

18/06/2013

AMENDED REPORT

\*\*REFER DISCLAIMER\*\*

## 1.4: NEW STANDING COMMITTEES OF COUNCIL

<b>Attachments</b>	:	<ul style="list-style-type: none"> <li>• Council Policy – Governance Meeting Framework</li> <li>• Standing Committee's Terms of Reference (TOR)</li> <li>• Local Emergency Management Committee TOR</li> <li>• Airport Emergency Management Committee TOR</li> <li>• Bushfire Advisory Committee TOR</li> </ul>
<b>City of Albany Website:</b>	:	Council Policy - Governance and Meeting Framework.
<b>Responsible Officer(s)</b>	:	Chief Executive Officer (Graham Foster)

### IN BRIEF

- Dissolve current committee structure and establish new Standing Committees (Committees of Council), including reclassification of some to Working Groups.
- Note the new committee structure will reduce Standing Committees and provide a medium for strategic issues previously presented to committees that are now dissolved:
  - (1) **Community Services Committee** (replacing the Cultural Development Committee, Seniors Committee) and none active committees such as the Aboriginal Advisory Committee, Albany Arts Development Committee, Community Financial Assistance Committee, Airport Users Focus Group Committee, Premiers Australia Day Active Citizenship Award Committee, Youth Advisory Committee, ALAC Presidents Strategic Forum, Albany Centenary of Anzac Alliance Committee)
  - (2) **Works & Services Committee** (replacing the Environment & Reserves Committee which as formally known as the Bush Carers Advisory Committee, and none active committees such as the Streetscape Committee and Wilson Inlet Management Advisory Group),
  - (3) **Corporate Services and Finance Committee** (replacing the Governance Committee, and none active Service Complaint Internal Review Committee and Finance Strategy Committee)
  - (4) **Economic Development Committee** (replacing the Marketing Albany Committee, formally known as the Tourism Marketing Advisory Committee)
  - (5) **Planning and Development Committee** (replacing the old committee of the same name with new terms of reference);
  - (6) **Audit and Risk Committee** (replacing the Audit & Finance Committee). Note that it is a statutory requirement to have an Audit Committee.
- Note: There is a statutory requirement to have a **Local Emergency Management Committee (LEMC)** . Therefore the LEMC will remain however not have the Bush Fire Advisory Group (BFAG) report as a sub-committee.
- Note: The Volunteer Bush Fire Brigade Members have requested that the **Bushfire Advisory Committee** (Sub-Committee), be reinstated as a standing committee (committee of council) and report directly to Council. This meeting will only be called to address strategic matters.

18/06/2013

**AMENDED REPORT**

\*\*REFER DISCLAIMER\*\*

**RECOMMENDATIONS****ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION 1****VOTING REQUIREMENT: ABSOLUTE MAJORITY****THAT Council:**

- (1) ENDORSE the proposed Standing Committees of Council Structure.**
- (2) DISSOLVE the following Committees of Council (Standing Committees), with Community Representation transitioning to the appropriate Standing Committee or Working Group:**
  - (a) Cultural Development Committee,**
  - (b) Environment & Reserves Committee.**
  - (c) Governance Committee.**
  - (d) Marketing Albany Committee.**
  - (e) Planning and Development Committee.**
  - (f) Seniors Committee.**
  - (g) Audit & Finance Committee.**
- (3) RE-CLASSIFY the following Committees of Council (Standing Committees) as Working Groups:**
  - (a) Seniors Advisory Committee**
  - (b) Environment & Reserves Committee**
- (4) ADOPT the new Standing Committees of Council Terms of Reference as detailed in the report.**
- (5) AMEND the Council Policy - Governance and Meeting Framework accordingly.**

*Note: Prior to appointing members to the listed Committees, nominations will be called by the Presiding member.*

18/06/2013

**AMENDED REPORT**

\*\*REFER DISCLAIMER\*\*

**ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION 2**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council:**

- (a) **APPOINT** the following elected members to the associated standing committees of Council:

<i>Standing Committee Title (Committee of Council)</i>	<i>Elected Member Name</i>	<i>Ward Represented</i>
<i>Economic Development</i>		
<i>Economic Development</i>		
<i>Works &amp; Services</i>		
<i>Planning &amp; Building</i>		
<i>Community Services</i>		
<i>Corporate Services and Finance</i>		

18/06/2013

AMENDED REPORT

\*\*REFER DISCLAIMER\*\*

**ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION 3  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council:**

