



Guidelines for meeting practice

-Advisory Committees

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1 Interpretation

- 1.1 **Act** means the *Local Government Act 1993 (NSW)*.
- 1.2 GM means General Manager of Eurobodalla Shire Council and includes their delegate or authorised representative. References to the GM are references to the General Manager appointed under the *Local Government Act 1993 (NSW)*.
- 1.3 Chairperson means a Member appointed pursuant to clause 8 and includes Co-Chairperson.
- 1.4 Committee means the advisory committee established by resolution of Council.
- 1.5 Community Representative means a Council Volunteer appointed to the Committee pursuant to clause 5.
- 1.6 Council means the elected Council, comprising nine councillors.
- 1.7 Eurobodalla Shire Council Volunteer means an individual who gives their time to Council willingly for the common good and without financial gain.
- 1.8 Facilitator means a Council member appointed to fulfil the tasks set out in clause 10.
- 1.9 Member means each of the individuals appointed in accordance with clauses 3, 4 or 5.
- 1.10 Secretary means a Council staff member appointed to fulfil the tasks set out in clause 11

2 Authority

- 2.1 In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the GM, as provided in the Act.
- 2.2 The Committee has no executive powers and cannot make decisions on behalf of Council. Furthermore, the Committee is not a committee with delegated authority therefore it cannot exercise powers under s.355 of the Act.
- 2.3 Neither the Committee nor any of its Members may direct any Council staff member in his or her duties.
- 2.4 This Committee is not a Eurobodalla Shire Council committee as defined in section 360 of the Act, because its membership is not constituted solely by Councillors.
- 2.5 The Chairperson of the Committee may, if considered reasonably necessary and with the approval of the General Manager, request external professional advice to allow the Committee to meet its responsibilities.
- 2.6 The GM may facilitate, and provide the necessary financial resources, to engage the provision of any such external professional advice required.

3 Election of Councillor Members

- 3.1 Council will call for nominations for Councillor Members at the commencement of each Council term. Executive Services will arrange for a report to be provided to the Council.
- 3.2 Council will elect Councillor Members by resolution.

4 Appointment of Community Representatives

- 4.1 The appointment of Community Representatives to the Committee will:
 - 4.1.1 seek to achieve a mix of skills to facilitate the sound functioning and meets the needs of the Committee; and
 - 4.1.2 seek to represent the diversity and interests of the community.
- 4.2 Community Representatives will be appointed following a public Expressions of Interest (EOI) process each Council term.
- 4.3 Completed applications must be lodged with Council and address the selection criteria as advertised.
- 4.4 Applications will be assessed by Council staff with professional skills relevant to each committee and recommended on merit according to the selection criteria to Council for determination.
- 4.5 If more applications than positions are received, and deemed suitable for appointment as Community Representatives, offers of membership will be made to the most appropriate applicants and the remainder placed on an eligibility list.
- 4.6 The Council can amend the Terms of Reference and add additional members to the Committee if suitable applications are received.
- 4.7 Eligible applicants may be considered for other advisory committees that fit their skills and experience

5 Termination of Membership

- 5.1 Each Member shall remain a member of the Committee until:
 - 5.1.1 the Member resigns, or
 - 5.1.2 the membership is terminated at the end of the Council term.
- 5.2 Membership of any Member of the Committee may be terminated by resolution of the Council due to:
 - 5.2.1 the Member's non-attendance at three consecutive Committee meetings without appropriate reason and notification; or
 - 5.2.2 the Member's conduct being inconsistent with the committee terms of reference or Council's adopted Code of Conduct.
- 5.3 Councillor membership terminates immediately upon a Councillor Member ceasing to be a Councillor.
- 5.4 If the terminated Member was a:
 - 5.4.1 Community Representative, the Council in consultation with the Facilitator, will determine a replacement Member from the eligibility list where applicable. If not applicable, the Facilitator will consider a new selection process.
 - 5.4.2 Member from a Stakeholder Organisation, the Stakeholder Organisation should nominate a replacement Member to the Committee.

6 Responsibility of Members

- 6.1 Members are expected to:
 - 6.1.1 understand the relevant legislative and regulatory requirements applicable to Council;
 - 6.1.2 understand the role and purpose of the committee;
 - 6.1.3 be able to contribute the time needed to understand the Committee's business papers and to attend Committee meetings; and
 - 6.1.4 provide advice and feedback on matters brought before the Committee.
- 6.2 Members must conduct themselves in accordance with Council's Code of Conduct. In instances of misconduct or breaches to the Code of Conduct, Council has the right to dismiss a Committee member.
- 6.3 Conflicts of Interest must be declared and managed in accordance with the Code of Conduct. A record of a declared conflict of interest will be made in the minutes.

- 6.4 Pecuniary or significant, non-pecuniary conflicts of interest must be managed by the Member excluding themselves from the meeting during the discussion of the relevant agenda item. Such exclusion should be recorded in the minutes.
- 6.5 Council is committed to protecting personal information in accordance with the Privacy and Personal Information Protection Act (Privacy Act), the Privacy Code of Practice for Local Government. Members who are Community Representatives must not disclose personal information held by Council to anyone outside of Council. This includes any information that is not publicly available.
- 6.6 The information obtained or received by each Committee member as a result of the member's involvement in the Committee is confidential in nature and may not be disclosed except in the following circumstances:
 - 6.6.1 if required by law
 - 6.6.2 if the written consent of Council to the proposed disclosure is obtained prior to the disclosure being made. Council may give or withhold its consent to such a disclosure in its absolute discretion; or
 - 6.6.3 after the information is in the public domain due to a disclosure by Council.

