

**REPORT TITLE: COUNCIL COMMITTEES REVIEW AND GOVERNANCE MATTERS**

**REPORT PROVIDED BY:** General Manager

**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to present a number of proposed variations to the structure and delivery of the Council's committee framework, together with changes to a number of meeting procedures which will refine current practices and enhance the opportunity for community input.
- 1.2. The provision of an effective and relevant framework for the conduct of meetings of the Council and its committees provides for good governance of the City of Hobart, both for its community and the organisation.

**2. Report Summary**

- 2.1. The existing committee structure involves the scheduling of meetings on specific days of the week, within a monthly meeting cycle. This approach has been in place for many years and has generally served the Council's needs well.
  - 2.2. Changes over time in community expectations and a growing interest in the business of local government, together with a shift in the profile of representation on the Council have created the opportunity to review the structure to ensure that it is relevant and efficient for the Council now and into the future.
  - 2.3. The majority of Aldermen discussed their preferred approach to the structure and scheduling of meetings and a range of related governance issues, at a Council workshop conducted in May.
  - 2.4. This report is based around the preferred outcomes from that forum including an a realignment of committees and an alternative approach to the scheduling of workflow through the Council's committees, which will take up fewer days of each month.
  - 2.5. The report also addresses a number of governance matters around Council and committee meetings which will improve the opportunity for public participation and streamline existing processes.
  - 2.6. It is anticipated that the changes proposed in this report will deliver operational efficiencies over time, within the monthly Council and committee cycle.
    - 2.6.1. After the initial adaptation process the gains should include:
      - shorter Council meetings;
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- a focus on discussion at the committee level;
- smaller agendas overall with the move to a strategic and policy focus;

smoother operational capacity within the administration.**3. Recommendation**

***That:***

- 1. The Council confirm its strategic and policy focus in respect to business matters submitted for committee and Council determination.***
  - 2. With the exception of the City Planning Committee, the Council's existing committees be disbanded, effective as at 30 November 2016.***
  - 3. In lieu of the disbanded committees, the Council utilise the following strategic priority areas listed in its Strategic Plan as the basis for the reporting structure for business requiring consideration at committee or Council level:***
    - 3.1. Economic Development, Vibrancy and Culture;***
    - 3.2. Urban Management;***
    - 3.3. Environment and Natural Resources;***
    - 3.4. Strong, Safe and Healthy Communities; and***
    - 3.5. Governance***
  - 4. Each priority area be established as a committee, and in the interest of good governance, the Council appoint chairmen to each.***
  - 5. All Aldermen be members of each of the newly established committees.***
  - 6. In recognition of the specific Planning Authority role of the City Planning Committee, it remain in place and retain its Terms of Reference and five member composition***
  - 7. Terms of Reference be drafted for the newly established committees which:***
    - 7.1. Emphasise the strategic and policy focus for committees and Council going forward; and***
    - 7.2. Maximise opportunities for increased delegations to committees in light of their membership comprising all Aldermen.***
  - 8. The Council adopt the monthly Council and committee meeting framework, shown as attachment A to this report; which involves the dedication of Mondays, alternately as Committee and Council meeting days.***
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9. ***The two scheduled committee days per month be known as Committee of the Whole and the Lord Mayor chair the meeting for its duration with the chairmen of the respective committees presenting the items relating to their particular committees.***
  10. ***The commencement time for Council, City Planning and Committee of the Whole meetings remain at 5.00 pm.***
  11. ***The City Planning Committee continue to meet twice per month in order to meet its statutory planning authority obligations.***
    - 11.1 ***The allocated meeting day for the City Planning Committee move from Monday to Tuesday.***
    - 11.2 ***The Terms of Reference for the City Planning Committee be varied to delegate it the authority to determine approvals in accordance with officer delegations, where there are less than five representations. (Currently this figure is three).***
    - 11.3 ***The City Planning Committee consider further variations to its delegations where applications are low impact or straight forward.***
  12. ***The format for Aldermanic Notices of Motions be varied to include a brief report from the General Manager or his delegate which addresses the status of any action taken, the requirement for a report including anticipated timing and any related resourcing matters relating to its preparation, together with any other information relevant to consideration of the matter by the committee and Council.***
    - 12.1 ***The notification period for the lodgement of Notices of Motions be varied from seven to ten clear days to provide sufficient time for the preparation of the report.***
  13. ***The Public Question Time procedures be varied to allow questions from the floor as part of the Public Question Time forum at ordinary Council meetings.***
  14. ***The policy provisions around deputations be clarified in respect to the circumstances where deputations may be entertained.***
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## 4. Background

