



4 September 2019

Notice is hereby given, based on the established practise of Council, that an **EXTRAORDINARY MEETING** of **COONAMBLE SHIRE COUNCIL** is to be held in the **SHIRE CHAMBER, COONAMBLE** on **WEDNESDAY, 11 SEPTEMBER 2019** commencing at 10.00 a.m.

*Hein Basson*  
General Manager

#### **BUSINESS OF THE MEETING**

1. Election Procedures for the Election of Deputy Mayor
2. Election of a Deputy Mayor – 2019/2020 Term
3. Fixing Dates for Council Meetings and Review Time of Meetings
4. Implementation of a General Manager's Performance Review Panel
5. Election of Committee Representatives to Various Committees

*Annexure A Office of Local Government – Fact Sheet*

*Annexure B Office of Local Government – Guidelines for the Appointment and Oversight of General Managers.*

## 1.0 Election Procedures for the Election of Deputy Mayor

**Report from:** General Manager's Office

**Annexures:** Annexure A

OLG Fact Sheet – Election of Mayor and Deputy Mayor by Councillors

**Records Management:**

File Name and Number: Elections – Mayor/Deputy Mayor (E2-3)

**PURPOSE:**

The purpose of this report is for Council to determine whether it wants to elect a Deputy Mayor, and the method of election for the position of Deputy Mayor.

**BACKGROUND:**

Section 225 of the *Local Government Act 1993* stipulates the following:

*An area **must** have a mayor who is elected in accordance with this Division.*

*Further, Section 231(1) of the Local Government Act 1993 stipulates the following:*

*The councillors **may** elect a person from among their numbers to be the deputy mayor.*

*The election of the Mayor and the Deputy Mayor should be in accordance with Clause 394 and Schedule 7 of the Local Government (General) Regulation 2005.*

Under Section 230(1) of the *Local Government Act 1993*, Mayors elected by Councillors now hold office for two (2) years. However, Deputy Mayors may only be elected for a period of one (1) year (“...a shorter term”) – pursuant to the provisions of section 231(2) of the aforementioned Act.

- (a) **Relevance to Integrated Planning and Reporting Framework**  
This item links to Council's Delivery Program Strategy L1.4 *Encourage and promote a high level of leadership in the community.*
- (b) **Financial Considerations**  
There are no financial considerations associated with the **method** of election for the Deputy Mayor position. However, Section 249 of the *Local Government Act 1993* makes provision for the Mayor to be paid an annual fee in addition to the fee paid to the Mayor as a Councillor (determined by the *Local Government Remuneration Tribunal*). It has been the practice of

Council in the past not to pay a percentage of the Mayoral allowance to the Deputy Mayor.

## COMMENTARY

The *Local Government Act 1993* and the *Local Government (General) Regulations 2005* are prescriptive with regards to the election of the position of Deputy Mayor. The relevant sections and clauses are discussed in detail below.

The Office of Local Government has prepared a fact sheet on the conduct of Mayoral and Deputy Mayoral elections to assist councils to comply with these requirements. The fact sheet is attached as **Annexure A** relating to this report.

### (a) Governance/Policy Implications

As is mentioned above, a Council must elect a Mayor, and may elect a Deputy Mayor. It has been practice in the past for Council to also elect a Deputy Mayor.

### (b) Legal Implications

Clause 394 of the *Local Government (General) Regulation 2005* reads as follows:

If a Mayor or Deputy Mayor is to be elected by the councillors of an area, the election is to be in accordance with Schedule 7.

Schedule 7 of the *Local Government (General) Regulation 2005* inter alia stipulates the following:

#### Returning Officer:

*The General Manager (or a person appointed by the General Manager) is the **Returning Officer (RO)**.*

#### Nomination:

1. *A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.*
2. *The nomination is to be made in writing by two (2) or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
3. *The nomination is to be delivered to the RO.*
4. *The RIO is to announce the names of the nominees at the Council Meeting at which the Election is to be held.*

#### Election:

1. *If only one (1) Councillor is nominated, that Councillor is elected.*
2. *If more than one (1) is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*

3. *The Election is to be held at the Council meeting at which the Council resolves on the method of voting.*
4. *In this clause:  
**Ballot** has its normal meaning of secret ballot.  
**Open voting** means voting by a show of hands or similar means.*

It has been the practice over the last number of years for Council to use the ordinary ballot method.