- (a) **REINSTATE** the Bushfire Advisory Committee as a Standing Committee of Council.
- (b) **ADOPT** the new Bushfire Advisory Committee Terms of Reference as detailed in the report.
- (c) **APPOINT** the following elected member(s) to the Committee:
- \_\_\_\_\_
- \_\_\_\_\_
- (d) **APPOINT** the following positions to the Committee:
- **Chief Bush Fire Control Officer**
  - **Deputy Chief Bush Fire Control Officer (North East Sector)**
  - **Deputy Chief Bush Fire Control Officer (South West Sector)**
  - **Senior Fire Control Officer (North East Sector)**
  - **Senior Fire Control Officer (South West Sector)**
  - **Chair of the Bush Fire Advisory Group**

**BACKGROUND**

1. It is acknowledged that the current committee structure made it difficult to define:
  - a. a Committee's purpose;
  - b. how it adds to the achievement of the Strategic Plan;
  - c. who is accountable for the development and monitoring of the agreed strategies;
  - d. how particular decisions are made; or
  - e. how the community can contribute to the 'conversation' about mater that affect them.
2. Noting that Committees are a decision making tool, not an end in themselves. They, too, should be structured in a way that provides two-way information and assists in the delivery of the Strategic Plan.

**DISCUSSION**

3. It is proposed that Council consider a reduction in the number of standing committees and the creation of a standing committee structure that reflects the key result areas identified in the Strategic Plan.
4. The Strategic Plan Key Result Areas, developed by Council with the Community, are:
  - a. Smart, Prosperous and Growing (Economic Development)
  - b. Clean and Green (Works & Services)
  - c. A Liveable Built Environment (Planning & Building)
  - d. Our Sense of Community (Community Services)
  - e. Civic Leadership (Corporate Services and Finance)

**AMENDED REPORT**

\*\*REFER DISCLAIMER\*\*

5. To ensure that representation is evenly maintained it is recommended that Council give consideration to the inclusion of one Ward representation on each Committee and that Committee taking responsibility for reporting to the whole of Council with recommendations on the matters it considers.
6. The purpose of each proposed committee is defined in the Terms of Reference (TOR):
- a. **ECONOMIC DEVELOPMENT COMMITTEE - TOR.** The Economic and Development Committee will be responsible for:
- Considering and recommending to Council ways to strengthen the local Albany economy; and
  - Delivering the following Smart, Prosperous and Growing Objectives contained in the City of Albany Strategic Plan:
    - (1) To foster links between education, training and employment that support economic development.
    - (2) To strengthen our region's economic based.
    - (3) To develop and promote Albany as a unique and sought after visitor destination.
  - It will achieve this by:
    - (4) Developing policies and strategies;
    - (5) Establishing ways to measure progress;
    - (6) Receiving progress reports;
    - (7) Considering officer advice;
    - (8) Debating topical issues;
    - (9) Providing advice on effective ways to engage and report progress to the Community ; and
    - (10) Making recommendations to Council.
  - Chairperson: To be elected **from** the Committee.
  - Membership: One elected member from each Ward.
  - Meeting Schedule: As required.
  - Meeting Location: To be advised.
  - Executive Officer: CEO or nominee.
  - Delegated Authority: None.
- b. This committee will replace the ***Marketing Albany Committee***
- c. **WORKS & SERVICES COMMITTEE - TOR.** The Works & Services Committee will be responsible for the delivery of the following Clean and Green Objectives contained in the City of Albany Strategic Plan:
- (1) To protect and enhance our pristine natural environment;
  - (2) To promote environmental sustainability;
  - (3) To promote our region as clean and green.

**AMENDED REPORT**

\*\*REFER DISCLAIMER\*\*

- It will achieve this by:
  - (4) Developing policies and strategies;
  - (5) Establishing ways to measure progress;
  - (6) Receiving progress reports;
  - (7) Considering officer advice;
  - (8) Debating topical issues;
  - (9) Providing advice on effective ways to engage and report progress to the Community ; and
  - (10) Making recommendations to Council.
  
- Chairperson: To be elected **from** the Committee.
- Membership: One elected member from each Ward.
- Meeting Schedule: As required.
- Meeting Location: To be advised.
- Executive Officer: CEO or nominee.
- Delegated Authority: None.
  
- d. This Committee will replace the **Environment and Reserves Committee**
  
- e. **PLANNING AND DEVELOPMENT COMMITTEE - TOR.** The Planning and Development Committee will be responsible for the delivery of the following Liveable Environmental Objectives contained in the City of Albany Strategic Plan:
  - (1) To advocate, plan and build connected, liveable communities;
  - (2) To create a community that supports people of all ages and backgrounds;
  - (3) To create vibrant neighbourhoods which are safe yet retain our local character and heritage.
  