- 4.1. The existing method of processing the business of Council through its appointed committees has been in place for many years.
- 4.2. Historically committees were largely aligned with the Council's administrative divisional structure.
- 4.3. Over time however the committee structure has become more activity focussed, which lends itself to alignment with the City's strategic objectives.
- 4.4. At its meeting of 12 October 2015 the Council resolved in the following terms:

*That a report be prepared that considers:*

*Delegations to all committees being reviewed so as to be in line with the Council's Strategic Plan, and to facilitate a more strategic role for Council committees.*

*The terms of reference for committees being reviewed to consider where there may be opportunity to provide more delegation to Council officers.*

*Changes to the Council's policy which may increase the engagement of the public in committee and Council meetings.*

*The planning implications of delegation of planning matters to the City Planning Committee, with the possible membership being the whole of Council yet with a core minimum for Aldermen as currently exists of five members, or other means of ensuring a quorum and good planning practice.*

- 4.5. These issues were the subject of a Council workshop which was conducted in May 2016.
  - 4.6. The timing of the workshop coincided with the introduction of several software programs to enable better management, storage and access to corporate documents for Aldermen.
    - 4.6.1 In order to enable sufficient time to implement and "bed-down" these system changes, it was intended that the Council would review and resolve its preferred approach in respect to its committee structure, prior to implementing any changes at the mid-term point of the current Council term. (November 2016).
  - 4.7. This approach reflects the intention of the Council to undertake a mid-term review of its committee composition when it determined its committee composition, immediately after the last election.
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## **5. Proposal and Implementation**

- 5.1. Discussion at the Council workshop centred around the following governance areas:
  - 5.1.1. Rescheduling of council committees;
  - 5.1.2. Realignment of Council committees to reflect the priority areas within the City's Strategic Plan;
  - 5.1.3. Review of committee terms of reference and delegations and
  - 5.1.4. Governance matters relating to improved community involvement including deputations and public question time, together with the procedures around Aldermanic notices of motions.
- 5.2. This report presents a variation to the existing method of managing the flow of Council business through its committee system which will take up fewer days of the month.
- 5.3. It also addresses a number of related governance matters to promote greater community involvement in decision making.
- 5.4. The preferred outcomes, as discussed at the Council workshop are summarised below for consideration by the Committee.
- 5.5. Practices around committee and council meetings and other governance matters applied at other councils were also considered as part of the workshop. A summary appears as Attachment B
- 5.6. The provision of meals after Council meetings was also noted for consideration as part of the outcome from the October 12 Council meeting. The consensus from the workshop was that the status quo should remain.

## **6. Rescheduling of Committee Meetings**

- 6.1. Council and committee meetings are currently scheduled over ten days of each month, with each committee being allocated a particular meeting day within the monthly meeting cycle.
  - 6.2. The consensus view expressed at the workshop was that this process would be more efficient if the number of meeting days could be reduced.
  - 6.3. This could be achieved by condensing the business of the committees into two "sitting days" per monthly cycle, with the suggested means of achieving this being the dedication of Mondays, alternately, as either committee or Council sitting days.
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- 6.4. A general discussion regarding the best time for the committee sittings was discussed, with suggestions indicating that an earlier start time to the usual 5pm commencement could be advantageous.
- 6.4.1. In the event that the Council favoured an earlier start, Regulation 6 of the Local Government (Meeting Procedures) Regulations requires an absolute majority vote to schedule meetings prior to 5.00 pm.
- 6.5. Where the workload on committee sitting days permitted, Council workshops could be conducted prior to committee of the whole meetings.
- 6.6. Briefings relating to committee business would also be held prior to the relevant committee sitting and deputations would be conducted at the commencement of the sitting session.
- 6.7. It was recognised that the City Planning Committee, which is integral to the delivery of the Council's statutory planning function, would sit outside this proposed structure.
- 6.7.1. Accordingly, the only change to that committee would be a change to the traditional Monday meeting day, which could be accommodated every second Tuesday in order to enable sufficient time for the determination of matters reserved to the Council.
- 6.8. Discussion also incorporated the restructure of Council committees to align with the key priority areas within the City's Strategic Plan. This is discussed further at section 7 of this report.
- 6.9. The reduction in the volume of matters referred to the committee would be critical to the success of this proposal, and would require greater delegation to the General Manager for operational matters.
- 6.9.1. This issue is canvassed further under clause 9 of this report.

