



GOVERNANCE COMMITTEE

AGENDA

for the meeting held from 8.00pm on Monday 26 March 2012,
in the Margaret Coates Boardroom, City Office, North Road, Albany

(File Ref: CM.MEE.6)

Terms of Reference: *The Committee is established under section 7.1A of the Local Government Act 1995 (the Act) and its Regulations. The Committee does not have any delegated authority from Council.*

1.0 ATTENDANCE

Mayor	D Wellington
Councillors:	
R Hammond	Member
D Bostock	Member
S Bowles	Member
V Calleja	Member
G Gregson	Member
A Hortin	Member
G Stocks	Member
R Sutton	Member
C Holden	Member
C Dowling	Member
Staff:	
Chief Executive Officer	F James
Apologies/Leave of Absence:	
Y Attwell	Member
D Dufty	Member

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

ITEM 2.0: DRAFT COMMITTEE RESOLUTION

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR HAMMOND**

The unconfirmed minutes of the Governance Committee meeting held on 14 February 2012, as previously distributed, be confirmed as a true and accurate record of proceedings.

CARRIED 11-0

3.0 ITEMS FOR DISCUSSION

3.1 RESIGNATION OF WARREN MARSHALL AS MEMBER OF PLANNING AND DEVELOPMENT COMMITTEE

Mr Warren Marshall was appointed as a member of the Planning and Development Committee at the Ordinary Meeting of Council held on 21 February 2012. Mr Marshall has now tendered his resignation from this Committee, stating that he would be unable to meet the minimum attendance requirements of the Committee in the coming year.

Council may wish to appoint another member of the Community to this Committee. Mr Rod Harris is the only community member currently sitting on this Committee. Council may choose to appoint a candidate who has previously applied (other Applications again enclosed), or to advertise for new Expressions of Interest.

Readvertising for new Expressions of Interest will delay appointment, and incur advertising expense and additional staff time in collating new applications.

ITEM 3.1: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CALLEJA**

THAT no further external members be appointed to the Planning and Development Committee, and the Terms of Reference for this committee be amended to reflect this.

CARRIED 10-1

Record of Vote

Against the Motion: Councillor Bostock

3.2 MARKETING ALBANY COMMITTEE MEMBERSHIP

At its February 2012 meeting the Committee agreed on non-Councillor Committee membership to the Marketing Albany Committee. Unfortunately, Rod Harris's application to the Marketing Albany Committee was not considered (it was attached to his application to the Planning and Development Committee, and overlooked in the collation, although provided to Councillors as part of the entire Committee membership papers). Applications from Mr Harris enclosed for convenience.

If the Committee wishes Council to appoint Mr Harris to the Marketing Albany Committee, Council would need to:

1. Amend the membership of the Marketing Albany Committee
2. Appoint Mr Harris to that membership

ITEM 3.2: COMMITTEE RECOMMENDATION

**MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR SUTTON**

THAT:

1. The Terms of Reference for the Marketing Albany Committee be amended to increase the non-Council membership by one.
2. Mr Rod Harris be appointed as a member to the Marketing Albany Committee.

CARRIED 11-0

3.3 COUNCIL REPRESENTATIVE ON THE SOUTH COAST MANAGEMENT GROUP COMMITTEE

Councillor Bowles has expressed interest in representing Council on the SCMG Committee. Such Councillor membership would be welcomed by that Committee. Presently a junior staff City of Albany member attends the Committee meeting, and the CEO has committed to attend future meetings when possible.

Copies of the last three SCMG Committee meeting minutes are attached, regarding the membership of, and the business considered by, that Committee.

Given Councillor Bowles' willingness to serve on this Committee as a representative of Council, and the Committee's keenness to have a City of Albany Councillor, it would be advantageous to appoint Councillor Bowles to the SCMF Committee.

ITEM 3.3: COMMITTEE RECOMMENDATION

**MOVED: MAYOR WELLINGTON
SECONDED: COUNCILLOR HORTIN**

That the Committee recommend to Council that it appoint Councillor Bowles to represent it on the South Coast Management Group Committee.

