



NOTICE OF MOTION

14th February 2006

NOM3 ROLE OF COMMITTEES
FILE: * CLR J H BOWELL

I hereby give notice that I intend to move the following motion at the Ordinary meeting of Kempsey Shire Council to be held on Tuesday, 14th February 2006.

"That a report be submitted to Council on the 14th March 2006, clarifying the role of Committees, particularly in respect to Section 377 (General power of the Council to delegate) Local Government Act 1993"

.....
COUNCILLOR J H BOWELL

NOTE:

Section 377 states that a Council may, by resolution, delegate to the General Manager or any other person or body any of the functions of the Council.

At Council's meeting on 13th December 2005 the general manager wrote – "Committees whose minutes are not submitted to Council have delegated authority".

In 1998 Council adopted changes to its committees whereby reports of advisory committee's would go to the appropriate Director rather than to Council.

Each Committee has objectives eg. Kempsey Masterplan Implementation Committee's objective is – "To co-ordinate the implementation of the recommendations of the Kempsey Masterplan and advise Council of the requirements and outcomes".

As committees are exercising functions of Council delegated to them, Council has an obligation to know what these committees are doing.

The general powers of council's Directors refers to any resolution, minute, report or policy which has been passed or adopted by the

council, however there doesn't appear to be any record of a council resolution granting delegated authority to any Director to act under delegated authority on a recommendation of a committee.