**(c) Social Implications**

If Council decides not to elect a Deputy Mayor, it may have a negative impact on the availability of a dignitary of Council to perform the many and varied ceremonial duties of the Mayor within the community, in the instance of the Mayor not being available. It is therefore suggested for Council to continue the practice of electing a Deputy Mayor.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

There are no economic or asset management implications arising from this report.

## **CONCLUSION**

It is suggested for Council to continue the practice of electing a Deputy Mayor annually in September.

It has been the custom of Council over the last number of years to conduct the election of the Mayor and the Deputy Mayor by using the ordinary ballot method, and there is no obvious reason for Council to deviate from this established practice.

## **RECOMMENDATION**

1. **That Council resolves to continue the practice of electing a Deputy Mayor annually in September.**
2. **That Council resolves to use the ordinary ballot method for the election of the Deputy Mayor.**

**2.0 Election of a Deputy Mayor: 2019/20 Mayoral Term**

**Report from:** General Manager's Office

**Annexures:**

Attachment to the report – Nomination of Deputy Mayor

**Records Management:**

File Name and Number: Elections – Mayor/Deputy Mayor (E2-3)

**PURPOSE**

The purpose of this report is for Council to elect a Deputy Mayor for the **2018/20** Mayoral term.

**BACKGROUND**

In the past, Council has conducted the Election of the Deputy Mayor annually at the September Extraordinary Meeting.

- (a) **Relevance to Integrated Planning and Reporting Framework**  
This item links to Council's Delivery Program Strategy *L1.4 Encourage and promote a high level of leadership in the community.*

- (b) **Financial Considerations**  
Section 249(5) of the *Local Government Act 1993* states the following with regards to the payment of a fee for the Deputy Mayor:

*A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.*

It is currently policy of Council not to pay a fee to the Deputy Mayor.

**COMMENTARY**

Section 231 of the *Local Government Act 1993* inter alia stipulates the following:

1. *The councillors may elect a person from among their numbers to be the deputy mayor.*
2. *The person may be elected for the mayoral term or a shorter term.*
3. *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented from illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*

The conditions for election of the Deputy Mayor are the same as the election of the Mayor under Clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005*.

Schedule 7 of the *Local Government (General) Regulations 2005*, inter alia reads as follows:

Returning Officer:

*The general manager (or a person appointed by the general manager) is the returning officer.*

Nomination:

1. *A councillor may be nominated without notice for election as mayor or deputy mayor.*
2. *The nomination is to be made in writing by two (2) or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
3. *The nomination is to be delivered or sent to the returning officer.*
4. *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

As Returning Officer, I now invite nominations for the position of Deputy Mayor for Coonamble Shire Council for a one (1) year period.

In accordance with the *Local Government (General) Regulation 2005*, two or more Councillors may nominate a Councillor (one of whom may be the nominee) for the position of Deputy Mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.

**(a) Governance/Policy Implications**

It has been the custom for Council to elect a Deputy Mayor in the past, and there is no obvious reason why Council should deviate from this practice.

**(b) Legal Implications**

It would be important for Council to adhere to the relevant provisions of the *Local Government Act 1993* and the *Local Government (General) Regulations 2005*, as discussed above, when electing a Deputy Mayor.

**(c) Social Implications**

There are no social implications arising from this report.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

There are no economic or asset management implications arising from this report.

**CONCLUSION**

Nomination forms **(a copy of which is attached to this report)** have been forwarded with the Business Paper to all Councillors for their convenience.

Written nominations are invited for the office of Deputy Mayor.

**RECOMMENDATION**

**That Council elects a Deputy Mayor for the period September 2019 to September 2020.**

### **3.0 Fixing of Dates for Council Meetings for the 2018/20 Mayoral Term and Review of Fixing of Date and Time of Ordinary Council Meetings Policy**

**Report from:** General Manager's Office

**Annexure:**

No annexure to this report.

**Records Management:**

File Name and Number: Councillors (C13)

#### **PURPOSE**

The purpose of this report is for Council to fix dates for Ordinary Council Meetings for the October 2019 to September 2020 period of time (what used to be the Mayoral term).