CARRIED 11-0

3.4 TERMS OF REFERENCE: COMMITTEE MEMBERSHIP ATTENDANCE REQUIREMENT

At its December 2011 meeting the Committee agreed that non-Council-member Committee members who do not attend three consecutive meetings without an approved leave of absence from the Committee should be removed as a Committee member. The CEO was requested to change the Terms of Reference of Committees to reflect that.

As the Terms of Reference are endorsed by Council, the changes to the Terms of Reference need endorsement by Council.

ITEM 3.4: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR HOLDEN**

That the Committee recommend to Council that it amended all Council Committee Terms of Reference to include a clause that:

Should a non-Council-member Committee member not attend three consecutive Committee meetings without an approved leave of absence from the Committee, that Committee member will automatically be removed as a Committee member.

CARRIED 11-0

3.5 COMMITTEE FUNCTIONING AND RECOMMENDATIONS VERSUS COUNCIL MEETING DECISION MAKING

The Deputy Mayor has raised concerns about the efficacy of operating under a non-delegated decision-making Committee framework, versus Council meetings occurring more regularly (for example every 2 -3 weeks) to process Council business.

Council has the option to disband some or all of its Committees, and or meet more regularly as a Council. While staff “servicing” of Committees (even though the number of Committees is considerably reduced to previous years) incurs resource costs to the City, it is recommended that, given:

- a community advertising process for community members involvement in Council Committees was only recently undertaken, and
- community members have been formally notified of their successful appointment to those Committees,

It could lead to poor community public relations to disband the Committees now or in the near future, without giving the Committees an opportunity to undertake their endorsed roles. It is recommended that the Committee model of undertaking Council work be given a trial of at least six months, and preferably longer.

One issue Executive staff are concerned about regarding the Committee framework is raising expectations of Committee members, particularly non-Councillor members, that the Committee has a budget allocation to undertake “projects” which the Committee is passionate. Given the current budget, and the hard budgetary decisions that will need to be made in the 2012-13 budget, it is unlikely there will be little, if any, discretionary project funding for Committee recommendations implementation. If Council wishes to provide Committees with capacity to lead “projects” (from a governance perspective), then it must make allowance for that in the upcoming budget, or alternatively, make it very clear to all Committees (through the Committee Chair) that the Committee’s objective is to provide strategic and high-level operational advice to Council.

If Council is concerned about the amount of work it has before it at Council meetings, it could resolve to hold more frequent Council meetings. This will incur addition staff and other expenses in holding more frequent Council members.

ITEM 3.5: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR DOWLING
SECONDED: COUNCILLOR GREGSON**

THAT the following Committees of Council meetings be held quarterly:

1. Cultural and Community Development
2. Seniors Committee
3. Marketing Albany Committee

The Terms of Reference for those Committees to be amended accordingly.

CARRIED 11-0

3.6 NAME OF WARD-FREDERICKSTOWN

For a long time the accepted and commonly used spelling of “Frederickstown” has been used for the ward name within the City of Albany. This has included advertising for elections using “Frederickstown” as the accepted spelling.

However, the name “Fredrickstown” was gazetted in the Government Gazette, 15 January 1999. The Electoral Commission has brought to the City’s CEO’s attention the incorrect use by the City of the ward name, Frederickstown.

Council can seek to have the gazetted name changed at law, or move to using the 1999 gazetted name in the future. If Council wishes to seek to have the gazetted name changed, there will be some (small) costs regarding advertising and other legislative processes that may need to be undertaken.

The Committee requested that no further action be taken to address this matter.

4.0 ITEMS TO BE DISCUSSED AT NEXT MEETING

4.1 Local Law Meeting Process Update

5.0 GENERAL DISCUSSION (in the absence of staff).

6.0 DATE OF NEXT MEETING: 23 April 2012

7.0 CLOSURE OF MEETING