

## MidCoast Committees

### Introduction

The purpose of these guidelines is to document the broad governance framework and appointment to committees. The guidelines give a broad overview of committee governance and are intended to be used in conjunction with and inform a committee or groups Terms of Reference. The guidelines will be reviewed and updated annually to ensure they remain accurate and up to date.

Please note 'Committees' is defined as any Working Group, Reference Group, Advisory Committee or Section 355 Committee providing information, advice, suggestions and support to Council and staff when determining the best actions moving forward.

Since being formed in May 2016, MidCoast Council has undertaken a review of all previous committees with Great Lakes Council, Greater Taree City Council, and Gloucester Shire Council to bring committees into alignment under similar Terms of Reference and one guideline.

### Committee Governance Structure

The committee governance structure includes:

- Council committees
- Advisory committees
- Reference Groups
- Working Groups
- External committees

A Council committee is one where all the members of the committee are Councillors: however, not all Councillors must be members. The committee must be chaired by the Mayor or a Chair elected from its membership or by the Council.

Section 10(1) of the Local Government Act 1993 states:

- (a) Everyone is entitled to attend a meeting of the council and those of its committees of which all the members are Councillors, and
- (b) A council must ensure that all meetings of the council and of such committees are open to the public.

In addition to Council committees, Council also supports a number of advisory committees, reference groups, working groups and external committees. These committees and groups provide a mechanism where interested community members and stakeholders can provide input into Council policy development, direction and practice. The community reference groups are an important link in Council's communication and engagement strategies and are where community can participate and contribute to the decision making process. Committees are established to:

- Gather the views of the wider community
- Assist Council in understanding specific or localised issues, initiatives or community assets
- Provide a structured and meaningful approach to involvement of community members in the democratic process

Table 1 – Committee structure

	Council Committees	Committees established under clause 260 of the Local Government (General) Regulations 2005 which are comprised only of Councillors. They may have delegated authority to make decisions in relation to their stated objective(s) and role(s). <ul style="list-style-type: none"> <li>• Strategic Committee</li> </ul>
	Delegated Committees	Committees which include external representatives, other stakeholders or agencies. These committees provide advice to Council on a range of issues as specified in each committee's Charter or Terms of Reference and have a delegated authority under Sections 377 of Local Government Act. <ul style="list-style-type: none"> <li>• Audit, Risk and Improvement Committee</li> </ul>
Community participation	Reference Groups	Groups are established to provide ongoing strategic advice and feedback in relation to a particular focus area outlined in the group's Terms of Reference, and are not to focus on operational items. Reference Groups may form a working group to work on a particular project if required. They will generally include Councillor representatives, community members, stakeholders or agencies, and Council staff. <ul style="list-style-type: none"> <li>• Floodplain Management Advisory Committee</li> <li>• Pacific Blue Metal Quarry at Possum Brush</li> </ul>
	Working Groups	Groups are established to work on set projects or work towards strategic targets outlined in the group's Terms of Reference. They will generally include Councillor representatives, community members, stakeholders or agencies, and Council staff. <ul style="list-style-type: none"> <li>• Economic Development</li> <li>• Annual Donations Assessment Panel</li> </ul> <p>Groups may also be established for a limited term for a specific purpose, to provide input on a specific project or a smaller group from a reference group. These will generally include representatives of the community, other stakeholders or agencies and may not include Councillor representatives. These groups provide advice to Council on a range of issues as specified in each group's Terms of Reference.</p>
	External Committees	Committees established by an external body and requiring a Council delegate <ul style="list-style-type: none"> <li>• Arts Mid North Coast</li> <li>• Bushfire Management Committee</li> <li>• Duralie Coal Mine Community Consultative Committee</li> <li>• Gloucester Exploration Project Community Consultative Committee – Gloucester Resources Limited (GRL)</li> <li>• Hunter JO</li> <li>• Hunter Regional Weeds Committee</li> <li>• Joint Regional Planning Panels</li> <li>• Local Traffic Committee</li> <li>• Manning Liquor Consultative Committee</li> <li>• Mid North Coast Weight of Loads Group</li> </ul>

	<ul style="list-style-type: none"> <li>• NSW Public Libraries Association</li> <li>• NSW RFS District Liaison Committee</li> <li>• Port Stephens Great Lakes Marine Advisory Committee</li> <li>• Port Stephens Myall Lakes Estuary Management Committee</li> <li>• Stratford Coal Mine Community Consultative Committee</li> <li>• Stroud Heritage Conservation Inc</li> </ul>
Other	<ul style="list-style-type: none"> <li>• General Manager's Performance Review Panel</li> <li>• Hunter – SSA/GMAC</li> </ul>
Hall Committees	Review of hall committees and their structure will commence in 2019
Existing committees	Committees functioning as S355 committees prior to the merger in May 2016 will be reviewed in 2019

## Appointments

### Elected members

Councillor representatives on Committees, including Chair where applicable, are elected at a Council meeting.

