrument of appointment.

Legal obligations and powers

Each committee must meet its obligations under the Crown Land (Reserves) Act *1978*. In addition, it is bound by public sector laws, such as the *Public Administration Act 2004*, and by laws that govern the wider community on matters such as employment, taxation, contracts, tenancy, licensing, and providing services.

The powers given to a committee under the Crown Land (Reserves) Act *1978* enable the committee to:

* manage, improve, maintain and control the land for the purposes for which it is reserved
* undertake financial transactions (including, for incorporated committees who have the consent of the Victorian Treasurer, borrowing money)
* enter into contracts
* negotiate leasing and licensing arrangements for all or part of the reserve, subject to Minister’s approval
* employ people
* exercise all such powers, functions and authorities and carry out all such duties as are conferred or imposed on it by any regulations
* maintain records and administer its affairs as a public entity
* report on its finances and other issues as directed by the Department of Environment, Land, Water and Planning (DELWP) on behalf of the Minister.

Relationship with the community

It is an important for the committee to establish and maintain good relationships with the community. This will help to ensure that the reserve benefits and is used and enjoyed by the community, who are the committee’s main client group. Good communication is key to this process.

* The community's aspirations for the future of its surrounds are embodied in the local planning scheme, service club activities, interest groups, schools, sporting and recreation club business plans, chamber of commerce activities and annual festivals and events. Committees need to be familiar with as many of these interests as possible.
* Individual members of the community may also have specific knowledge regarding flora, fauna, cultural significance and history, recreational needs, etc. that the committee can tap into.

The committee needs to be mindful of managing community expectations when developing plans for the reserve. The level of community involvement will be guided, in part, by the type of reserve and its activities and uses. A major development or activity, for example, may require information sessions, workshops, public meetings and surveys undertaken with the community.

Day-to-day community involvement can be fostered by means such as:

* encouraging involvement in working bees, tree plantings and similar activities
* encouraging attendance at the Annual General Meeting (AGM), which is a public event
* if the committee is elected by the community, encouraging attendance at the election, which is a public event
* reporting activities in the local newspaper and on social media
* where appropriate, inviting members of the community to attend committee meetings.

The role of the department (DELWP)

The Department of Environment, Land, Water and Planning (DELWP) oversees and supports committees of management on behalf of the Minister. The DELWP Customer Service Centre, phone 136 186, can provide information and advice in relation to general matters such as:

* fire protection
* conservation and protection of flora and fauna
* tree-growing advice
* pest plant and animal control
* current grants programs
* native title
* public liability insurance
* freedom of information
* conservation and protection of cultural heritage.

Specific matters and issues should be referred to your local [DELWP regional office](http://delwp.vic.gov.au/about-us/regions-and-locations), including:

* preparation of management plans
* preparation of leases, licences and contracts
* landowner’s consent.

Any official correspondence from committees that is to be forwarded to the Minister should be addressed to the relevant reserves contact person at the nearest [DELWP office](http://delwp.vic.gov.au/about-us/regions-and-locations).

## 1.2 About these guidelines

These guidelines and the other guidance materials offered by DELWP bring together current advice and good practice in the management of Crown land reserves. They are suitable for use by all committees of management as follows:

Small committees

The guidelines are particularly useful for small (category 3) committees. Please visit the [Committees of Management](http://www.delwp.vic.gov.au/committees) support module on DELWP’s governance website, On Board, to check you have the latest version.

Large committees

The guidelines will also be a useful for large (category 1 and 2) committees. However, these committees have additional legal and administrative obligations which they need to comply with. Related guidance, including model policies and guidance notes, is available from your local DELWP regional office and from the other support modules on [On Board](http://www.delwp.vic.gov.au/onboard) (e.g. conflict of interest).

Coastal committees

Committees which manage coastal reserves require specific information to complement these guidelines. This is available from your local DELWP regional office and from the [Marine and Coast](http://www.depi.vic.gov.au/forestry-and-land-use/coasts/coastal-committees-of-management) section of the DELWP website.

Other committees

Incorporated associations (category 4) will find the guidelines useful reading, whilst noting they are subject to a regulatory regime administered by [Consumer Affairs Victoria](https://www.consumer.vic.gov.au/clubs-and-fundraising/incorporated-associations).

When using these guidelines, please remember:

* no set of guidelines can address every situation or issue that may need to be considered by a committee of management. Guidance on specific issues is available from your local [DELWP regional office](http://delwp.vic.gov.au/about-us/regions-and-locations)
* if you are reading online you can click the underlined links for further information. If you are reading a printed version you can see the full hyperlink in the chapter 14, ‘Contacts and useful links’.

## 1.3 ‘Help from DELWP’

DELWP offers a range of simple, easy to understand guidance for small committees, including:

* **induction pack** with guidance notes on topics such as meetings and decisions, conflict of interest, code of conduct, and dispute resolution. The induction pack can also be used as a ‘refresher pack’ to assist experienced committee members to keep up to date with governance requirements.
* **policy pack** with model policies on topics that your committee is expected to have a suitable policy on. Your committee can simply insert its name into the model policies and adopt them.

The resources offered by DELWP are listed in the *Help from DELWP* guidance note. They are available from the [Committees of Management](http://www.delwp.vic.gov.au/committees) support module or contact your local [DELWP office](http://delwp.vic.gov.au/about-us/regions-and-locations).

**Quick links**

Committees of management support module

[www.delwp.vic.gov.au/committees](http://www.delwp.vic.gov.au/committees)

On Board, DELWP’s governance website

[www.delwp.vic.gov.au/onboard](http://www.delwp.vic.gov.au/onboard)