#### **BACKGROUND**

In the past, Council fixed the dates of Council Meetings annually; usually during the September Extraordinary Meeting. Assent of the *Local Government Amendment (Governance and Planning) Act 2016* on 30 August 2016 has resulted in an amendment to Section 230 of the *Local Government Act 1993* which now inter alia makes provision for a Mayor who is elected by Councillors to hold office for a period of two (2) years.

Council's current Meeting dates are set for the second (2<sup>nd</sup>) Wednesday of each month with the Meeting commencement time at 10.00 a.m., excluding the month of January, in order to provide for a period of rest over the festive and summer school holiday period. The month of January is normally a "slow" period each year, as a result of the abovementioned summer school holidays, with many parents and other people taking their annual leave just after Christmas and New Year. It is suggested for Council to continue this practice, as it provides for a recess period of time during which Councillors and staff can have a period of respite. Experience has shown that this period of time is productively used by staff members not taking annual leave to catch up on outstanding matters, without the responsibility of preparing Council reports.

It has also been the practice for Council to hold its March Meeting at Gulargambone and the October Meeting at Quambone. There is no obvious reason for Council to change this arrangement.

- (a) **Relevance to Integrated Planning and Reporting Framework**  
This item links to Council's Delivery Program Strategy *L1.4 Encourage and promote a high level of leadership in the community.*
- (b) **Financial Considerations**  
There are no financial considerations relating to this report.

## COMMENTARY

Council's current Meeting dates are set for the second (2<sup>nd</sup>) Wednesday of each month with the Meeting commencement time at 10.00 a.m. Council has previously resolved not to hold Ordinary Council Meetings during the month of January each year, in order to provide a period of rest over the festive and summer school holiday period. Council's March Meeting has also been held at Gulargambone and the October Meeting at Quambone.

If Council is comfortable with continuing the abovementioned practice – taking into consideration the comments noted above – the following dates and times are suggested for the Ordinary Council Meetings:

Date	Location	Time
09 October 2019	Quambone Memorial Hall	10.00am
13 November 2019	Council Chamber – Council Administration Building	10.00am
11 December 2019	Council Chamber – Council Administration Building	10.00am
12 February 2020	Council Chamber – Council Administration Building	10.00am
11 March 2020	Memorial Hall, Bourbah Street, Gulargambone	10.00am
08 April 2020	Council Chamber – Council Administration Building	10.00am
13 May 2020	Council Chamber – Council Administration Building	10.00am
10 June 2020	Council Chamber – Council Administration Building	10.00am
08 July 2020	Council Chamber – Council Administration Building	10.00am
12 August 2020	Council Chamber – Council Administration Building	10.00am
09 September 2020	Council Chamber – Council Administration Building	10.00am

**(a) Governance/Policy Implications**

Council Meetings form a very important part of Council's functions; as they are the mechanism through which it "speaks". It has been the practice for Council to conduct its Mayoral and Deputy Mayoral elections at Extraordinary council Meetings, and it is suggested for this arrangement to continue into the future

**(b) Legal Implications**

Section 365 of the *Local Government Act 1993* states the following:

*The Council is required to meet at least 10 times a year, each time in a different month.*

Section 9 of this aforementioned Act also states the following:

*Public notice of meetings*

(1) *A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are councillors.*

(2) *A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.*

(2A) *In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public:*

*(a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and*

*(b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.*

(3) *The copies are to be available to the public as nearly as possible to the time they are available to councillors.*

(4) *The copies are to be available free of charge.*

(5) *A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.*

**(c) Social Implications**

Council is trying to accommodate the residents of Gulargambone and Quambone by having its March and October Ordinary Meetings respectively at those locations.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

There are no economic or asset management implications arising from this report.

## CONCLUSION

It is suggested for Council not to change the practice around the dates and times for its monthly Ordinary Meetings. Therefore it is proposed for Council to hold 11 Ordinary Meetings per year, on the second Wednesday of each month, except for the month of January. Further, it is proposed for Council's March Meeting to be held at Gulargambone and the October Meeting to be held at Quambone as has been the practice in the past.

It is important for Council to set dates for the Council Meetings well in advance, to assist with the booking of venues in some instances, organisation of refreshments and advertising of meetings for the public.