## **7. Realignment of Council Committees**

- 7.1. There was a consensus view that a more relevant committee structure would be achieved through the alignment of Council's committee structure with the City's Strategic Plan priority areas, which represent the key service delivery responsibilities of the Council.
- 7.1.1. It was also agreed that the very specific role of the City Planning Committee should not be altered and therefore, that committee would sit outside any realignment.
- 7.2. As the City's principal forward planning document, it makes sense from a good governance perspective for the Strategic Plan to be the platform used by the Council in determining policy and strategy directions.
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- 7.3. The Strategic Plan provides for five priority areas of activity which would effectively deliver the following alignment:

<b>Strategic Plan Priority Area</b>	<b>Existing Committee Alignment</b>
Economic Development, Vibrancy and Culture	Economic Development and Communications Community Culture and Events (part thereof)
Urban Management	City Infrastructure (part thereof) Parks and City Amenity (part thereof)
Environment and Natural Resources	City Infrastructure (part thereof) Parks and City Amenity (part thereof)
Strong, Safe and Healthy Communities	Community Culture and Events (part thereof)
Governance	Governance

- 7.4. A draft monthly meeting schedule based upon this structure is shown as Attachment A.

- 7.4.1. It will be noted from the schedule that matters relating to Governance, including finance matters, are accommodated across both committee sitting days.

## **8. Committee Membership and Chairmen**

- 8.1. The adoption of a revised structure would require the spill of existing committees which the Council had previously contemplated in any event.
- 8.2. The consensus opinion at the workshop was to have all Aldermen participate as members of committees.
- 8.2.1. The benefits of this approach include the opportunity for all Aldermen to participate in the discussion and resolution of matters in a committee meeting environment which would add value by increasing the representation and participation at the committee level.
- 8.2.2. Consequently, this would likely streamline the flow of business through the Council meeting process.
- 8.3. Noting the desire to include all Aldermen at the committee level, it would be logical for the two committee sitting days each month to effectively become committee meetings of the whole Council, scheduled on alternate Mondays to Council meetings.
- 8.4. The agenda for the meeting would be structured in a similar fashion to the Council agenda with items relating to the newly formed committees appearing under specific headings, in line with the draft meeting schedule structure shown at Attachment A.
- 8.5. In the event that the Council wished to mirror the governance applied to meetings of the Council, the Lord Mayor would act as chairman
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overseeing the meeting, with the Chairmen of the strategic priority areas representing those items relating to their specific priority areas.

## **9. Review of Terms of Reference and Delegations**

- 9.1. Discussion at the workshop clearly supported the change in focus of the business appearing on committee agendas, to provide a greater strategic and policy emphasis.
- 9.2. This would require additional delegation to the General Manager in respect to operational matters.
- 9.3. There was however a consensus view that, key to this change would be regular communication from the General Manager to keep the Council informed of the business operations of the organisation, recognising that these issues are often the subject of specific interest from the community.
- 9.4. Aldermen were also keen to retain the capacity to “call matters up” for consideration by the appropriate committee where they considered it appropriate.
- 9.5. For the information of the committee and as an exercise in identifying the nature of matters considered by Council committees, a summary will be provided on the Hub which identifies the nature of items considered between March and June this year, summarised into the following categories:
  - Council Strategic
  - Policy matters where a policy already exists
  - Policy matters where a policy needs to be developed and
  - Operational matters
- 9.6. This will provide an indication of matters which would be provided to committee/Council in line with the revised approach.
- 9.7. In respect to the City Planning Committee, the Terms of Reference could be amended by reserving delegation for development applications which are relatively straight forward or low impact to the Committee.
  - 9.7.1. In addition, the Planning Committee could determine approvals in accordance with officer delegations where there are less than five representations. (Currently this figure is three).

