



## COUNCIL COMMITTEES POLICY

POLICY TYPE	POLICY ADOPTED	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):										
Council	22 July 2019	153/19	D594835										
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW										
General Manager	General Manager	5.3.4 – Ensure effective administration and operation of Council's committees	July 2021										
<b>PURPOSE</b>	<p>To provide information and guidance in relation to Committees established by Council in accordance with Section 23 of the <i>Local Government Act 1993</i>.</p> <ol style="list-style-type: none"> <li>Council operates its decision-making process around a formalised Committee structure.</li> <li>This Policy covers the meeting schedule of Council and its Section 23 Committees, the structure of Committees, and delegations by Council to the Committees incorporating respective areas of responsibility.</li> </ol>												
<b>SCOPE</b>	<p>This Policy applies to all meetings of Council's established Section 23 Committees which will be utilised to formulate decisions on specific areas of its operations for Council's ratification except in cases where a delegation has been provided for the Committee to make a determination.</p>												
<b>POLICY</b>	<p>The usual meeting schedule will be as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #4f81bd; color: white;"> <th style="text-align: left;">Meeting Format</th> <th style="text-align: left;">Frequency</th> </tr> </thead> <tbody> <tr> <td><b>Planning Authority Committee</b></td> <td>Mondays (when required).</td> </tr> <tr> <td><b>Infrastructure, Works &amp; Development Committee</b></td> <td>Bi-monthly – 2<sup>nd</sup> Monday</td> </tr> <tr> <td><b>Governance, Finance and Community Services Committee</b></td> <td>Bi-monthly – 3<sup>rd</sup> Monday</td> </tr> <tr> <td><b>Workshops</b></td> <td>1<sup>st</sup> Monday (additional workshop convened on an as needed basis)</td> </tr> </tbody> </table> <p>Note: When a meeting falls on a public holiday, it will normally be postponed to the next available working day. The Chairman of a Committee in consultation with the General Manager can alter the date and time of scheduled meetings.</p> <ol style="list-style-type: none"> <li><b>Committee Functions:</b> A guide to the roles and functions of Section 23 Committees are outlined in Attachment 1.</li> <li><b>Delegations by Council to Council Committees:</b> Pursuant to Section 22(1) of the <i>Local Government Act 1993</i>, Council delegates the following powers and functions to the following Section 23 Committees, subject to the following:             <ol style="list-style-type: none"> <li>Any Councillor who is not a member of the Council Committee may, before commencement of discussion of the item by at least verbal notification to the Chairman of the Committee, or to the General Manager four hours prior to the advertised commencement time of the Committee, require that an item on the agenda, which would be determined by the Committee</li> </ol> </li> </ol>			Meeting Format	Frequency	<b>Planning Authority Committee</b>	Mondays (when required).	<b>Infrastructure, Works &amp; Development Committee</b>	Bi-monthly – 2 <sup>nd</sup> Monday	<b>Governance, Finance and Community Services Committee</b>	Bi-monthly – 3 <sup>rd</sup> Monday	<b>Workshops</b>	1 <sup>st</sup> Monday (additional workshop convened on an as needed basis)
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under delegated authority, to be referred to Council. That item shall then be determined by Council at its next ordinary meeting or at a special meeting held to determine that matter.

- b) With the exception of the Planning Authority Committee, an item may only be determined under delegated authority if the determination is in accordance with the recommendation detailed within the agenda. For the purposes of this clause, where the recommendation is for approval, a delegated decision to approve an item unconditionally or subject to conditions which differ from those detailed in the recommendation (if any), shall be taken as nevertheless being in accordance with that recommendation.

#### **Infrastructure, Works and Development Committee**

- a) To accept tenders for activities related to the functions of the Committee only to the extent of the estimates for the current financial year as adopted by Council.

#### **Planning Authority Committee**

- a) To exercise all of Council's functions and powers as a Planning Authority under the *Land Use Planning and Approvals Act 1993*, including all functions and powers contained in any planning scheme and special planning orders.
- b) To exercise all of Council's functions and powers as a Planning Authority under the *Historic Cultural Heritage Act 1995*.
- c) To exercise all of Council's functions and powers under Part 3 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.
- d) To exercise all of Council's powers to determine all matters brought before the Committee in compliance with the scope of matters as determined by this Policy.