## RECOMMENDATION

**(1) That Council fixes the dates and times for the 2019/2020 Ordinary Council Meetings as follows:**

Date	Location	Time
09 October 2019	Quambone Memorial Hall	10.00am
13 November 2019	Council Chamber – Council Administration Building	10.00am
11 December 2019	Council Chamber – Council Administration Building	10.00am
12 February 2020	Council Chamber – Council Administration Building	10.00am
11 March 2020	Memorial Hall, Bourbah Street, Gulargambone	10.00am
08 April 2020	Council Chamber – Council Administration Building	10.00am
13 May 2020	Council Chamber – Council Administration Building	10.00am
10 June 2020	Council Chamber – Council Administration Building	10.00am
08 July 2020	Council Chamber – Council Administration Building	10.00am
12 August 2020	Council Chamber – Council Administration Building	10.00am
09 September 2020	Extraordinary Meeting for Mayoral/Deputy Mayoral Election and Election of Various Committee Representatives. Ordinary Meeting to follow immediately after. Council Chamber – Council Administration Building	10.00am

**(2) That the General Manager communicates the dates and venues of Council Meetings for the October 2019 to September 2020 period of time to staff, and arranges for the times, dates and venues of future meetings as listed in Point One (1) above to be advertised on Council's website and in Council's column in the Coonamble Times.**

#### **4.0 Implementation of a General Manager's Performance Review Panel**

**Report from:** General Manager

**Annexures:** Annexure B  
Guidelines for the Appointment and Oversight of General Managers – Office of Local Government

**Records Management:**

File Name & No/s: General Manager (Personnel File)

**PURPOSE:**

The purpose of this report is to establish a General Manager's Performance Review Panel, in line with the relevant guidelines document from the NSW Office of Local Government (OLG) "Guidelines for the Appointment and Oversight of General Managers". **APPENDIX B.**

**BACKGROUND:**

In the past, it was the practice for all Councillors to be involved with the annual performance review of the General Manager. This arrangement is unfortunately not consistent with the advice and guidelines provided by the OLG. Please refer to the Commentary Section of this report for further information.

A facilitator from Local Government NSW (LGNSW) has been used to assist with this process.

**(a) Relevance to Integrated Planning and Reporting Framework:**

The General Manager, as head of Council's staffing component, has an important function to fulfil in ensuring that Council's strategic objectives and actions are being pursued on an operational level.

**(b) Financial Considerations:**

Council has provided a budgetary provision in its current Operational Plan for purposes of engaging a facilitator for this performance review process.

**COMMENTARY:**

The document titled "Guidelines for the Appointment and Oversight of General Managers" developed by the OLG states the following under the heading of "Establishing the framework for performance management":

*“The council’s governing body is to establish a performance review panel and delegate the task of performance reviews of the general manager to this panel. The extent of the delegation should be clear.*

*It is recommended that the whole process of performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.*

*Performance review panels should comprise the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager. The council’s governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.*

*The role of the review panel includes:*

- conducting performance reviews;*
- reporting the findings and recommendations of those reviews to council;*
- development of the performance agreement.*

*The governing body of council and the general manager may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of new performance plans. This person should be selected by the governing body of council or the performance review panel. The LGSA and the LGMA [LGNSW] can be contacted for assistance to identify suitable independent facilitators to assist in the performance management process.*

*All councillors not on the panel can contribute to the process by providing feedback to the mayor on the general manager’s performance.*

*All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel’s findings and recommendations.*

*The panel should report back to the governing body of council in a closed session the findings and recommendations of its performance review as soon as practicable following any performance review. This should not be an opportunity to debate the results or re-enact the performance review of the general manager. The general manager should not be present when the matter is considered.*

*The performance management report of any council staff member, including the general manager, should not be released to the public and should be retained on the appropriate confidential council employment file. Release of such personal information to other than the Performance Review Panel, the general manager and the councillors in confidence may be a breach of privacy legislation.”*

During a Councillor Workshop held on Monday, 26 August 2019, the information was shared that it might be a good idea for Council to consider seeking quotes for the facilitator's role – in order to form an idea of what services are available in this regard within the marketplace, and at what cost.