## **10. Notices of Motion/Qualified Advice**

- 10.1. The current framework around Aldermanic Notices of Motions sits in the Council’s policy on Meetings: Procedures and Guidelines. An extract is shown at Attachment C.
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- 10.1.1. It is generally accepted that the process around this matter is very convoluted.
- 10.2. The current process requires comment from the General Manager that the subject matter is within the jurisdiction of the Council.
- 10.3. There was agreement at the workshop that more comprehensive and meaningful commentary would add significant value to this process.
- 10.4. This could be achieved by the provision of brief comments including the status of any action underway in respect to the matter and other relevant information, which could allow for those matters not requiring a full report to be dealt with on the day.
- 10.5. Where the General Manager advised that a report was required in relation to a Notice of Motion, the advice could also include an estimated timeframe on a report and any resourcing requirements to enable Aldermen to make an informed decision on whether to support the Notice of Motion.
- 10.6. The timeframe around lodgement of Notices of Motions would need to be extended from the current seven clear days to ten clear days, to enable the additional information to be compiled.

## **11. Public Question Time**

- 11.1. The Local Government (Meeting Procedures) Regulations 2015 provide that at least fifteen minutes of an ordinary council meeting is to be made available for questions from members of the public, if required.
- 11.2. Questions relating to the activities of the Council may be submitted in writing seven days clear of the day of lodgement and also the day of the meeting.
- 11.3. In addition, the chairman of a council meeting may invite any member of the public present at a meeting to ask questions.
- 11.4. The Council has previously elected not to accept questions from the floor however the consensus opinion from the workshop was that this approach is a disincentive to participation.
  - 11.4.1. Accordingly it is proposed to vary the current guidelines to accept both written and verbal questions, in line with the legislation.
- 11.5. On this basis, it is proposed to accept both written and verbal questions, in line with the legislation, and to vary the existing guidelines accordingly.

## **12. Deputations**

- 12.1. The Council's current policy in relation to deputations states that:
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The following procedures in respect to deputations to Council committees apply:

- (i) Any person who wishes to make a deputation to a committee may be requested to provide a written request to the chairman setting out:
  - a) The likely members of the delegation.
  - b) The purpose of the request.
  - c) The nature of the matter or matters intended to be placed before the committee.
- (ii) The committee chairman is to decide whether or not the deputation is to be received.
- (iii) If the chairman decides that the deputation is to be received, the chairman is to inform the General Manager to note the item on the appropriate agenda.
- (iv) A deputation:
  - a) is not to exceed three persons: and
  - b) is to be limited in duration to five minutes.

12.2. Although not a policy position of the Council, it has been a longstanding practice for requests or invitations for deputations to be considered by the chairman of the relevant Council committee, where an item appears on the committee agenda relating to the business of the deputation.

12.3. It would be generally expected that if a deputation presents to a committee that some form of outcome is anticipated or involved.

12.4. Notwithstanding this approach, it has been suggested that there may be merit in inviting or accepting deputations to address a committee in circumstances where there may not be a specific item listed for discussion or determination.

12.5. It is a matter for the Council as to whether it wishes to incorporate this approach.

12.6. In any case, the Council policy should be varied to reflect the Council's preferred position.

### **13. Strategic Planning and Policy Considerations**

13.1. This report addresses the current governance arrangements around the Council's existing committee structure.

13.2. The report summarises matters discussed at a Council workshop conducted in May this year which include the realignment of Council's

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existing business workflow from the existing committee structure into the major priority areas contained in the Council's Strategic Plan.