### **3. Guidelines:**

- 3.1. Council will use an effective Section 23 Committee system to conduct its business and will endeavour to avoid deferring decisions.
- 3.2. A quorum for each committee is the simple majority of such numbers of Councillors who are members of the Committee.
- 3.3. The membership of the Committee shall be in accordance with this Policy.
- 3.4. Councillors who are not members of a Committee are able to attend any Committee meeting with the right to speak in accordance with *the Local Government (Meeting Procedures) Regulations 2015* and this Policy, but will not have voting rights.
- 3.5. In relation to appointment to Committees, Councillors will be given the opportunity to formally indicate a first and second preference for membership. As far as practicable, a Councillor's preferences will be taken into account. Where there is an excess of Councillors selecting to be members of a particular Committee, the matter will be determined by Council by formal vote.
- 3.6. The appointment of the Committee Chairman will be the responsibility of Council. Where more than one Councillor nominates for the position, then a ballot of all Councillors will be conducted.

	<p>3.7. In circumstances where the Chairman is absent from a Committee meeting, either the Mayor or Deputy Mayor (if they are members of that Committee) will assume the role of Chairman for that meeting. If the Mayor or Deputy Mayor are not members of that Committee, the members of the Committee will appoint a member as Acting Chairman for the meeting.</p> <p>3.8. A scheduled Committee meeting may be postponed / rescheduled / cancelled by the General Manager following consultation with Chairman of the Committee.</p> <p><b>4. Communication</b></p> <ul style="list-style-type: none"> <li>• Members of the public</li> <li>• Devonport City Council staff</li> </ul>			
<b>LEGISLATION AND RELATED DOCUMENTS</b>	<p><i>Local Government Act 1993 (Sections 22 and 23)</i>  <i>Local Government (Meeting Procedures) Regulations 2015</i>  All Section 23 Committee meetings will operate under the provisions of the <i>Local Government (Meeting Procedures) Regulations 2015</i>. In accordance with Section 37 of those Procedures, a Councillor may speak up to three times during debate on a matter listed on the agenda.</p>			
<b>ATTACHMENT/S (IF APPLICABLE)</b>	Appendix 1 – Council Committees			
<b>TRAINING REQUIREMENTS (IF APPLICABLE)</b>	Is training required as a result of this Policy		YES	NO
	Training required by	<b>Councillors</b>	Staff	<b>Department</b>

### Planning Authority Committee ( 6 Councillors)

- Statutory Planning Authority responsibilities
- Development Applications
- Subdivision Approvals
- Planning Scheme Amendments
- Legal matters related to Statutory Planning
- Planning Appeals

### Infrastructure, Works & Development Committee ( 6 Councillors)

#### Infrastructure & Works

- Asset Management Program (forward planning and maintenance)
- Capital Works
- Roads, Footpaths and Cycleways
- Streetscape Design (incl. lighting, signs, furniture, vegetation)
- Stormwater Management
- Traffic Management
- Waste Management
- Sporting Grounds and Facilities
- Recreation Reserves (incl. playgrounds, parks and gardens)
- Public Buildings (incl. public halls, toilets)
- Tracks and Trails
- Marine Structures (incl. jetties, boat ramps)
- Recreation and open space planning

#### Development Services

- Fire Hazards
- Public Health
- Building Control
- Compliance and Enforcement
- Animal Control

### Governance, Finance and Community Services Committee ( 6 Councillors)

- Strategic and Operational Plans
- Corporate Communication
- Human Resources
- Partnerships
- Risk Management and Insurances
- Information Technology
- Budget Management
- Economic Development
- Property Management
- Parking
- Financial Strategy and Management
  - Revenue and Rating
  - Grants
  - Loan Borrowing
  - Compliance
  - Related Policies
  - Financial Reporting
- Community & Cultural Development
- Community Information & Engagement
- Social Inclusion
- Health and Wellbeing
- Arts, Culture & Events
- Tourism, Marketing and Visitor Services
- Section 24 Special Committee Reporting
- Emergency Management & Community Safety
- Natural Resource Management