**(a) Governance/Policy Implications:**

It is imperative for the well-functioning of Council for a structured approach to exist with regards to the performance management of the General Manager. Again, an excerpt from the above-mentioned guidelines document developed by the OLG, says the following with regards to the establishment of a performance agreement:

*“The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.*

*As one of the general manager's key responsibilities is to oversee the implementation of council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the council's Community Strategic Plan, Resourcing Strategy, Delivery Program and Operational Plan.*

*The performance agreement should also include the general manager's personal contribution to the council's key achievements and the general manager's core capabilities, including leadership qualities.*

*The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:*

- *service delivery targets from the council's Delivery Program and Operational Plan;*
- *budget compliance;*
- *organisational capability;*
- *timeliness and accuracy of information and advice to councillors;*
- *timely implementation of council resolutions;*
- *management of organisational risks;*
- *leadership etc.”*

Council's executive management team (Manex) should work well together in order to achieve the strategic objectives identified in Council's suite of documents relating to the Integrated Planning and Reporting Framework. Therefore, key performance indicators across this team should be complementary in ensuring that Council meets its stated objectives and goals. It would be my intention to also use the same facilitator who will be assisting with the General Manager's performance reviews, to also facilitate those of the other Manex members. Such a step will ensure due process and objectivity form part of this important procedure.

It would also be important for Council's General Manager's Performance Review Panel to be trained in the performance management of the General Manager – as stated in the aforementioned Guidelines document.

**(b) Legal Implications:**

The General Manager's Contract of Employment makes provision for the development of a performance agreement, which needs to be signed off by both the employer and employee.

**(c) Social Implications:**

There are no direct social implications associated with this report.

**(d) Environmental Implications:**

There are no direct environmental implications associated with this report.

**(e) Economic/Asset Management Implications:**

There are no direct economic/asset management implications associated with this report.

**CONCLUSION:**

It is recommended for Council to implement a General Manager's Performance Review Panel, consistent with the advice and guidelines provided by the OLG – including the necessary delegated functions for this Panel to deal with the whole process of performance management. A facilitator is suggested to be engaged by Council to assist with the performance review process, after quotes from appropriate service providers (e.g. LGNSW (Employment Solutions), McArthur Executive Recruitment and Blackadder Associates) within the local government industry had been sought.

**RECOMMENDATION:**

- 1. That Council implements a General Manager's Performance Review Panel consistent with the advice and guidelines provided by the NSW Office of Local Government in their document titled "Guidelines for the Appointment and Oversight of General Managers".**
- 2. That the General Manager's Performance Review Panel consists of the following members: The Mayor, Deputy Mayor, another Councillor nominated by Council, and a Councillor nominated by the General Manager.**
- 3. That Council, pursuant to the provisions of Section 377 of the *Local Government Act 1993*, delegates the whole process of the performance management of the General Manager to this General Manager's Review Panel; acknowledging that all Councillors will have an opportunity to have input into the process through the Mayor, and the Panel will report back to the full Council the outcomes of annual performance reviews.**
- 4. That Council requests quotes from LGNSW (Employment Solutions), McArthur Executive Recruitment and Blackadder Associates to provide training to the General Manager's Performance Review Panel, as well as a facilitation, support and assisting role in the future development of the General Manager's performance agreements and the annual performance review process, noting the General Manager's intention to also make use of the successful consultants to facilitate the annual performance reviews of the other executive management team members.**
- 5. That Council requests the General Manager to prepare a further report for Council's consideration once the quotes referred to in paragraph four (4) above have been obtained.**

#### 4.0 Delegates to Committees

**Report from:** General Manager

**Annexures:**

There is no annexure to the report.

**Records Management:**

File Name & No/s: Councillors (C13)

**PURPOSE:**

The purpose of this report is for Council to start to consider an appropriate committee structure which will better facilitate the broad spectrum of functions that Council is responsible for; to merge existing committees, change the scope and composition of some committees, reinstate former committees, do away with some committees, and/or create new committees as part of this process, as well as designating Council delegates to community committees for the October 2019 to September 2020 period of time.

