



GENERAL MANAGER'S EXTRAORDINARY REPORT

13th September 2005

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| C7 | REVIEW OF COMMUNITY MEMBERS OF COMMITTEES FILE: 198 PJH |
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SUMMARY:

Reporting on the review of community members of committees for the 2005 - 2006 year.



The community members of the various committees were appointed on 22nd June 2004 following an advertising process.

At the 22nd June 2004 meeting Council also resolved that the membership of the Committees be reviewed each September, commencing September 2005 in conjunction with re-appointment of Councillor delegates.

Committee Evaluations

As some of the committees have only one or two meetings in a six month period it has been recommended in that report that the committee evaluation surveys be conducted for a 12 month period in future e.g. for the financial year July-June and be reported to each year to the September Council meeting. The full 12 month data will give more a complete picture in the review of the committee memberships and be more effective use of staff resources in collating the review.

Options for Review of Community Membership

The following review options are listed for Council's consideration: -

Option 1

Offer continuation of membership to all existing community members, subject to their acceptance. If any members decline that those vacant positions be advertised.

Committees which have vacancies and need to appoint new members to report any new nominations to Council for approval.

This option is in accordance with Council's current policy C24:13 - Committee Meeting Arrangements, which states that all community members be appointed to committees for the term of the existing Council and be declared vacant at the end of the Council term (4 years). This policy is reproduced as follows: -

POLICY NO

C 24:13

POLICY TITLE COMMITTEE MEETING ARRANGEMENTS

OBJECTIVES

- 1 To provide local standing orders or rules for the conduct of committee meetings for all committees that include members who are not councillors.
- 2 To determine procedures and arrangements for meetings of these committees supplementary to those contained in the Local Government Act 1993.

POLICY STATEMENT

- 1 All committees that include members who are not councillors shall prepare a set of Standing Orders to regulate their procedures and such Standing Orders shall be submitted to Council for approval.
- 2 All committee membership shall be declared vacant at the end of each Council term of office (ie each four years).
- 3 At the commencement of each Council term of office, nominations shall be invited from interested community members for appointment to positions on the various Council/community committees for the ensuing term of four (4) years.
- 4 The General Manager shall be empowered to alter the citizen membership of committees as deemed appropriate during the life of the committee.
- 5 The Standing Orders to be prepared by each committee shall be based on the sample Committee Standing Orders, which are attached to and form part of this policy document.

Option 2

Refer the community membership of committees to the individual committees to review and / or alter subject to the number of

community members on each committee being no more than previously appointed. The memberships of each committee to be then reported to Council for approval.

This option would necessitate an amendment to the above policy C24:13.

Option 3

Declare all community member positions on committees vacant and invite existing community members to nominate to serve again on the committees and advertisements be placed seeking expressions of interest from any other residents who are interested in serving on the committees that have community members.

The nominations would then be referred back to Council for appointment or election. In the interim period prior to appointment by Council, the previous community members would need to serve on the committees.

This option would also necessitate an amendment to the above policy C24:13.

Summary of Options

It will be recommended that Option 1 be adopted. This option recognises the interest of those community members serving on the committees by inviting them to continue, it complies with Council's policy but also gives them an option to withdraw if they wish. The attendance of the community members, as shown in the committee evaluation surveys has been acceptable in most instances.

The six monthly evaluation of committees will give Council an opportunity to review its committees on a regular basis and make any changes if it deems necessary.

The General Manager is normally given authority to amend the membership of the committees in the interim periods.

Conduct Committee representative

In respect to Council's Conduct Committee it is a requirement of the Code of Conduct that as well as the Mayor and General Manager there be at least one person independent of Council. That person currently is Neryl Doney from Council solicitors Howard Sheridan Cooney Harvey. This independent position should formally be filled by Council.

Saleyards Committee membership review

When appointing the community members in June 2004 Council resolved the following regarding the Saleyards Committee membership: -

"That each agent using the Kempsey Saleyards has one (1) representative on the Saleyards Advisory Committee and that each licensed agency have only (1) vote."

Since this resolution the leasing of the Saleyards by Kempsey Stock and Land has been put in place and it is considered that a conflict of interest occurs if a representative has voting rights on the committee. It is recommended that each licensed agent not have voting membership on the Saleyards Committee but be invited to send a representative as an observer only.

The above procedure is the same as was in place with the Caravan Park Committee, where a representative of the Management Contract Company attended the committee meetings as an observer only, without voting rights.

REPORT IMPLICATIONS:

- ***Environmental***

Nil

- ***Social***

The community involvement in committees is an important part of Council's consultation process whereby the community has input into Council's actions.

- ***Economic (Financial)***

The financial impact of having community members is minimal in that they serve on a voluntary basis and are not remunerated in any way by Council.

- ***Policy or Statutory***

Where community members serve on Council's committees, such committees are not governed by the Local Government Act or Local Government (General) Regulation 2005 as they specifically relate to meetings of Council or committees where all members are Councillors. Hence the reason Council has established its policy C24:13 and its Draft Standing Orders for committees.

If Council does not adopt Option 1 of the report, an amendment to this policy will be required.

▪ **General Managers Review**

As per report.

RECOMMENDATION:

- 1 That Council invite all existing community members serving on Council's committees to serve for a further 12 months.
- 2 That if any community members do not wish to continue, that those vacant positions be considered by the relative committee and if necessary be advertised and nominations received to be referred to Council for appointment.
- 3 That the General Manager be authorised to alter community membership as required prior to the next review by Council in September 2006.
- 4 That Nerryl Doney be appointed as an independent member on the Code of Conduct Committee.
- 5 That the Saleyards Advisory Committee membership no longer include a representative from each licensed agent as a voting member, but such representatives be invited to attend the Saleyards Committee meetings as observers.

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A V Burgess
GENERAL MANAGER