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1.5: NEW COMMITTEES OF COUNCIL

- Attachments** : Terms of Reference for the following Committees of Council:
- Airport Emergency Committee
 - Cultural and Community Development Committee
 - Environment and Reserves Committee
 - Governance Committee
 - Local Emergency Management Committee
 - Marketing Albany Committee
 - Planning and Development Committee
- Responsible Officer** : Chief Executive Officer (Faileen James)

IN BRIEF

- Establish Committees of Council.

ITEM 1.5: AMENDED ALTERNATE MOTION BY COUNCILLOR ATTWELL

MOVED: COUNCILLOR ATTWELL

SECONDED: COUNCILLOR SUTTON

THAT:

- a) Council **ENDORSES** appointment of Elected Members and members of the community to the following Committees of Council:
 - Airport Emergency Committee
 - Cultural and Community Development Committee
 - Environment and Reserves Committee
 - Governance Committee
 - Local Emergency Management Committee
 - Marketing Albany Committee
 - Planning and Development Committee
- b) The Terms of Reference for the Planning and Development Committee be **AMENDED** to **DELETE** *“this Committee is open to the public and members of the public can address the Committee on matters in the Agenda”*.
- c) Council **REVIEW** this particular reference for the Planning and Development Committee Terms of Reference in six months to assess if a change is needed.

CARRIED 12-0

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Councillor's Reason:

- I support the Committee system
- I support accountability and transparency
- I support Councillors having a forum to discuss and exchange ideas and opinions, to ask questions and to this 'in camera' to arrive at a better understanding and therefore better decisions
- Under Standing Order 5.8. all Committees not required under the Act to be open to the public, are closed
- Under the Terms of Reference for other suggested Committees, it does not state 'Open to the Public'. In fact, we know our Audit and Finance and Governance Committees are closed Committees
- We still have an Open Forum before our Briefing and Council Meetings to allow community participation
- We can receive delegations to Committee meetings
- Committees do not have delegated authority

In asking for this change to the Planning and Development Committee Terms of Reference, I am seeking the opportunity for Councillors to have the time to openly discuss all aspects of planning and development and to come to a better understanding of what is involved.

We can, and should this motion be passed, we will include members of the community in this process. We will endeavour to cover all aspects of this often controversial area of local government.

Getting this right is important and I know we can make a difference.

Councillors Calleja, Holden and Bowles nominated for the Albany Entertainment Centre Committee.

The first ballot conducted resulted in a three way tie of 8 votes for each Councillor.
The second ballot conducted elected Councillor Calleja and Councillor Bowles to the committee.

ITEM 1.5: RESOLUTION**VOTING REQUIREMENT: SIMPLE MAJORITY**

Council ENDORSE appointment, along with the Chief Executive Officer, of Elected Members to the soon-to-be-created Albany Entertainment Centre Committee (or similarly named), with Terms of Reference yet to be determined by Perth Theatre Trust, in partnership with Committee members:

1. Councillor Calleja; and
2. Councillor Bowles.

ITEM 1.5: RESOLUTION**MOVED: COUNCILLOR****SECONDED: COUNCILLOR**

THAT Councillor Gregson be appointed to the Airport Emergency Committee.

**CARRIED 12-0
ABSOLUTE MAJORITY**

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ITEM 1.5: RESOLUTION**VOTING REQUIREMENT: ABOSLUTE MAJORITY**

THAT Councillor Gregson and Councillor Bostock be appointed to the Local Emergency Management Committee.

**CARRIED 12-0
ABSOLUTE MAJORITY**

ITEM 1.5: RESOLUTION:**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Councillor Bowles, Councillor Attwell, Councillor Holden and Councillor Bostock be appointed to the Environment and Reserves Committee.

**CARRIED 12-0
ABSOLUTE MAJORITY**

ITEM 1.5: RESOLUTION**MOVED: COUNCILLOR ATTWELL****SECONDED: COUNCILLOR DUFTY**

THAT City of Albany staff advertise for expressions of interest from members of the community to fill four positions on the Environment and Reserves Committee.