**BACKGROUND:**

Council's existing list of committees and representatives reads as follows:

***LIST OF COMMITTEES & COUNCIL REPRESENTATIVES  
AMENDED JULY 2019***

COMMITTEE	DELEGATE	STAFF
<b><u>COUNCIL COMMITTEES 1 YEAR TERM</u></b>	<b><u>MAYOR INCLUDED ON THESE COMMITTEES</u></b>	
i) SALEYARDS MANAGEMENT	CR WHEELHOUSE/CR THOMAS	Director Engineering/Manager Environmental
ii) CODE OF CONDUCT REVIEW PANEL	NO SPECIFIC DELEGATE	
iii) QUARRY MANAGEMENT	CR KARANOUH/CR WHEELHOUSE/ CR FISHER	Director Engineering/Quarry Production Manager
iv) FLOODPLAIN RISK MANAGEMENT	CR DEANS / CR CULLEN	Director Engineering/Manager Environmental
v) CARAVAN PARK REDEVELOPMENT	CR CHURCHILL & CR KARANOUH	GM, Project Manager, Directors CS & CUS
vi) ROADS	CR WHEELHOUSE / CR FISHER / CR THOMAS	Director of Engineering

<u>OUTSIDE COMMITTEES 1 YEAR TERM</u>	<u>MAYOR NOT ON THESE COMMITTEES</u>	
i) TRAFFIC FACILITIES	CR DEANS / CR THOMAS	Director of Engineering + Representative of State Member
ii) BUSH FIRE MANAGEMENT	CR THOMAS / CR KARANOUH	Director Corporate & Urban Services
iii) OUTBACK ARTS	CR DEANS (ALTERNATE CR WHEELHOUSE)	Tourism Development Manager
iv) LOCAL EMERGENCY MC	CR WHEELHOUSE	Director of Engineering
v) CLOSED CIRCUIT TELEVISION	CR WHEELHOUSE / CR KARANOUH	Director Corporate & Urban Services
vi) COONAMBLE ALCOHOL & DRUG INITIATIVE	CR KARANOUH / CR DEANS	Director Community Services
<u>COMMITTEES OF COUNCIL S355</u>	<u>MAYOR INCLUDED ON THESE COMMITTEES</u>	
COONAMBLE SHIRE YOUTH COUNCIL	CR KARANOUH (ALTERNATE CR WHEELHOUSE)	Director Community Services
<u>OUTSIDE COMMITTEES 4 YEAR TERM</u>	<u>MAYOR NOT INCLUDED ON THESE COMMITTEES</u>	
i) CASTLEREAGH MACQUARIE (WEEDS)	CR CULLEN & CR FISHER	Nil
ii) NORTH WESTERN LIBRARY CO-OPERATIVE	CR CHURCHILL	General Manager (or nominee)/ Director Community Services

**(a) Relevance to Integrated Planning and Reporting Framework:**

It is important for Council's committee structure to support and facilitate the achievement of Council's goals and objectives enshrined within its strategic documents and plans.

**(b) Financial Considerations:**

Those committees which are administrated by Council do incur a cost for Council, as resources (staff, time and money) need to be allocated to the management and administration of these

structures to ensure that e.g. agendas and minutes are generated, and action steps are implemented.

### COMMENTARY:

The following committee structure is suggested for Council to adopt; as part of an incremental development of an arrangement that will support and facilitate Council's needs and objectives:

<b>Councillor/Staff Committees of Council</b>		
<b>COMMITTEE</b>	<b>DELEGATE</b>	<b>STAFF</b>
General Manager's Recruitment and Selection (As required)	All Councillors invited	Shortlisted Applicants
General Manager's Performance Management (Annually)	Mayor, Deputy Mayor, Councillor nominated by Council, Councillor nominated by GM, facilitated by an external person (to be appointed)	General Manager
Donations Committee (Twice per Year)	Mayor, Deputy Mayor	Director Corporate & Urban
Saleyards Management (Twice per Year)	Cr Wheelhouse/Cr Thomas	Director Engineering/Manager Environmental
Significant Development Proposals (As required)	Mayor, Deputy Mayor, Cr.....	General Manager, Director Engineering, Manager Economic Development
Floodplain Risk Management (As required to meet with consultants)	Cr Deans/Cr Cullen	Director Engineering/Manager Environmental
Caravan Park Redevelopment (Sunset Committee – As Required)	Mayor/Cr Churchill	General Manager/Director Community/Manager Economic Development
Roads (Incorporating Quarry) (Quarterly)	Mayor/ Deputy Mayor/Cr Fisher/Cr Thomas plus four (4) road user representatives from the NE, NW, SE, and SW parts of the LGA	General Manager/Director Engineering/Manager Roads & Bridges/Quarry Manager
Youth Council (Reinvigoration to be Investigated)	Mayor (Alternate Cr Wheelhouse)	Director Community
Local Traffic (Quarterly)	Cr Deans/Cr Thomas (Council only has one vote)	General Manager/Director Engineering
Closed Circuit Television (As Required)	Mayor/Deputy Mayor	Director Corporate & Urban
Code of Conduct Review Panel (As Required)	Aimee Saaib - O'Connell Workplace Relations Eden Elliott - Wise Workplace Rochelle Luhr - Nemesis Consultancy Group Peta Tumpey - Tress Cox Lawyers Robert Lopich - Mediate Today Phil O'Toole - Centium Kath Roach - Sinc Solutions Andrew Klein - Russell Kennedy Pty Ltd Chris Stratten - Quadrant Management Systems Pty Ltd	Code of Conduct Complaint Coordinator
<b>Outside Community Committees</b>		
<b>COMMITTEE</b>	<b>DELEGATE</b>	<b>STAFF</b>
Bush Fire Management	Mayor/Cr Thomas	Director Corporate & Urban
Local Emergency Management	Cr Wheelhouse	Director Engineering
Outback Arts	Cr Deans (Alternate Cr Wheelhouse)	Manager Tourism Development
Coonamble Alcohol & Drug Initiative	Mayor/Cr Deans	Director Community Services