- 13.3. This approach reflects the consensus viewpoint from the workshop that the Council's greater focus should be around strategy and policy issues rather than operational matters.

#### **14. Financial Implications**

- 14.1. There are no financial implications arising from this report.

#### **15. Legal, Risk and Legislative Considerations**

- 15.1. There are no legal, risk or legislative considerations relating to this report.

#### **16. Environmental Considerations**

- 16.1. The opportunity for community interaction at Council and committee meetings is largely dictated by the Local Government (Meeting Procedures) Regulations 2015, specifically through deputations and public question time provisions.
- 16.2. As indicated earlier in this report, the Council currently accepts the lodgement of written questions for its public question time forum, as it is obliged to do, however questions from the floor are not accepted.
- 16.3. It is proposed to vary the procedures around public question time to include such questions.
  - 16.3.1. The Council recently included a community engagement forum with its 2015 Annual General Meeting, which included an open forum for questions.
  - 16.3.2. The forum was highly engaged and well attended, with feedback indicating that members of the community found it to be a positive interactive experience with Council.

#### **17. Delegation**




- 17.1 This matter is delegated to the Council.
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*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



N.D Heath  
**GENERAL MANAGER**

Date: 2 September 2016  
File Reference: F16/100796

Attachment A: Proposed Meeting Schedule [↓](#)   
Attachment B: Summary of Committee Structures and Governance Practices  
[↓](#)   
Attachment C: Notices of Motion Extract [↓](#) 

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**Proposed Monthly Meeting Schedule – Based Around Alternate Committee and Council Sitting Days**

<b>Week 1</b>		
Monday	<b>Committee of the whole Council considering the following Strategic Priority areas:</b> <ul style="list-style-type: none"> <li>• <b>Economic Development, Vibrancy and Culture</b></li> <li>• <b>Strong, Safe and Healthy Communities</b></li> <li>• <b>Governance</b></li> </ul>	Sitting commences at 5.00pm  Opportunities for briefings and Aldermanic Workshops also
Tuesday	<b>City Planning Committee Meeting</b>	Commences at 5.00pm
<b>Week 2</b>		
Monday	<b>Council Meeting</b>	Commences at 5.00pm
<b>Week 3</b>		
Monday	<b>Committee of the whole Council considering the following Strategic Priority areas:</b> <ul style="list-style-type: none"> <li>• <b>Urban Management</b></li> <li>• <b>Environment and Natural Resources</b></li> <li>• <b>Governance</b></li> </ul>	Sitting commences at 5.00pm  Opportunities for briefings and Aldermanic Workshops also
Tuesday	<b>City Planning Committee Meeting</b>	Commences at 5.00pm
<b>Week 4</b>		
Monday	<b>Council Meeting</b>	Commences at 5.00pm

## OTHER COUNCILS – COMMITTEE STRUCTURES AND PRACTICES

	COMMITTEE	PLANNING	DEPUTATIONS	PUBLIC QUESTION	QUALIFIED ADVICE
<b>CLARENCE</b>	<ul style="list-style-type: none"> <li>No</li> <li>Regular workshops on major issues</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Major developments over \$10m only</li> <li>Committee of whole</li> </ul>	<ul style="list-style-type: none"> <li>To Council or Planning Committee.</li> <li>Address Council on any issue affecting municipal area.</li> <li>Planning Committee only if have interest in item.</li> <li>Limited to 5 in total, 3 minutes each.</li> </ul>	<ul style="list-style-type: none"> <li>In accordance with Local Government Meeting Procedure Regulations</li> <li>Very few put.</li> </ul>	<ul style="list-style-type: none"> <li>No decisions without full report</li> <li>Briefing notes on topical issues for information distributed under separate cover</li> <li>Officer comment on Notice of Motion</li> </ul>
<b>KINGBOROUGH</b>	<ul style="list-style-type: none"> <li>Trialling no committees</li> <li>Evaluation pending</li> <li>Regular workshops for complex issues</li> </ul>	<ul style="list-style-type: none"> <li>No</li> <li>Planning matters go direct to Council</li> </ul>	<ul style="list-style-type: none"> <li>None (including no planning representations)</li> </ul>	<ul style="list-style-type: none"> <li>In accordance with LG Meeting Procedure Regs</li> <li>Very few put</li> </ul>	<ul style="list-style-type: none"> <li>No decisions without full report</li> <li>Briefing notes on topical issues for information on agenda</li> <li>Officer comment on Notice of Motion</li> </ul>
<b>GLENORCHY</b>	<ul style="list-style-type: none"> <li>No</li> <li>Regular workshops for briefing and discussion on complex issues</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Full delegation</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Deputations on items on Council and Planning Committee meetings</li> <li>Limits on number and duration</li> </ul>	<ul style="list-style-type: none"> <li>In accordance with LG Meeting Procedure Regs</li> </ul>	<ul style="list-style-type: none"> <li>No decisions without full report</li> <li>Officer comment on Notice of Motion</li> </ul>