CARRIED 12-0

ITEM 1.5: RESOLUTION

THAT all Elected Members be appointed to the Governance Committee.

CARRIED 12-0

ITEM 1.5: RESOLUTION**MOVED: COUNCILLOR HAMMOND****SECONDED: COUNCILLOR BOSTOCK**

THAT Mayor Wellington, Councillor Holden, Councillor Calleja, Councillor Hortin and Councillor Stocks be appointed to the Marketing Albany Committee.

CARRIED 12-0

ITEM 1.5: RESOLUTION**MOVED: COUNCILLOR CALLEJA****SECONDED: COUNCILLOR SUTTON**

THAT two representatives from the tourism industry, two business representatives including the President or the Chief Executive of the Albany Chamber of Commerce and Industry, a senior officer of the Great Southern Development Commission and a senior officer of the local office of Regional Development Australia be invited to join the Marketing Albany Committee.

CARRIED 12-0

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ITEM 1.5: RESOLUTION

MOVED: COUNCILLOR ATTWELL
SECONDED: COUNCILLOR HAMMOND

THAT City of Albany staff advertise for expressions of interest from two representatives of the tourism industry and one business representative to sit on the Marketing Albany Committee.

CARRIED 12-0

ITEM 1.5: RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Mayor Wellington, Councillor Attwell, Councillor Stocks, Councillor Dufty, Councillor Sutton, Councillor Hammond and Councillor Bowles be appointed to the Planning and Development Committee.

CARRIED 12-0
ABSOLUTE MAJORITY

ITEM 1.5: RESOLUTION

MOVED: COUNCILLOR ATTWELL
SECONDED: COUNCILLOR BOWLES

THAT City of Albany staff advertise for expressions of interest for community members to join the Planning and Development Committee.

CARRIED 12-0

ITEM 1.5: MOTION BY COUNCILLOR DUFTY

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR HAMMOND

THAT a separate Senior's Committee be formed and that the Terms of Reference of the Cultural and Community Development Committee be reconsidered for issues relating to Seniors.

CARRIED 9-3
ABSOLUTE MAJORITY

Record of Vote

Against the Motion: Councillors Hortin, Sutton and Holden

ITEM: 1.5: RESOLUTION

VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR STOCKS

THAT Councillor Bowles, Councillor Dufty and Councillor Holden be appointed to the Cultural and Community Development Committee.

CARRIED 12-0
ABSOLUTE MAJORITY

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ITEM 1.5: RESOLUTION**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR CALLEJA****THAT City of Albany staff advertise for expressions of interest from community members to join the Cultural and Community Development Committee.****CARRIED 12-0****ITEM 1.5: RESOLUTION****VOTING REQUIREMENT: ABSOLUTE MAJORITY****MOVED: COUNCILLOR ATTWELL
SECONDED: COUNCILLOR BOWLES****THAT Councillor Dufty and Councillor Hortin be appointed to the Seniors Committee.****CARRIED 12-0****ABSOLUTE MAJORITY****ITEM 1.5: RESOLUTION****MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR DUFTY****THAT City of Albany staff advertise for expressions of interest from community members for four representatives to join the Seniors Committee.****CARRIED 12-0**

BACKGROUND

1. As part of the governance review conducted by the Chief Executive Office and feedback from some Councillors it was identified that possible changes to the current Committee structure is required to better reflect functions and responsibilities, improve governance generally, and to better utilise Council Members' time and participation in Council Committees.

DISCUSSION

Proposed City of Albany Council Committees:

2. **Local Emergency Management Committee (LEMC) and Airport Emergency Committee** to operate as a subcommittee to the LEMC.
3. The LEMC needs to be established under legislation, by the local government to overview, plan and test the local community emergency management arrangements. The LEMC also:
 - a. considers strategic matters relating to the preventing, controlling and extinguishing of bush fires;
 - b. facilitates training and exercises for community emergency management.
 - c. ensures the capabilities of agencies involved in emergency responses, and the process of emergency responses, are adequately documented and understood by all stakeholders
 - d. should review the City of Albany's Emergency Management Plan as required.
4. It is proposed that the LEMC be immediately followed by a (sub) committee meeting of the Airport Emergency Committee, with both Committees being convened every three months.
5. It is proposed both Committees have the same two members of Council as members, with both Committees chaired by a member of Council.
6. The LEMC Committee should also include representatives of agencies, organisations and community groups with expertise relevant to the identified community hazards and risks and emergency management arrangements. Members of the City of Albany LEMC have previously included representatives from FESA, St John Ambulance, Police, Health Service, Albany State Emergency Unit, Main Roads Western Australia and other State government departments.
7. The City of Albany currently also has separate Bushfire Management and Bush Fire Advisory Committees. It is proposed that these two committees be disbanded as Committees of Council, and become operational working groups of LEMC, with operational officers, including volunteer fire brigade members, meeting as required to consider operational issues arising out of LEMC or other emergency operational matters and reporting to LEMC as necessary. These operational committees would consider issues such as:
 - a. the operational planning and maintenance of fire-breaks across the district;
 - b. the preparedness of the City in regards to its obligations under the *Bush Fires Act 1954*;
 - c. the operational effectiveness and efficiency of bushfire brigades

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- d. improving / enhancing opportunities, and addressing deficiencies in the levels of co-operation and co-ordination of the City of Albany, volunteer bushfire brigades and other fire management agencies;
 - e. any other matter relating to bush fire control and management.
8. **Airport Emergency Committee** – This Committee needs to be established under legislation. Under legislation the Committee does not necessarily need to be a Committee of Council, and could be an operational committee with City of Albany staff representatives. The Executive Director of Community Services and the Senior Airport Reporting Officer are of the opinion that an operational committee structure would be more time effective, particularly regarding implementation of operational matters.
 9. The CEO is of the view that an emergency situation at the airport is a significant incident for this community, and therefore should have Council Member leadership (as the Chair of the Committee) and input to the considerations of this committee.
 10. Its purpose would be to:
 - a. To oversight the development of and compliance with the Airport Emergency Plan and procedures in accordance with the Civil Aviation Safety Regulations 1998 and the Emergency Management Act 2005.
 - b. To consider the post activity report of the annual emergency exercise and any report recommendations.
 - c. Consider strategic matters relating to the planning, compliance and implementation of the Federal and State Governments' airport security requirements as they relate to emergency situations.
 11. It is proposed that the Committee will convene as required, immediately following LEMC meetings.
 12. **Planning and Development Committee.** This proposed Committee would be a new Committee of Council. Given that planning and development issues constitute a large portion of the business of Council meetings, pre-consideration of Officer reports and issues by a Committee may assist better Council's deliberations at the Council meeting.
 13. The nature of the reports presented to this Committee would cover:
 - a. Planning matters (Scheme amendments, group developments, policy development, planning studies, non conforming applications);
 - b. Health issues (Liquor Licensing, Noise, Prosecutions); and
 - c. Building license requests (non conforming).
 14. The proposed Planning and Development Committee could consist of at least six members being one Councillor from each Ward as a minimum. It is also suggested that three–four members of the community (who would not regularly have conflicts of interest with the business under consideration) be invited to contribute as members representing different community views, to the Committee's deliberations.
 15. Executive Directors and other senior staff members would attend the meeting according to the business to be discussed.