North Western Library Cooperative	Cr Churchill	Director Community
Castlereagh Macquarie Weeds County Council	Cr Cullen/Cr Fisher	Nil
Chamber of Commerce	Cr .....	General Manager and/or Manager Economic Development
Quambone Resources	Cr .....	Nil

The following suggestions are also made for Council's consideration:

1. That Council adopts the frequency of Committee Meetings as shown in the brown-red colour in the first column of the table included with paragraph one (1) above; further that the Council staff member whose name is printed in red as shown in the third column of the mention table above, be the responsible person for the proper administration of future Committee Meetings – meaning that Constitutions/Terms of Reference need to be developed, Agendas need to be sent out in a timely manner, Minutes need to be kept and distributed in a timely manner, and Actions originating from the Committee Meetings need to be pursued and implemented (acknowledging the right of the staff member to delegate duties, functions and actions as they deem fit – where applicable and appropriate).
2. That Council confirms the importance of its community committee structure to facilitate the necessary flow of communication and information from its committees back to Council and vice versa.
3. That all Councillor delegates be required to provide the Executive Assistant with their reports containing relevant information pertaining to their attendance at committee meetings during the previous month in a timely manner for inclusion with the following month's Ordinary Council Meeting Business Paper.
4. That Council advertises for expressions of interest (EOI) from community members who are users of Council's local road network, who would like to participate in Council's Roads Committee into the future; with the view that four (4) community representatives from the North-Eastern, North-Western, South-Eastern, and South-Western parts of the Local Government Area are appointed by Council once the EOIs have been received.
5. That a further report be prepared by the General Manager pertaining to the implementation of a Community Committee Manual for the Councillor/Staff Committees of Council as Committees functioning pursuant to the provisions of Section 355 of the *Local Government Act 1993*.

**(a) Governance/Policy Implications:**

Section 355 Committees and other community committees ideally need a governance framework to work within; making provision for a constitution or terms of reference so that the committee members understand the purpose of the particular committee and what it is supposed to achieve, provide for operating guidelines, and be clear on what constitutes acceptable behaviour at those committee meetings.

**(b) Legal Implications:**

Some committees will function pursuant to the provisions of Section 355 of the *Local Government Act 1993*, and others like the Local Traffic Committee in accordance with the provisions of the *Traffic Act 1909*.

Section 355 of the aforementioned Act states the following:

***How a council may exercise functions***

*A function of a council may, subject to this Chapter, be exercised:*

*(a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or*

*(b) by a committee of the council, or*

*(c) partly or jointly by the council and another person or persons, or*

*(d) jointly by the council and another council or councils (including by means of a joint organisation or a Voluntary Regional Organisation of Councils of which the councils concerned are members), or*

*(e) by a delegate of the council (which may, for example, be a joint organisation or a Voluntary Regional Organisation of Councils of which the council is a member).*

**(c) Social Implications:**

Council nominating delegates onto community committees (not administrated by Council) which are operating within the local government area, provides for a conduit between the community and the Council.

**(d) Environmental Implications:**

There are no direct environmental implications associated with this report, although it is acknowledged that the Castlereagh Macquarie Weeds County Council is solely focussed on this important environmental function.

