

COMMUNITY SERVICES COMMITTEE 11 JULY 2011	4
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ANNUAL ASSESSMENT REPORT – SPORTS, ARTS, CULTURE & COMMUNITY SERVICES AND COMMUNITY SERVICES COMMITTEES

Helen Tarrant: 1/3/83-01: #3637508

RECOMMENDATION:

It is recommended that Council notes the findings of the formal assessment of performance against the Terms of Reference for the Sports, Arts, Culture and Community Services and the Community Services Committees and note that these committees have performed in accordance with their Terms of Reference.

INTRODUCTION:

In April 2008, Cairns Regional Council adopted General Policy 1:02:41 – Sports, Arts, Culture and Community Services (SACCS) Committee – Terms of Reference.

The last assessment was reported to Council in July 2011.

Council at its Ordinary Meeting held on 30 May 2012 replaced the Sports, Arts, Culture and Community Services Committee with the Community Services Committee and the Terms of Reference were endorsed at the Community Services Committee held on 14 June 2012. The recommendation was confirmed at the Ordinary Meeting held on 27 June 2012.

Whilst this policy is not due for revision until February 2014, the policy states that each year the Committee will undertake a formal assessment of performance against the Terms of Reference.

BACKGROUND:

This policy establishes the framework within which this Committee operates with reference to obligations specified in the *Local Government Act 2009* and other guiding documents adopted by Council.

Council's Sports, Arts, Culture and Community Services Committee (SACCS) membership comprised the full Council and had full delegated authority until 30 May 2012 and was replaced with the Community Services Committee from that date. Council has not delegated any authority to the Community Services Committee under the *Local Government Act 2009* and therefore all decisions made by the Committee must be referred to a full meeting of Council for consideration.

COMMENT:**Purpose and Performance of the Sport, Arts, Culture and Community Services Committee**

The following table (below) provides an overview of the reports tabled at SACCS and Community Services Committee meetings during the period 1 July 2011 to 30 June 2012.

Date of meetings	No. of Open Reports	CLOSED SESSION REPORTS					
		No of closed session reports	Contractual	Budgetary	Prejudicial	Legal	Staff
6/7/11	11	1	1	0	0	0	0
10/8/11	15	1	0	0	1	0	0
14/9/11	10	1	0	1	0	0	0
12/10/11	7	0	0	0	0	0	0
9/11/11	9	1	0	1	0	0	0
NO COMMITTEE MEETINGS IN DECEMBER 2011							
NO COMMITTEE MEETINGS IN JANUARY 2012							
8/2/12	10	2	0	2	0	0	0
TOTAL	62	6	1	4	1	0	0
COMMUNITY SERVICES COMMITTEE							
14/6/12	12	3	0	0	3	0	0
TOTAL	12	3	0	0	3	0	0
GRAND TOTAL TO 30/6/12	74	9	1	4	4	0	0

In addition, during this period some Council reports of a sports, arts, culture and community services nature were sent to an Ordinary meeting of Council. Whilst every attempt was made to ensure that all relevant reports were tabled at SACCS Committee meetings, there were occasions when it was important that reports were not held over to the next SACCS Committee meeting to ensure that the specific matter was dealt with expediently.

Ordinary Meetings	No of Open Session Reports	No of Closed Session Reports
Sports, Arts, Culture and Community Services	37	4
Total	37	4

In accordance with Section 72 of the *Local Government (Operations) Regulation 2009*, four reports were discussed in closed session but the recommendations were all considered in a subsequent open session. Of these, two were contractual and two were prejudicial matters.

Membership Of The Committees

All Councillors had been appointed members of the Sports, Arts, Culture and Community Services Committee and Deputy Mayor, Councillor Margaret Cochrane was the Chairperson.

There had been a total of six meetings during this period.

ATTENDANCE RECORD	Number Of meetings
Mayor Val Schier	5
Cr Blake	6
Cr Bonneau	4
Cr Cochrane	6
Cr Cooper	6
Cr Forsyth	6
Cr Gregory	6
Cr Lanskey	5
Cr Lesina	5
Cr Leu	6
Cr Pyne	6

From 30 May 2012 the SACCS Committee was replaced with the Community Services Committee. Council had not delegated any authority to the Community Services Committee under the *Local Government Act 2009* and therefore all decisions made by the Committee must be referred to a full meeting of Council for consideration.

Members of the Community Services Committee were Councillors Bates, Pyne, O'Halloran and Richardson with Mayor Bob Manning an Ex-Officio member and Councillor Max O'Halloran the Chairperson. Other Councillors were welcome to attend as observers.