Councillor representatives elected to Committees are outlined in Appendix 1 as well as detailed on the MidCoast Council website.

### Community and stakeholder representatives

There are a number of Council Reference Groups and Working Groups that require community and stakeholder representatives. This is outlined in the respective Terms of Reference for each group. Council appoints community and stakeholder representatives for the term of Council, except for working group member appointments which are based on the project length.

Ideally, a group will have a complementary mix of knowledge, skills, interests and experiences as well as an understanding of the local community's needs and aspirations. The members of the Committee will be appointed by Council following a publicly advertised process. Members shall be expected to bring diverse knowledge, skills, experience.

A nomination form must be completed by interested representatives and all nominations will be assessed against their stated knowledge, experience, skills and responses to the criteria relevant to committee or group.

A member's appointment may be ended on the basis of one of the following:

- resignation of a member
- regular non-attendance at meetings (note: members shall be considered to have vacated their position if they have been absent from three meetings, within a 12 month period, without an apology)
- failure to respect the protocols and confidentiality requirements (set out below)

It is intended that Committees do not meet once an election has been called.

## Roles and responsibilities

### Chair

The chair of the committee or group is responsible for overseeing the meeting, drawing on the expertise of each member, and for guiding the committee or group's work towards fulfilling the responsibilities established in the Terms of Reference. This is a vital position which requires the Chair to:

- Conduct the business of the meeting in line with the agenda
- Keep discussion focused on the items in the agenda
- Make sure a consensus is reached before moving to the next agenda item
- Ensure meeting procedures are followed
- Allow everyone to speak and be heard
- Make sure an accurate record is kept of the meeting
- Approve the draft minutes before they are sent to members

### Committee / Group members

Consider the information presented to the group, discuss options and make suggestions. Through this process a member can offer an alternative view, identify issues, contribute to effective policy or services and represent the diverse demographics, views and interests of the local community.

All committee / group members are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to the group
- Contribute the time needed to review meeting agendas and other materials provided prior to the meeting
- Apply good analytical skills, objectivity and judgement
- Respectfully express opinions and ask opinions
- Respect all members of the group

### Support staff

Council provides support staff for committees and groups. These staff attend each meeting in a non-voting capacity. The responsible Manager and staff contact person are detailed in the Terms of Reference for each committee or group.

With the oversight of the responsible Manager, the nominated staff contact is responsible for:

- Preparing the meeting agenda
- Ensuring relevant matters are brought before the committee or group
- Distributing the agenda and minutes as per this guideline
- Arranging or providing the minute taking
- Organising for the Chair to approve the minutes
- Reporting the meeting minutes to Council for adoption or noting
- Ensuring agendas, minutes and supporting documentation are saved in the electronic document management system
- Implementing or following up any actions from each meeting
- Preparing an annual summary report, which captures the actions of the group for the year, is to be prepared for the September Council meeting for inclusion in Council's Annual Report. Additional reports to Council may also be necessary when key milestones are reached or to progress elements of a specific project or specific recommendations to Council.

The relevant Manager is a liaison point for committee or group members regarding matters within the scope of the responsibilities detailed above only and in the Terms of Reference.

It is important for committee or group members to be aware that meetings are not a suitable forum for making an action request of Council staff. Requests must be made through regular channels as detailed on the website.

### **Other attendees**

A Councillor who is not a member of a committee or group may attend the committee or group as an observer. However, the Councillor is not entitled to give notice of business for inclusion in the agenda for the meeting, to move or second a motion (if required), or to vote at the meeting. The Councillor as a courtesy should in advance of the meeting advise the Chair and the staff contact person by email of their intention to attend the meeting.