**(e) Economic/Asset Management Implications:**

There are no direct economic and/or asset management implications associated with this report.

**CONCLUSION:**

Council currently finds itself in a space where it is engaged in a process of identifying its priority strategic goals and objectives; therefore, the development of its committee structure should be viewed as being an incremental process – which will be further developed and refined as the process unfolds. Ultimately, all committees need to facilitate and support Council's purposes and intentions.

**RECOMMENDATION:**

- 1. That Council nominates Councillors and staff as Council's delegates to the various committees for the September 2019 to September 2020 period of time, as shown on the list below:**

<b>Councillor/Staff Committees of Council</b>		
<b>COMMITTEE</b>	<b>DELEGATE</b>	<b>STAFF</b>
General Manager's Recruitment and Selection (As required)	All Councillors invited	Shortlisted Applicants
General Manager's Performance Management (Annually)	Mayor, Deputy Mayor, Councillor nominated by Council, Councillor nominated by GM, facilitated by an external person (to be appointed)	General Manager
Donations Committee (Twice per Year)	Mayor, Deputy Mayor	Director Corporate & Urban
Saleyards Management (Twice per Year)	Cr Wheelhouse/Cr Thomas	Director Engineering/Manager Environmental
Significant Development Proposals (As required)	Mayor, Deputy Mayor, Cr.....	General Manager, Director Engineering, Manager Economic Development
Floodplain Risk Management (As required to meet with consultants)	Cr Deans/Cr Cullen	Director Engineering/Manager Environmental
Caravan Park Redevelopment (Sunset Committee – As Required)	Mayor/Cr Churchill	General Manager/Director Community/Manager Economic Development
Roads (Incorporating Quarry) (Quarterly)	Mayor/ Deputy Mayor/Cr Fisher/Cr Thomas plus four (4) road user representatives from the NE, NW, SE, and SW parts of the LGA	General Manager/Director Engineering/Manager Roads & Bridges/Quarry Manager
Youth Council (Reinvigoration to be Investigated)	Mayor (Alternate Cr Wheelhouse)	Director Community
Local Traffic (Quarterly)	Cr Deans/Cr Thomas (Council only has one vote)	General Manager/Director Engineering
Closed Circuit Television (As Required)	Mayor/Deputy Mayor	Director Corporate & Urban

Code of Conduct Review Panel (As Required)	Aimee Saaib - O'Connell Workplace Relations Eden Elliott - Wise Workplace Rochelle Luhr - Nemesis Consultancy Group Peta Tumpey - Tress Cox Lawyers Robert Lopich - Mediate Today Phil O'Toole - Centium Kath Roach - Sinc Solutions Andrew Klein - Russell Kennedy Pty Ltd Chris Stratten - Quadrant Management Systems Pty Ltd	Code of Conduct Complaint Coordinator
<b>Outside Community Committees</b>		
<b>COMMITTEE</b>	<b>DELEGATE</b>	<b>STAFF</b>
Bush Fire Management	Mayor/Cr Thomas	Director Corporate & Urban
Local Emergency Management	Cr Wheelhouse	Director Engineering
Outback Arts	Cr Deans (Alternate Cr Wheelhouse)	Manager Tourism Development
Coonamble Alcohol & Drug Initiative	Mayor/Cr Deans	Director Community Services
North Western Library Cooperative	Cr Churchill	Director Community
Castlereagh Macquarie Weeds County Council	Cr Cullen/Cr Fisher	Nil
Chamber of Commerce	Cr .....	General Manager and/or Manager Economic Development
Quambone Resources	Cr .....	Nil

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3. That Council confirms the importance of its community committee structure to facilitate the necessary flow of communication and information from its committees back to Council and vices versa.
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- 5. That Council advertises for expressions of interest (EOI) from community members who are users of Council's local road network, who would like to participate in Council's Roads Committee into the future; with the view that four (4) community representatives from the North-Eastern, North-Western, South-Eastern, and South-Western parts of the Local Government Area are appointed by Council once the EOIs have been received.**
- 6. That a further report be prepared by the General Manager pertaining to the implementation of a Community Committee Manual for the Councillor/Staff Committees of Council as Committees functioning pursuant to the provisions of Section 355 of the *Local Government Act 1993*.**