- It will achieve this by:
  - (4) Developing policies and strategies;
  - (5) Establishing ways to measure progress;
  - (6) Receiving progress reports;
  - (7) Considering officer advice;
  - (8) Debating topical issues;
  - (9) Providing advice on effective ways to engage and report progress to the Community ; and
  - (10) Making recommendations to Council.
  
- Chairperson: To be elected **from** the Committee.
- Membership: One elected member from each Ward.
- Meeting Schedule: As required.
- Meeting Location: To be advised.
- Executive Officer: CEO or nominee.
- Delegated Authority: None.
  
- f. This Committee will replace the current Planning and Development Committee,

## AMENDED REPORT

\*\*REFER DISCLAIMER\*\*

- g. **COMMUNITY SERVICES COMMITTEE - TOR.** The Community Services Committee will be responsible for the delivery of the following Sense of Community Objectives contained in the City of Albany Strategic Plan:
- (1) To build resilient and cohesive communities with a strong sense of place and community spirit;
  - (2) To create interesting places, spaces and events that reflect our community's identity, diversity and heritage
  - (3) To develop and support an inclusive and accessible community.
- It will achieve this by:
    - (4) Developing policies and strategies;
    - (5) Establishing ways to measure progress;
    - (6) Receiving progress reports;
    - (7) Considering officer advice;
    - (8) Debating topical issues;
    - (9) Providing advice on effective ways to engage and report progress to the Community ; and
    - (10) Making recommendations to Council.
    - Chairperson: To be elected **from** the Committee.
    - Membership: One elected member from each Ward.
    - Meeting Schedule: As required.
    - Meeting Location: To be advised.
    - Executive Officer: CEO or nominee.
    - Delegated Authority: None.
- h. This Committee will replace the ***Cultural Development Committee*** and ***Seniors Advisory Committee***.
- i. The Seniors Committee can continue to meet as a working group and report to the Cultural Development Committee.
- j. **CORPORATE SERVICES AND FINANCE COMMITTEE - TOR.** The Corporate Services and Finance Committee will monitor and comment on the financial health and strategies of Council and will be responsible for the delivery of the following Civic Leadership Objectives contained in the City of Albany Strategic Plan:
- (1) To establish and maintain sound governance structures;
  - (2) To provide strong, accountable leadership supported by a skilled and professional workforce;
  - (3) To engage effectively with our community.
- It will achieve this by:
    - (4) Monitoring and commenting on the financial health and strategies of Council;
    - (5) Developing policies and strategies;
    - (6) Establishing ways to measure progress;
    - (7) Receiving progress reports;
    - (8) Considering officer advice;
    - (9) Debating topical issues;
    - (10) Providing advice on effective ways to engage and report progress to the Community ; and
    - (11) Making recommendations to Council.

## AMENDED REPORT

\*\*REFER DISCLAIMER\*\*

- Chairperson: To be elected **from** the Committee.
  - Membership: One elected member from each Ward.
  - Meeting Schedule: As required.
  - Meeting Location: To be advised.
  - Executive Officer: CEO or nominee.
  - Delegated Authority: None.
- k. This Committee will replace the **Governance Committee**.
- l. **AUDIT AND RISK COMMITTEE - TOR.** The Audit and Risk Committee will be responsible for assisting Council discharge its responsibilities with regard to the exercise of due care, diligence and skill in relation to:
- (1) the reporting of financial information, the application of accounting policies, and the management of the financial affairs of the City; and
  - (2) the assessment of the adequacy of the management Risk.
- It will achieve this by:
    - (3) Audit:
      - (i) Considering and approving the brief for the provision of audit services;
      - (ii) Evaluating the responses to the request for the provision of audit services and to make a recommendation to Council on the appointment of an auditor;
      - (iii) Meeting with Council's external auditors and review the Audit Plan prior to the conduct of the interim audit each year;
      - (iv) Ensuring that the audit is being conducted in accordance with the brief and the terms of appointment and that matters of concern to the Council and/or the Committee are being addressed;
      - (v) Ensuring that the Council's financial affairs and systems and processes are being managed and reported in accordance with statutory requirements and Australian Accounting Standards;
      - (vi) Ensuring that relevant financial information is reported to Council in a form that meets the needs and expectations of Council, clearly setting out the key relevant financial data, such that the Council can confidently understand the financial performance of the Council's affairs;
      - (vii) Reviewing the audit report and make appropriate recommendations to Council; and
      - (viii) Where appropriate and with the approval of Council seek advice and/or assistance in relation to matters pertaining to the audit or financial affairs of the City.
    - (4) Risk Management.
      - (ix) At least once every year consider a report in relation to the management of risk within the City of Albany and satisfy itself that appropriate controls and processes are in operation, and are adequate for dealing with the risks that impact on the City.
      - (x) To address any specific requests referred to it from Council in relation to issues of risk and risk management.