The General Manager or their representative may also attend and speak at a meeting. Other Council staff may attend at the invitation of the Chair or responsible staff member to speak on a particular agenda item. Council staff cannot move or second a motion at the meeting, or vote at the meeting.

### **Code of conduct and other policies**

All committee and group members must comply with the applicable provisions of Council's Code of Conduct in performing their duties, and should:

- Act honestly and in good faith
- Actively participate in the work of the committee or group
- Perform their duties in a manner that engenders public trust in the integrity, objectivity and impartiality of the committee or group
- Declare any perceived, potential or actual conflict of interest in relation to any matter before the committee or group
- Conduct the business of the committee or group with the care, diligence and skill appropriate to the role

In relation to information obtained as a member of a committee or group, members must:

- Only access information needed for the committee or group
- Not use the information for personal purposes
- Not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for themselves, or any other person or organisation
- Do not share or distribute the information obtained for a meeting without the approval from the staff member. Information will only be authorised to be released in accordance with established policies and procedures and according to relevant legislation
- Ensure confidentiality is maintained

Committee members, including Councillor representatives, are not to give direction for staff to undertake work for the Councillor or any other person.

Committee or group Chairs may contact the staff representative allocated to the committee or group to clarify a matter under discussion or on the agenda.

## Training and induction

Training and induction will be undertaken (where practical) at the meeting of the committee or group.

Training is to include:

- Induction
- Code of conduct
- Relevant policies
- Volunteer information

## Insurance

Community members participating in a MidCoast Council committee or group are covered under Council's public liability and personal accident insurance policies.

If there is an incident or you feel there is a potential risk for a claim please contact the staff representative who will contact the relevant Governance staff member.

## Quorum and apologies

A quorum for attendance shall be a minimum of half of the membership plus one (including one Council staff member).

Where a quorum is not reached the members may hold an informal meeting to discuss the agenda and make notes, however, a decision on agenda items will not be able to be made. If it is known in advance a quorum is not going to be reached, the nominated Council support staff member will liaise with the Chair and responsible Manager to determine whether the meeting can be rescheduled.

As a courtesy, members should tender an apology when they know in advance they can not attend a meeting. This avoids delaying the opening of a meeting pending the arrival of members, and enables Council staff to determine if a quorum is able to be reached. The apology should be tendered to the nominated Council support staff, who will inform the Chair.

## Meeting frequency

The groups shall meet a minimum quarterly, at a time and location agreed by the members.

The meeting schedule, including when and where the meetings are to be held as well as any standing agenda items, will be agreed by the members each year. The schedule will cover all responsibilities as detailed in the appropriate Terms of Reference.

## Agenda and minutes

An agenda for the meeting will be distributed at least one week prior to the scheduled meeting.

Minutes, providing an overview of discussions and actions to be progressed, shall be taken at each meeting and made available to members within two weeks of the meeting.

Minutes will be maintained electronically and distributed to members via email. Support staff are not responsible for printing and distributing hard copies of meeting minutes and agendas.

Minutes shall be made publicly available on Council's website, however, it is recognised that confidential items are not to be made public.

For Reference Groups and Working Groups minutes are defined as Meeting Notes. Meeting Notes will give an overview of items discussed, with action items, and will not be a detailed account of discussions. There are no motions, movers or seconders required for Meeting Notes.

## Reporting to Council

The draft minutes are to be presented to Council, attached to a Business Paper, for noting as soon as practical following distribution to the members.

Any potential cost implications are to be flagged to Councillors in the Business Paper.

## Terms of Reference

A Charter or Terms of Reference have been prepared for each of the committees or groups. This information is available on the MidCoast Council website [www.midcoast.nsw.gov.au/committees](http://www.midcoast.nsw.gov.au/committees)

## Register

A register for all committees and groups will be held in the electronic document management system.