There had been one meeting during this period.

ATTENDANCE RECORD	Number Of meetings
Members	
Cr O'Halloran	1
Cr Bates	1
Cr Pyne	1
Cr Richardson	1
Mayor Bob Manning	0
Observers	
Cr Brain	1
Cr Schilling	1
Cr James	0
Cr Cooper	1
Cr Fennell	1
Cr Leu	1

Timing, Place and Regularity Of Meetings

Council's Sports, Arts, Culture and Community Services Committee meetings were held on the second Wednesday of each month. No Committee meetings were held in December 2011 and January 2012.

Community Services Committee meetings would continue to take place on the second Wednesday of each month.

Conduct of Meetings

As detailed in the table above, a total of 68 reports were tabled at Council's Sports, Arts, Culture and Community Services Committee meetings during the year. 62 reports were considered in open session. In accordance with Section 72 of the *Local Government (Operations) Regulation 2009*, a further six reports were discussed in closed session but the recommendations were all considered in a subsequent open session. Of these one was contractual, four were budgetary and one was a prejudicial matter.

A total of 15 reports were tabled at Council's Community Services Committee meeting during this period. 12 reports were considered in open session with a further three reports discussed in closed session. However, the recommendations were all considered in a subsequent open session. All closed session reports were prejudicial matters.

Councillors' Roles

A review of the minutes has shown that Conflicts of Interests and Material Personal Interests were recorded as per the attachment to this report. The Conflicts of Interest Register is updated after each Council meeting and published on Council's website after the minutes have been published to Council's website.

http://www.cairns.qld.gov.au/_data/assets/pdf_file/0020/20882/COI_register.pdf

Record Keeping

The meeting minutes for Council's Sports, Arts, Culture and Community Services Committee meetings were presented at the subsequent Ordinary meeting for confirmation. Likewise for the Community Services Committee meeting.

These minutes are available to the public for viewing within two working days. They are distributed via public libraries and the Customer Service Centres at Spence and Front Streets within these timeframes and are published on Council's website.

CONSIDERATIONS:

Corporate and Operational Plans:

This report demonstrates Council's commitment to Corporate Plan Goal 6 – A Council that strives for Organisational Excellence.

Statutory:

The operation of these Committees is in accordance with the requirements of the *Local Government Act 2009*.

Policy:

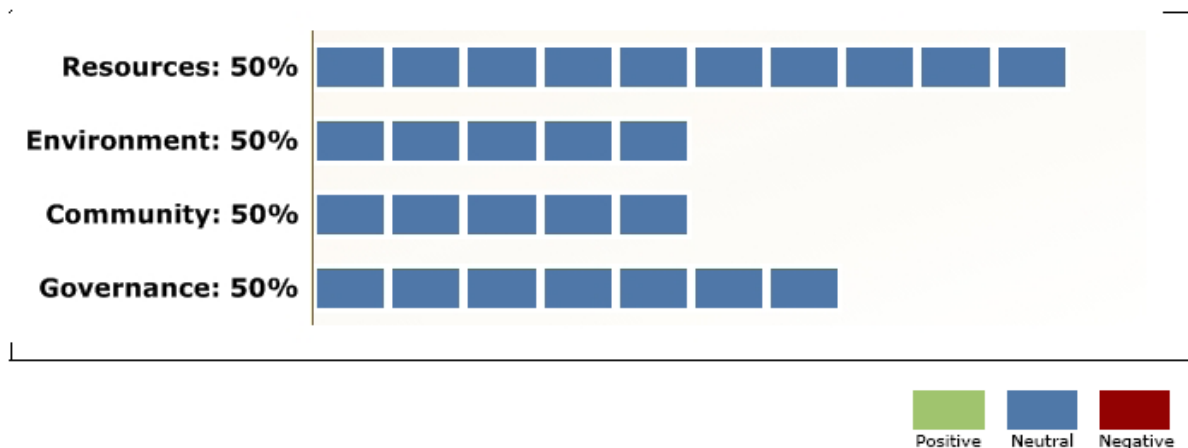
The purpose of this report is to comply with the General Policy's requirement for annual evaluation of performance against the Committees' adopted Terms of Reference. This evaluation demonstrates how effectively the Committees have met their legislative and ethical obligations.

Financial:

There are no financial implications.

Sustainability:

The Sports, Arts, Culture and Community Services and the Community Services Committees ensure that the community's requirements for a high standard of corporate governance and in particular, transparency and efficacy in its actions, are met.

