

## OPEN COMMITTEE MEETINGS

### 1. Objectives

Increase the opportunity for consultation between Council and the community of the Town of Cottesloe.

### 2. Principles

An individual, group or business has a right to represent their own case for consideration prior to a decision of Council being made. The open committee system provides recognition of this.

### 3. Issues

Open committee systems raise a number of issues, some of which are clear advantages and others which may be disadvantages.

#### 3.1 Advantages

- The decision-making process is transparent.
- Interested parties may comment or raise objections to matters being dealt with by Council.
- Council is more informed in that both sides of an argument may be forcefully and clearly put.

#### 3.2 Disadvantages

- Meetings may take longer.
- Staff reports may be subject to public criticism.
- Planning for public attendance will increase administrative support requirements.

#### 3.3 Requirement for Confidentiality

There are occasions when Council is required for reasons of confidentiality, legality and good practice to hold discussions in confidence. An example of this may be the discussion of minimum acceptable terms of settlement for a dispute or a matter of industrial relations. For this reason, it is important that Committees retain the right to close meetings to the public and for specific papers to be marked as 'confidential' and therefore not available for general circulation.

#### 3.4 Accessibility to information

For an open committee system to be genuinely open, access to committee papers will be necessary for members of the public, other than those identified as being confidential in nature.

#### 3.5 Protocols

Establishing clear procedures and protocols for open committee meetings is clearly important to ensure that good order is maintained during committee meetings, as is the case in Full Council. Such protocols need to be cognisant of the due process of Council, relevant legislation, including Council's Standing Orders and the need to complete debate on the full agenda of committee within a reasonable time frame.

This policy must be read in conjunction with Councils *Standing Orders Local Law 2012*.

#### **4. Policy**

The Town of Cottesloe recognises the importance of full consultation and open debate with the residents and ratepayers in determining the Council position on matters for consideration and resolution.

In order to encourage such debate, the Town of Cottesloe welcomes the participation of interested residents in the Committee system, such participation to be limited to Council's three standing committees, currently identified as:

- Works and Corporate Services
- Development Services
- Strategic Planning

The Town of Cottesloe acknowledges that there are occasions when the nature of a committee's debate may require confidentiality and reserves the right, through the Chair of each Committee, to close a meeting to the public and determine whether debate on an identified item on any standing committee agenda will be conducted as a confidential item.

Copies of committee agenda papers will be available for members of the public in the committee room scheduled for each committee meeting. Reports and papers identified by the Chief Executive Officer as being of a confidential nature will be circulated to Councillors only and excluded from public agendas. Agendas are available to interested residents on the Friday preceding the committee meeting at the Grove Library and posted on the Council's website.

Protocols for the conduct of open committee meetings form an appendix to this policy.

#### **5. Related Documents**

Appendix One – 'Public Attendance at Ordinary Meeting of Committee and Council' is attached and forms part of this policy.

*Standing Orders Local Law 2012 (Town of Cottesloe)*

*Local Government Act 1995*

Adopted	June 1996
Reviewed	24 June 2013
Expected date of review	

## OPEN COMMITTEE MEETINGS – APPENDIX ONE

### PUBLIC ATTENDANCE AT ORDINARY MEETINGS OF COMMITTEE AND COUNCIL PROTOCOLS

Members of the public may address Committees through two avenues:

- deputation by prearrangement through the Chief Executive Officer; and
- through public attendance at committee and council meetings.

The following protocols provide guidelines for public participation in the three standing committees of the Town of Cottesloe.

1. Before the meeting starts members of the public wishing to ask a question or make a statement should complete the form called 'Public Statement Time' or 'Public Question Time'. The Chairperson will determine the order of the questions and statements.
2. When invited to speak you must speak through the Chair and will be allowed a maximum of three (3) minutes which may be extended on the approval of the Chairperson. You will not be permitted to debate the issue with members of the Committee or any other members of the public and will only be permitted to speak further if a member of the Committee wishes to clarify a point with you which he/she must also do through the Chair.
3. If a number of people wish to speak on a particular issue, the Chair may determine or ask any particular interest groups present to determine spokespeople to present particular points of view. The Chair's decision on this will not be debated.
4. Members of the public must leave the room if it is determined to treat any matter as a confidential item or if due to disorder or other matter the Chair determines to adjourn the meeting.
5. In the case of questions on specific issues where the Committee believes it has inadequate information to effectively respond, the question may be taken on notice and a written response forwarded at a later date under the hand of the Chief Executive Officer.