Register is to include:

- Membership details – members (who and contact information), responsible Manager, staff contact
- When meetings were held
- Copy of Terms of Reference

## Appendix 1 - List of Committees

(please note Appendix 1 is in the process of being updated to have all relevant information)

### Council committees

Committee	Membership	Representatives
Strategic Committee	Chair – Mayor West 11 Councillors	All Councillors

### Delegated committees

Committee	Membership	Representatives
Audit, Risk and Improvement Committee	Two Councillor representatives Three independent representatives	Chair: Independent  Cr Pontin Cr Fowler

### Reference Group

Committee	Membership	Representatives
Barrington Coast Destination Management Reference Group	Two Councillors Nine tourism representatives Three specific industry representatives	Cr Hutchinson (Chair) Cr Fowler
Bulahdelah Highway Service Centre Planning Agreement Reference Group	Two Councillors Two representatives from the Bulahdelah Chamber of Commerce Up to seven representatives from the Bulahdelah community	Cr Hutchinson Cr Smith
Community Inclusion & Wellbeing Reference Group	Two Councillor representatives plus alternate Eight community representatives Four representatives from relevant government and non-government agencies	Cr Smith (Chair)
Community Recovery Bushfire Reference Group	Mayor and Deputy Mayor Up to 13 community leaders from key communities One representative from Mid Coast Renewal Committee Professional with demonstrated Community Development experience	Mayor – Cr West Deputy Mayor – Cr Pontin
Floodplain Management Advisory Committee  (Formed & Councillors nominated 20/12/17)	Up to two Councillors Local SES Rep from OEH Up to eight community reps Manager Transport Assets Manager Strategic Planning Coastal & Flooding Engineer	Cr Epov (Chair) Cr Hutchinson Cr Smith (alternate)



Heritage Reference Group	Two Councillor representatives plus alternate Heritage Advisor 16 community representatives from Historical Societies	Cr Bell (Co-Chair) Cr Roberts (Co-Chair)
MidCoast Council Sport & Recreation Reference Group	Two Councillor representatives plus alternate Up to 14 community representatives from different areas with interest in sport	Cr Christensen Cr Fowler
MidCoast Cultural Plan 2036 Reference Group	Two Councillors Up to nine representatives from arts and culture sector One from Arts Mid North Coast One from Destination North Coast	Cr Pontin Cr Hutchinson Cr Smith (alternate)
Manning River Estuary Coastal Management Program Reference Group	2 Councillors 5 public authority representatives 1 traditional owner 1 oyster industry rep 3 rural reps 1 boating / fishing rep 1 community member 1 Landcare	Cr Smith Cr Roberts
Old Bar – Manning Point Coastal Management Program Reference Group	2 Councillors 5 public authority representatives 1 traditional owner 1 Old Bar Sand Replenishment Group 1 Manning Point Concerned Citizens Group 1 Old Bar – Manning Point CoC 1 boating / fishing 1 bird watchers 1 community member 1 Manning Coastcare	Cr Smith Cr Roberts

### Working Groups

Committee	Membership	Representatives
Economic Development Working Group	Three Councillors Nine Commerce & Industry members	Cr Pontin (Chair) Cr Epov Cr Hutchinson
Annual Donations Assessment Panel	Three Councillors	Cr Pontin Cr Bell

### External Committees

Committee	Membership	Representatives
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Arts Mid North Coast		Cr Pontin Cr Smith (alternate)
Bushfire Management Committee		Cr Roberts
Duralie Coal Mine Community Consultative Committee	State endorsed Committee	Cr Hutchinson Cr Smith
Gloucester Exploration Project Community Consultative Committee – Gloucester Resources Limited (GRL)	State endorsed Committee	Cr Pontin Cr Epov (alternate)
Hunter JO	Mayor & General Managers from Hunter JO Councils	Mayor General Manager
Hunter Regional Weeds Committee		Mayor – Cr West
Joint Regional Planning Panels		Cr Epov
Local Traffic Committee		Cr Christensen
Manning Liquor Consultative Committee		Cr Christensen
Mid North Coast Weight of Loads Group		Cr Smith
Mine and Energy Related Councils		Cr Smith
NSW Public Libraries Association		
NSW RFS District Liaison Committee		Cr Roberts
Pacific Blue Metal Quarry at Possum Brush		Mayor – Cr West
Port Stephens Great Lakes Marine Advisory Committee	State endorsed Committee	Cr Hutchinson
Port Stephens Myall Lakes Estuary Management Committee	State endorsed Committee	Cr Pontin
Stratford Coal Mine Community Consultative Committee		Cr Hutchinson Cr Smith (alternate)
Stroud Heritage Conservation Inc		

## Other

Committee	Membership	Representatives
General Manager's Performance Review Panel	Mayor Deputy Mayor One Councillor	Mayor Deputy Mayor Cr Hutchinson
Hunter – SSA/GMAC	General Manager's from Hunter JO	General Manager