

How should Roxby Council be governed in the future?

Roxby Council was created and operates under the provisions of the Roxby Downs (Indenture Ratification) Act 1982. Since then, the Council has been governed by an Administrator, appointed by the Minister which is a dual one of Administrator with Chief Executive responsibilities. There are currently no elected members in the Council as this is not available under the current Indenture.

Good governance would recommend a separation of the governance role from the role of management.

Over the past six months **an independent group** has been investigating options for the future governance of Roxby Downs Municipal Council. This group is called the Roxby Downs Governance Review Committee.

The Committee is seeking feedback from the Roxby Downs community on its draft recommendations.

Governance Review Committee Terms of Reference

The Roxby Downs Governance Review Committee was formed in February 2016 and consists of six members including members of the Roxby Downs Audit Committee, governance specialists and experts in State and Local Government. The Committee was commissioned to research and make recommendations on improvements to the Administrator's Governance role within the current legislative framework. Any recommended model was not to compromise the legal function of the Council or the role and function of the Roxby Downs Community Board.

The Committee considered five options including:-

1. Status quo with continuous improvement
2. Governance Charter with expanded Audit Committee advisory role
3. Governance Charter with separate advisory role
4. Separate Administrator with Chief Executive
5. Multiple Administrators with Chief Executive

Recommendations of the Committee

The Committee approached its task from the position that, despite its uniqueness and constraints, Roxby Council should operate as closely as possible to all other councils in South Australia.

Short term Recommendations

- Publishing Council reports on proposed resolutions;
- Publishing Council decisions;
- Conducting public meetings when the Administrator makes resolutions;
- Publishing all Council policies on the website;
- Publishing Audit Committee agendas and minutes of meetings;
- An annual Audit Committee meeting held in Roxby Downs and open to the public; and
- Ensuring two-way communication with the Roxby Downs community.
- Adopt as policy any accountability or transparency provisions in the Act that are relevant to Roxby Downs Council but currently fall outside the legislative remit of the Council.

Medium Term Recommendations

- Separate the role of Administrators and Chief Executive Officer (CEO) to make a clear distinction between political and operational responsibility;
- Appoint two part- time Administrators employed by the Minister for Mineral Resources and Energy with the approval of BHP Billiton, and answerable to the Minister;
- The Administrators to engage and consult with the local community and meet in public to make decisions;
- The CEO to be responsible to the Administrators for the day to day operation of the Council;
- Community forums to appoint their chairs to the Community Board which will appoint a chair and revisit the constitution of the Community Board;
- The role of the Roxby Downs Advisory Reference Group to no longer be required.

It should be noted that subsequent advice from the Department of State Development indicates that under the current indenture only one Administrator can be appointed. This, in the view of the Committee, is sub optimal but still provides an improvement in governance.

Long Term Recommendations

The medium term recommendations to be given at least two years to be established;

- Move to a fully elected Council with Councillors from the Council area;
- Review the Indenture to facilitate the establishment of a fully elected Council, this being beyond the scope of this Committee; and
- Review the Local Government Act to facilitate the filling of casual vacancies given the transient nature of the Roxby Downs residents.

Community meeting and other feedback submissions

The community are invited to attend a Community meeting on Thursday 25 August at 7pm in Dunes Café. There will be a presentation by some members of the Governance Review Committee and there will be an opportunity for the public to make submissions for consideration.

Written feedback can be submitted by email to governance.review@roxbydowns.com, mailed to PO Box 124 Roxby Downs SA 5725 or hand delivered to the Council Office, 6 Richardson Place. There is also a feedback form available on the website. All written submissions are to be submitted by Tuesday 30 August 2016.

What will happen next?

The Committee will finalise its report after considering the input from the community and deliver it to the Acting Administrator who will provide it to the Minister for Mineral Resources and Energy, BHP Billiton, Minister for Local Government and Ombudsman SA. It will then be up to the Department of State Development and BHP Billiton to finalise their consideration of the report and decide on which recommendations are worthy of implementation.

It is expected that Roxby Council will keep the community informed on the progress of consideration of the report.

Questions?

If you have any questions or require further information please contact the Committees' facilitator, Alan Rushbrook on alan@utintja.com.au or 0402 409 352