**OPTIONS:**

It is recommended that Council notes the findings of the formal assessment of performance against the Terms of Reference for the Sports, Arts, Culture and Community Services and the Community Services Committees and notes that these committees have performed in accordance with their Terms of Reference.

CONCLUSION:

It is recommended that Council determines that the formal assessment of performance has demonstrated compliance against the Terms of Reference for the Sports, Arts, Culture and Community Services and Community Services Committees.

ATTACHMENTS:

Conflict of Interest/Material Person Interest Register from 1/7/2011 to 30/6/2012.

Helen Tarrant

Personal Assistant to the General Manager

Ian Lowth

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**CONFLICT OF INTEREST/MATERIAL PERSONAL INTEREST REGISTER FROM 01/07/2011 – 30/06/2012 – SPORTS, ARTS,
CULTURE & COMMUNITY SERVICES COMMITTEE**

Date of Meeting	Type of Meeting	MPI	COI	Councillor	Subject	Nature of Interest	Clause No.	Cr Left Room	Cr remained in Room
6/07/2011	Sports, Arts, Culture & Community Services Committee	N	Y	Gregory	Edmonton Storm Rugby League Club	Cr. Gregory declared that he had a possible conflict of interest in General Business Item No. 1. He declared that the nature of his conflict of interest was that he is the Patron of the Edmonton Storm Rugby League Club. Council resolved that Cr. Gregory did not have a conflict of interest and he remained in the meeting.	General Business Item No. 1	N	Y
10/08/2011	Sports, Arts, Culture & Community Services Committee	N	Y	Gregory	Request for Assistance to Edmonton Storm for fees and charges and suitable facility requirements	Cr. Gregory declared that he had a conflict of interest in Clause No. 9. He declared that the nature of his conflict of interest is that he is a patron of the Edmonton Storm Junior Rugby League Club.	Clause No. 9	Y	N
8/02/2012	Sports, Arts, Culture & Community Services Committee	N	Y	Leu	Council Grants Program - Local Community Festival and Event Grant, Development Event Grant and Major Event Grant, November 2011 Round	Cr Leu declared that a perceived conflict of interest in this matter could exist (as per Section 173 of the <i>Local Government Act 2009</i>), due to membership of the Port Douglas Community Network, but that she had considered her position and was firmly of the opinion she could participate in debate and vote on this matter in the public interest	Clause No. 3	N	Y

Date of Meeting	Type of Meeting	MPI	COI	Councillor	Subject	Nature of Interest	Clause No.	Cr Left Room	Cr remained in Room
8/02/2012	Sports, Arts, Culture & Community Services Committee	N	Y	Cochrane	Council Grants Program - Local Community Festival and Event Grant, Development Event Grant and Major Event Grant, November 2011 Round	Cr. Cochrane declared that a perceived conflict of interest in this matter could exist (as per Section 173 of the <i>Local Government Act 2009</i>), due to being Patron of the Cairns Art Society, but that she had considered her position and was firmly of the opinion she could participate in debate and vote on this matter in the public interest	Clause No. 3	N	Y
8/02/2012	Sports, Arts, Culture & Community Services Committee	N	Y	Schier & Forsyth	Council Grants Program - Local Community Festival and Event Grant, Development Event Grant and Major Event Grant, November 2011 Round	Councillors Schier and Forsyth declared that a perceived conflict of interest in this matter could exist (as per Section 173 of the <i>Local Government Act 2009</i>), due to membership of the Cairns and Far Northern Environment Centre, but that they had considered their position and were firmly of the opinion they could participate in debate and vote on this matter in the public interest	Clause No. 3	N	Y

Date of Meeting	Type of Meeting	MPI	COI	Councillor	Subject	Nature of Interest	Clause No.	Cr Left Room	Cr remained in Room
8/02/2012	Sports, Arts, Culture & Community Services Committee	N	Y	Bonneau, Cochrane, Forsyth, Schier, Blake and Lesina	Budgetary Matter - Cairns Taipans 3 Year Sponsorship Proposal	Councillors Bonneau, Cochrane, Forsyth, Schier, Blake and Lesina declared that they had a Conflict of Interest (COI) in Clause No. 2. They declared the nature of their conflict of interest was as holders of season tickets and donations to the Taipans. Given the majority of Councillors have a COI then Section 173 (6) provides for the requirement to not vote and leave the chamber be overridden as it would not be possible to form a quorum. As Council has an ongoing relationship with Taipans that this Conflict of Interest declaration shall be recorded in the minutes as an ongoing declaration for the life of the current Council	Closed Session Clause No. 2	N	Y