7. Appointment and responsibility of Chairperson

- 7.1 The Chairperson will be appointed by Council resolution from among the Councillor members unless otherwise stated by the Terms of Reference.
- 7.2 In the absence of the Chairperson, a Councillor member present at the meeting will assume the role of Chairperson.
- 7.3 The Chairperson will officiate and conduct each meeting.
- 7.4 The Chairperson will remain until the dissolution date, unless the Chairperson resigns and in this case, a new Chairperson should be appointed in accordance with this clause.
- 7.5 The Chairperson will officiate and conduct each meeting as follows:
 - 7.5.1 open and close the meeting
 - 7.5.2 direct the discussions
 - 7.5.3 ensure the observance of these Rules
 - 7.5.4 put items to the vote and announce decision
 - 7.5.5 rule on misconduct and maintain order.

8 Attendance at meetings

- 8.1 In addition to Members, the following may be in attendance at any meeting of the Committee:

- 8.1.1 The Mayor (voting attendee);
 - 8.1.2 Councillors not appointed as Members of the Committee;
 - 8.1.3 Council staff; and
 - 8.1.4 External personnel by invitation of the Committee.
- 8.2 The attendees in 8.1.2 to 8.1.4 attend as observers only and do not have voting rights and must seek the Chairpersons permission before speaking.

9 Quorum

- 9.1 A quorum is constituted by the attendance of a majority of Members including at least one Councillor Member.
- 9.2 If a quorum is not achieved, an informal meeting may be conducted at the discretion of the Chairperson.

10 Responsibility and requirements of Facilitator

- 10.1 The Facilitator will be a suitably qualified Council officer, appointed by the Director with functional responsibility for the Committee, who will undertake the following functions:
 - 10.1.1 oversee and be responsible for the functions of the Secretary;
 - 10.1.2 accept or reject (in consultation with the GM) items of business;
 - 10.1.3 ensure Members are familiar with the committee terms of reference and Council's Code of Conduct;
 - 10.1.4 facilitate discussion at committee meetings, provide input to meetings and be an active (non-voting) Member of the Committee;
 - 10.1.5 focus the Committee on its responsibilities outlined in the terms of reference and the meeting agenda items;
 - 10.1.6 act as the communication link between the Committee and Council;
 - 10.1.7 manage the resources available to the Committee;
 - 10.1.8 where appropriate, liaise closely with the facilitators of Council's other committees to assist with the collaboration between committees, the sharing of information, and the efficient and effective use of Council and committee resources; and
 - 10.1.9 work closely with the Chairperson to administer the Committee and its meetings.
- 10.2 This position may be shared among a number of suitably qualified Council officers or be the same person.

- 10.3 The Facilitator may take on the role of a Secretary while performing her/his responsibilities as a Facilitator.

11 Responsibility and requirements of Secretary

- 11.1 The Secretary will be a suitably qualified Council officer who undertakes the following functions:
- 11.1.1 prepare agendas;
 - 11.1.2 take minutes at Committee meetings and prepare them for circulation to Committee and Council (once approved by the Facilitator);
 - 11.1.3 collate Committee business papers prepared or submitted by Council officers, Committee Members, working parties and stakeholders;
 - 11.1.6 publish agendas, minutes and Committee business papers for distribution electronically.
 - 11.1.7 book meeting venues and organise the provision of any necessary equipment; and
 - 11.1.8 provide administrative assistance to the Facilitator.
- 11.2 This position may be shared among a number of suitably qualified Council officers or be the same person.

12 Meeting schedule

- 12.1 The Committee will meet at least four times per calendar year.
- 12.2 Meeting dates will be agreed by the Committee by no later than December each year for the following calendar year.
- 12.3 Additional meetings may be scheduled by the:
- 12.3.1 Chairperson;
 - 12.3.2 Committee by resolution;
 - 12.3.3 Council; or
 - 12.3.4 Mayor or GM.
- 12.4 Unless otherwise resolved by the Council, all meetings of the Committee will be closed to the general public.

13 Meeting agendas and business papers

- 13.1 The Facilitator will ensure that notice of meetings, including the agenda and business papers, are provided to the Committee at least five business days prior to the day of the meeting. These will be transmitted electronically via email.

- 13.2 Notices of meetings, agendas and business papers will be provided to all Councillors via Council's secure document portal prior to the meeting.

14 Minutes

- 14.1 All Committee business will be properly minuted and recorded by the Secretary. The minutes will be:
- 14.1.1 approved by the Facilitator in draft;
 - 14.1.2 approved by the Committee as final by resolution at the next meeting.
 - 14.1.3 managed in accordance with Council's [Records Management Policy](#).
- 14.2 Draft minutes will be distributed to the Committee no later than 10 business days after the meeting.

15 Resolutions of the Committee

- 15.1 The Committee is to make decisions by open vote and record its resolutions in the minutes of the Committee meeting.
- 15.2 The GM (or their delegate) may action resolutions as they deem appropriate in accordance with their individual delegations and authorisations.
- 15.3 A report to the Council for a decision will be required where resolutions fall outside the functions delegated to the GM.

16 Reports to Council

- 16.1 It is the responsibility of the Chairperson and Facilitator to report to the Council:
- 16.1.1 at least annually, which will include attendance records, performance review and a summary of key items of business; and
 - 16.1.2 where a Council resolution is required to enact a recommendation of the Committee, or where the Committee otherwise wishes to report information to the Council.

17 Public Comment/Media

- 17.1 The Mayor and GM are the official spokespeople for Council.
- 17.2 In accordance with Council's Media Policy, Chairpersons of committees can speak to media in regard to their particular portfolio with designated staff being able to comment on technical or administrative details about the issue at hand.