16. It is proposed that the Planning and Development Committee meets on the fourth Tuesday of the month to allow sufficient time to prepare and collate papers for the Ordinary Council Meetings.
17. The Committee meetings would be open to the public, and members of the public could speak on matters listed on the agenda. This could further enhance public input, and debate and transparency of deliberations of planning and development matters. This would contribute to increased confidence in Council processes.
18. **Governance Committee** – a proposed new Committee of Council which would oversee the following functions:
 - a. Review of Council's policies;
 - b. Matters relating to supporting Elected Members;
 - c. Drafting changes or additions to existing or new local laws;
 - d. Preliminary consideration of the Council's draft Strategic Plan;
 - e. Preliminary consideration of the Council's draft Annual Report;
 - f. Matters pertaining to the conduct of the Council's Annual General Meeting;
 - g. Consideration of the proposed meeting schedule for Council and its Committees;
 - h. Receiving reports from Council representatives on outside bodies and from other bodies as determined by Council;
 - i. Considering matters not falling within the terms of reference of other Council committees.
 - j. Chief Executive Officer (CEO) Performance Appraisal.
19. Section 5.38 of the Act requires an annual review of the performance of the CEO.
20. It is proposed that the Chief Executive Officer would present reports to this Committee, either self-initiated or on the recommendation of Councillors, but once that business was finalised, the Chief Executive Officer would depart the Committee and Council would have "in camera" time to discuss issues as a Council team.
21. The proposed Governance Committee could consist of all members of Council who wish to nominate.
22. It is proposed that the Governance Committee meets at least two-monthly, on the first Tuesday of the month to allow sufficient time to prepare and collate papers for the Ordinary Council Meetings.

23. **Environment and Reserves Committee** – a proposed new Committee which would include the current functions of the Bush Carers Advisory Committee.
24. Currently the Bush Carers Advisory Committee is responsible for coordinating external assistance and resources to community bush care groups including:
 - a. Promote the value, conservation and management of bushland within the community.
 - b. Promote policy development for the protection and management of bush land.
 - c. Seek legislative changes for bush land protection.
 - d. Provide a forum and support to local groups, including funding, training and activities.
25. The Environment and Reserves Committee could be responsible for setting the strategic direction for developed and natural reserves in the care and control of the City of Albany, working in partnership with community groups who have the same objectives.
26. The proposed Environment and Reserves Committee could consist of four members of Council and three–four members of the environmental / bushcare community group representatives.
27. Senior City of Albany staff members would attend the meeting according to the business to be discussed.
28. It is proposed that the Environment and Reserves Committee meets at least quarterly on the second Tuesday of the month.
29. **Cultural and Community Development Committee** – a proposed new Committee which would consolidate the membership and current functions of the following Committees:
 - a. Aboriginal Advisory Committee (with the to-be-reviewed Indigenous Accord to be used as the platform for the Cultural and Community Development Committees considerations of issues in this area);
 - b. Albany Arts Development Committee;
 - c. Community Financial Assistance Committee;
 - d. Sports Person of the Year Judging Panel;
 - e. Premiers Australia Day Active Citizenship Award Committee;
 - f. Senior's Advisory Committee; and
 - g. Youth Advisory Committee.
30. This proposed Committee's role would be to:
 - a. Encourage the involvement of the community in the City of Albany's art and cultural development.
 - b. Provide strategic direction regarding development of community spaces, including the future and utilisation of the Town Hall, in partnership with other community spaces, including Albany Entertainment Centre, the proposed development at Discovery Bay and other community venues.

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- c. Provide a forum for the sharing of ideas and resources between the City of Albany and the community, and provide mutual support and assistance in developing and implementing public art and cultural activities in Albany.
 - d. Identify community development projects to seek funding for projects.
 - e. Community Development enhancement, including community safety, cultural diversity, civic awards and equality and access;
 - f. Consider services for special needs groups such as children, youth and older people;
 - g. Consider Sister City Relationships;
 - h. Facilitate Community, Cultural and Major Event Grants;
 - i. Facilitate Sports person of the year judging panel;
 - j. Facilitate the Premiers Australia Day Active Citizenship Award;
31. The proposed Cultural and Community Development Committee could consist of at least four members of Council and four members of the community with varied interests and/or representation from various community groups.
32. Senior City of Albany staff members would attend the meeting according to the business to be discussed.
33. It is proposed that the Cultural and Community Development Committee meets on the fourth Tuesday of the month.
34. **Marketing Albany Committee** – a proposed new Committee which would consolidate the membership and current functions of the Albany Tourism Marketing Advisory Committee (ATMAC) and the Streetscape Committee.
35. The proposed Committee's role would be to make recommendations to Council on matters pertaining to marketing Albany as a liveable and tourism destination, and to enhance economic development opportunities for Albany and the region, including enhanced tourism (as one significant economic development opportunity).
36. The composition of the Committee is proposed at:
- a. four Council members;
 - b. two tourism industry representatives from the community,
 - c. two business representatives from the Community, including the President or the Chief Executive of the Albany Chamber of Commerce and Industry;
 - d. a senior officer of the Great Southern Development Commission; and
 - e. a senior officer of local office of Regional Development Australia.
37. Senior City of Albany staff members would attend the meeting according to the business to be discussed.
38. It is proposed that the Marketing Albany Committee meets on the first Tuesday of the month.
39. It is proposed that involvement of Council Members in the following be ceased:

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- a. The Great Southern Motorplex Group Committee – it appears that this intended regional Committee has not progressed, with work on this initiative resting with the three clubs who have an interest in the Motorplex proceeding leading work on the matter. Currently appointed Council members have not attended for some time, although City Staff represent the City in discussions with the three clubs from time to time.
 - b. Great Southern Regional Recreation Advisory Group – this Group, with Department of Sport and Recreation appears to have been inactive for some time.
 - c. South Coast Management Group. As this is an operational Group, which currently appointed Council members have not attended for some time, although City Staff do, it is proposed that City staff only continue to represent the City on this Group.
 - d. Airport Users Focus Group Committee. It is proposed that the issues this Committee considered be consolidated into the Airport Transport Security Committee, and that City staff continue to meet separately with this group of stakeholders regarding User needs generally, as part of the master planning and ongoing operations of the Airport.
40. At the Albany Entertainment Centre Operational Committee meeting on 20 October 2011, on the request of the City's Chief Executive Officer, the Committee members discussed the composition and Terms of Reference of that Committee. The Committee believed that the current Committee should be amended, with revised Terms of Reference to reflect both strategic, operational and public relations' matters.
41. As such the Albany Entertainment Centre Operational Committee members, and in particular the Perth Theatre Trust, requested that two members of the Council be requested to join the to-be-created new Committee. Perth Theatre Trust will revise the existing Terms of Reference to reflect this new composition and objectives, which includes advocacy with the community and strategic purpose.

GOVERNMENT CONSULTATION

42. Nil

PUBLIC CONSULTATION / ENGAGEMENT

43. Nil

STATUTORY IMPLICATIONS

44. The following Committees have a statutory requirement for establishment:
- Local Emergency Management Committee (LEMC)
 - Airport Emergency Committee
 - Airport Security Committee
 - Governance Committee, in so far as the function of appraising the performance of the Chief Executive Officer
45. In accordance with section 5.11(1)(d) of the *Local Government Act 1995*, a person's membership of a Committee continues until the next ordinary election. Therefore, all Committee members will be appointed after the 15 October 2011 ordinary election, and remain members until the 2013 ordinary election.

STRATEGIC IMPLICATIONS

46. The introduction and trial a new committee structure directly links to the City's Vision and Values (2011-2021), being: Results: Strive for business excellence and continuous improvement.

Key Focus Areas

- **Community Priorities:** Policy and procedures
- **Proposed Strategies:** Regularly review all policies in consultation with community and key stakeholders.

POLICY IMPLICATIONS

47. The introduction of the new committee structure will amend associated policies and terms of reference.

RISK IDENTIFICATION & MITIGATION

48. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council does not support the proposed committee structure</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>The proposed committee structure will be further reviewed and resubmitted to a future Council meeting.</i>

FINANCIAL IMPLICATIONS

49. Committee meetings will be advertised where appropriate, and the cost of preparing local public notices will be undertaken by the Office of the CEO using staff resources within existing budget lines.

LEGAL IMPLICATIONS

50. There are no legal implications related to this item except for compliance with specific provisions of the *Local Government Act 1995*, including Subdivision 2 – Committees and their meetings.

ALTERNATE OPTIONS

51. Council can continue to with existing Committee structures, or create different Committees to that proposed.

Consulted References	<i>Local Government Act 1995</i>
File Number (Name of Ward)	All Wards
Previous Reference	OCM 11/10/2011 Item 1.8