<p><b>LAUNCESTON</b></p>	<ul style="list-style-type: none"> <li>• Strategic Planning &amp; Policy Committee</li> <li>• Committee of whole but no decision making</li> <li>• Economic Development Committee (closed) advisory meets bi-monthly</li> <li>• Plus regular workshops</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> <li>• Planning matters go direct to Council</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• Strategic Planning &amp; Policy Committee</li> <li>• Matters concerning the City</li> <li>• Limit on duration (15 minutes)</li> <li>• Trial of community group reports to Council</li> <li>• Two taken up in 12 months to date</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with LG Meeting Procedure Regs</li> <li>• Very few put, regular participants</li> </ul>	<ul style="list-style-type: none"> <li>• No decisions without full report</li> <li>• Officer comment on Notice of Motion</li> </ul>
<p><b>DEVONPORT</b></p>	<ul style="list-style-type: none"> <li>• Yes – recent introduction of Committee structure</li> <li>• Infrastructure, Works &amp; Development; Governance &amp; Finance; City Services</li> <li>• Meeting bi monthly some issues still go direct to Council</li> </ul> <p>regular workshops</p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• Planning Authority Committee</li> <li>• Full delegation</li> <li>• Meets every Monday if required</li> </ul>	<ul style="list-style-type: none"> <li>• To Committees and workshops</li> <li>• Item on agenda or any item of community interest</li> <li>• Maximum 2-3, 30 minutes total duration</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with LG Meeting Procedure Regs</li> <li>• Regular participants</li> </ul>	<ul style="list-style-type: none"> <li>• No decisions without full report</li> <li>• Officer comment on Notice of Motion</li> </ul>

## **NOTICES OF MOTIONS**

*In accordance with the resolution of the Council dated 14 February 2012 and 8 October 2012, the following procedures apply in respect to the lodgement of Notices of Motions (NoMs), pursuant to Section 16 of the Local Government (Meeting Procedures) Regulations 2015:*

1. *All NoMs be submitted on the agenda of the relevant Council committee, in accordance with the committees' Terms of Reference, unless the Alderman submitting the Motion deems the matter to be urgent and therefore requiring determination prior to the next scheduled ordinary meeting of the relevant committee, in which case the Motion may be submitted directly to the Council where the following process shall apply:*
    - (i) *The Council, upon considering a NoM deemed urgent by the proponent is firstly to ratify by resolution that such a Motion is urgent, prior to considering the substance of the Motion.*
    - (ii) *Should the Council determine that the Motion is not urgent, the Motion may not be further debated but be subsequently referred to the next ordinary meeting of the appropriate committee for consideration.*
  2. *Whether a Notice of Motion be won or lost at a committee meeting, the Motion will be referred to the Council for consideration where the normal rules of debate shall apply.*
  3. *When a Notice of Motion is debated at Council, Aldermen may speak to a motion for no longer than three minutes with no extensions of time being granted.*
  4. *Should an Alderman proposing a Notice of Motion not be a member of the committee considering the Notice of Motion, the Alderman is to become a supernumerary member of that committee, solely for the purposes of moving and resolving their Motion.*
  5. *The General Manager is to provide qualification as to whether the substance of a NoM resides within the jurisdiction of the Hobart City Council.*
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