18/06/2013

**AMENDED REPORT**

\*\*REFER DISCLAIMER\*\*

- Chairperson: To be elected **from** the Committee.
- Membership: One elected member from each Ward.
- Meeting Schedule: As required.
- Meeting Location: To be advised.
- Executive Officer: CEO or nominee.
- Delegated Authority: None.

m. This Committee will replace the ***Audit and Finance Committee***.

7. The following standing committees (committees of council) will remain with modification:

- a. **Local Emergency Management Committee (LEMC)** and the **Airport Emergency Committee** to continued to operate as a subcommittee to the LEMC. Noting the LEMC is established under legislation, by the local government to overview, plan and test the local community emergency management arrangements. The LEMC is immediately followed by the Airport Emergency Committee (sub-committee of the LEMC), with both Committees being convened every three months.
- b. **Bushfire Advisory Committee.** The City of Albany currently provides administrative support to a Bushfire Management Committee and Bush Fire Advisory Group with no elected member representation.
- c. In 2011 these two committees were disbanded as standing committees of Council, and transitioned to being managed as operational working groups of LEMC, with 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.
- d. These operational committees consider issues such as:
  - (i) the operational planning and maintenance of fire-breaks across the district;
  - (ii) the preparedness of the City in regards to its obligations under the *Bush Fires Act 1954*;
  - (iii) the operational effectiveness and efficiency of bushfire brigades
- e. Noting that Council delegates through appointment the responsibility for the City's Volunteer Bushfire Brigades to the Chief Executive Officer (administrative logistic support) and command and control (operations) through the appointment of a Chief Bushfire Control Officer.
- f. At the City's Volunteer Bushfire Brigade Advisory Group meeting held on 23 May 2013, the group requested:
 

*Council is requested to re- establish the Bushfire Management Advisory Committee.*

  - *Terms of Reference: Review decisions of the Bushfire Advisory Group and provide advice on Bush Fires Act 1954.*
  - *That the Bushfire Management Advisory Committee report directly to Council, not through the Local Emergency Management Committee (LEMC).*
- g. A copy of the proposed Terms of Reference is attached with an elected member representative being requested.

18/06/2013

AMENDED REPORT

\*\*REFER DISCLAIMER\*\*

**GOVERNMENT CONSULTATION**

8. The following legislation and Department of Local Government Guidelines was consulted:
- The Local Government Act 1995
  - Department of Local Government Guideline – Audit Committees in Local Government , Their Appointment, Function and Responsibilities;
  - Department of Local Government Guideline – Council Forums;

**PUBLIC CONSULTATION / ENGAGEMENT**

9. Public consultation was conducted in formulating the Strategic Plan.
10. The request to re-establish the Bushfire Advisory Committee as a standing committee of Council as requested at the City's Volunteer Bushfire Brigade Advisory Group meeting held on 23 May 2013.

**STATUTORY IMPLICATIONS**

11. Division 2, Part 5 of the Local Government 1995 deals with Council Meetings, committees and their meetings.
12. For the purposes of Section 5.98 (2) of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, Section 32 (1) (c) and 32 (2), travel and child care cost are reimbursable in full for attendance at all meetings and briefings provided for in this policy as well as site inspection visits arising from agenda briefing requests..

**STRATEGIC IMPLICATIONS**

13. The introduction of the new standing 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**

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

**RISK IDENTIFICATION & MITIGATION**

15. 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>

18/06/2013

**AMENDED REPORT****\*\*REFER DISCLAIMER\*\*****FINANCIAL IMPLICATIONS**

16. The cost to implement the recommendations involves improvements to processes, reporting benchmarks and the completion of key strategic documents which will be undertaken by the Directorate using existing staff resources within existing budget lines.

**LEGAL IMPLICATIONS**

17. 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**

18. Council can continue to use the existing structure, or create different Committees to that proposed.

<b>Consulted References</b>	:	Local Government Act 1995
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	OCM 15/11/2011 Item 1.5 OCM 11/10/2011 Item 1.8