## STANDING COMMITTEE ROLES

### 1. Background

Section 5.8 of the *Local Government Act 1995* provides the statutory power for the establishment of committees of Council. This policy provides guidance on the role of the three standing committees which have been established by the Town of Cottesloe.

Council may appoint other committees from time to time to examine and report on specific issues that may fall outside roles of the standing committees.

### 2. Objectives

To provide guidance to elected members, community and staff on the role and functions of the Town of Cottesloe standing committees of Council.

### 3. Overall Role of Committees

- To consider items within their portfolios and make decisions under delegated authority or make recommendations to the full Council.
- To appoint sub committees as necessary to prepare policies or reports for Council's consideration.

### 4. Current Committees

Council activities have been divided into the following three broad functions for the purpose of decision making and developing policy and strategic direction:

- Development Services
- Works and Corporate Services
- Strategic Planning.

The areas of responsibility for the committees are as follows:

#### 4.1 Development Services

##### 4.1.1 Areas of Responsibility

- Town Planning matters, relating to private land, zoned and public reserved land; and
- Building matters, relating to private and public buildings.

##### 4.1.2 Policy

To develop policy relevant to the area of responsibility for consideration by Council.

##### 4.1.3 Statutory

To consider development applications and building matters and make recommendations in accordance with statutes, regulations, common and local laws and Council's adopted policies.

**4.1.4 Activities**

To consider reports and make recommendations to Council on:

- Town Planning Schemes amendments and associated policies, State Government planning strategies policies and governance
- Subdivisions and amalgamations (including strata)
- Statutes
- Building control and inspection services
- Building local-laws, signs and swimming pools
- Traffic and transport matters in conjunction with the Works and Corporate Services Committee

**4.1.5 Delegations**

None

**4.2 Works and Corporate Services**

Areas of Responsibility

- Financial management
- Electoral matters
- Administrative matters
- Community development and human services matters
- Law enforcement
- Construction and maintenance of Council infrastructure and assets
- Environmental health matters, relating to residential and commercial areas and buildings classified as 'Public Buildings' by the Health Department of Western Australia
- Special projects
- Sustainability
- Disability Services Advisory Committee
- Community Safety and Crime Prevention Committee
- Audit Committee

**4.2.1 Policy**

To develop policy relevant to the area of responsibility for consideration by Council.

**4.2.2 Statutory**

To consider reports on works, financial management, electoral, policy, administrative, ceremonial matters and environmental health matters and make recommendations to Council in accordance with statutes, regulations, common and local laws and Council's adopted policies.

**4.2.3 Activities**

To provide direction and advice to Council on matters relevant to:

- Governance and ceremonial matters
- Issues relating to regional services or facilities
- Financial management, including forward planning and budget preparation
- Rating and electoral rolls

- Leases, contracts, general legal matters and insurance
- Waste Management
- Staffing matters
- Administrative matters
- Community, human services and cultural development
- Library services
- Law enforcement
- Property, infrastructure and asset matters
- Works and special projects
- Health control and inspection services
- Pest control
- Food analysis
- Noise control
- Traffic and transport matters in conjunction with the Development Services Committee when appropriate

**4.2.4 Delegations**

None

**4.3 Strategic Planning**

Areas of Responsibility

- Strategic planning and Development
- Matters of strategic significance to Council and the Community
- Chief Executive Officer performance review and assessment

**4.3.1 Policy**

To develop strategic and action plans for consideration by Council.

**4.3.2 Statutory**

To consider reports on matters of strategic significance to Council and the Community and make recommendations to Council in accordance with statutes, regulations, common and local laws and Council's adopted policies.

**4.3.3 Activities**

To provide direction and advice to Council on matters relevant to:

- The implementation of Council's strategic objectives
- The adoption, modification or deletion of Council's strategic objectives
- Chief Executive Officers Appointment, Performance Review, Setting of Key Responsibility Areas
- Matters of strategic significance to the Town

**4.3.4 Delegations**

None

**5. Open Committee Meetings**

Under section 5.23 of the *Local Government Act 1995* all meetings of any committee to which a local government power or duty has been delegated are open to the public. This statutory requirement therefore only applies to the Development Services Committee

However by policy decision Council has determined that all standing committee meetings shall be open to public except where the *Local Government Act 1995* provides otherwise.

Each committee presiding member has discretion in determining the nature and type of public contribution to meetings of committees.

Adopted	25 March 1996
Reviewed	27 June 2005
Reviewed	22 November 2010
Expected date of review	