



COVID-19 RELIEF AND RECOVERY COMMITTEE – TERMS OF REFERENCE

1. OBJECTIVES

The key objectives of the COVID-19 Relief and Recovery Committee (**Committee**) are to:

- Provide oversight advice of the City's COVID-19 Relief and Recovery Strategy (**Strategy**);
- Make decisions on the implementation of actions under the Strategy;
- Ensure Council and the community are fully informed on the City's COVID-19 relief and recovery efforts;
- Provide a monthly opportunity for the community to engage with Council on the City's relief and recovery efforts;
- Make recommendations to Council on the allocation of financial resources to implement the Strategy (as an absolute majority Council decision is required);
- Make decisions or recommendations to Council in respect to the following:
 - disbursement of Leederville Gardens Trust funds to registered Public Benevolent Institutions active within the City providing relief from the impact of COVID-19;
 - exercise discretion in the compliance with City policies arising due to impacts of COVID-19 or to facilitate the mitigation of COVID-19 impacts;
 - awarding tenders over \$250,000 or disposing of property, if an urgent decision is required and a decision cannot wait until the next Council Meeting;
 - writing-off / waiving fees over \$5,000 (under delegation), including for financial relief to City tenants (rent waivers and deferrals);
 - approve expenditure on public art projects as recommended by the Arts Relief Working Group; and
 - determine **urgent** Development Applications from applicants responding to the impact of COVID-19 that have not been delegated to the CEO (under delegation).

2. POWERS

- The Committee is a formally appointed committee of the Council in accordance with section 5.8 of the *Local Government Act 1995* (LGA) and is responsible to the Council.
- The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its objectives as set out in clause 1 above.
- The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility.
- The Committee does not have any management functions and cannot involve itself in management processes or procedures.

3. MEMBERSHIP

- The Committee shall comprise of 3 members, who are Elected Members appointed by Council in accordance with section 5.10 of the LGA.
- The Committee shall comprise of up to 6 deputy committee members, who are Elected Members appointed by Council in accordance with section 5.11 of the LGA.
- In the event that a committee member is unable to attend a Committee meeting a deputy committee member will attend in their place. While acting as a committee member, the deputy members have all the functions and protections of the committee member.
- Council may terminate the appointment of any committee member if:
 - The Chairperson considers that the member is not making a positive contribution to the Committee; or
 - The member is found to be in breach of the City of Vincent Code of Conduct or a serious contravention of the *Local Government Act 1995*; or
 - A member's conduct, action or comments brings the City of Vincent into disrepute.
- The CEO and relevant senior employees as determined by the CEO are to attend all meetings to provide advice and guidance to the Committee. The CEO and administrative staff are not members of the Committee.
- The City shall provide secretarial and administrative support to the Committee.



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- Membership shall be for a nine month period expiring on 31 December 2020 unless Council resolves to extend the term of the Committee.

4. CHAIRPERSON AND DEPUTY CHAIRPERSON

- The position of Chairperson will be filled by the Mayor, or if the Mayor is not a member of the Committee, by the Deputy Mayor, or otherwise by a vote of the Committee at its first meeting.
- The position of Deputy Chairperson will be filled by the Deputy Mayor, or if the Deputy Mayor is not a member of the Committee, or is appointed as Chairperson, by a vote of the Committee at its first meeting.
- In the event that the Chairperson is absent or unable to attend the Committee meeting, the Deputy Chairperson will preside. In the event that neither the Chairperson nor Deputy Chairperson is available to attend the Committee meeting, the Committee will vote on who presides at the commencement of the meeting.

5. MEETINGS

- The Committee shall meet at 1pm on the first Tuesday of each month, or at an alternative time, day or place as agreed by the Committee, and subject to the provision of public notice in accordance with regulation 12(2) of the *Local Government (Administration) Regulations 1996*.
- The Committee may meet more regularly as required (hold special committee meetings) at the discretion of the Chairperson.
- The meetings will be open to the public, other than any items that are to be considered behind closed doors in accordance with section 5.23(2) of the LGA.
- The agenda for the meetings will be published on the City's website and emailed to all Elected Members on or before the Friday of the week prior to the Committee Meeting.
- The meetings will be accessible to the members, staff and public remotely.
- The meetings will commence with public question time as required by regulations 5 and 6 of the *Local Government (Administration) Regulations 1996*. Questions must relate to items on the meeting agenda and must be provided to Administration in writing at least 3 hours prior to the commencement of the meeting or during the meeting. The Chairperson will conduct public question time in a manner which ensures all members of the public have a fair and equal opportunity to ask questions and receive a response, subject to a maximum of 15 minutes being allocated to public question time, unless otherwise approved by the Chairperson.

6. REPORTING

- Recommendations of the Committee meeting which require approval by Council shall be presented to the next Ordinary Meeting of Council or Special Meeting of Council, as appropriate.
- Minutes of all Committee meetings will be included in the Info Bulletin provided to the next Ordinary Meeting of Council, and a report providing an update on the implementation of the Strategy will be provided to the next Ordinary Meeting of Council as required.

7. DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee will be:

- Provide oversight to the City's COVID-19 Relief & Recovery Strategy;
- Make decisions on the implementation of actions under the Strategy;
- Ensure Council and the community are fully informed on the COVID-19 Relief and Recovery efforts;
- Provide a monthly opportunity for the community to engage with Council on the City's relief and recovery efforts;
- Make recommendations to Council on resource allocation to implement the Strategy and associated actions;
- Make decisions in respect to the following:
 - disbursement of Leederville Gardens Trust funds to provide relief from COVID-19 impacts;



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- expenditure of cash-in-lieu payments on public art projects, as recommended by the Arts Relief Working Group, and in accordance with the City's Policy No. 7.5.13 – *Percent For Art*; and
- financial relief for City tenants in line with the *Commercial Tenancies (COVID-19 Response) Act 2020 (WA)*, in the form of rent and outgoings waivers and rent deferrals;
- Make decisions in respect to the following if an urgent decision is required and a decision cannot wait until the next ordinary meeting of Council or a special meeting of Council. A reason for the matter requiring an urgent decision will be included in the report under the legal section:
 - determine **urgent** Development Applications from applicants responding to the impact of COVID-19 that have not been delegated to the CEO (under delegation).

8. DELEGATED AUTHORITY

In accordance with section 5.17 of the *Local Government Action 1995* Council has delegated the following powers and duties to the Committee:

- Power to accept tenders over \$250,00 in accordance with section 3.57 of the LGA and regulation 18 of the *Local Government (Functions and General) Regulations 1996*;
- Power to dispose of property in accordance with section 3.58 of the LGA;
- Power to waive or grant concessions or write-off money over \$5,000 in accordance with section 6.12 of the LGA; and
- Power to determine an application for development approval under clause 68 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations*; subclause 29(2) of the *Metropolitan Region Scheme*; and subsection 31(2) of the *State Administrative Tribunal Act 2004*, where that power is not delegated to the Chief Executive Officer; and
- Power to determine applications to amend a development approval previously determined under delegated authority, where that power is not delegated to the Chief Executive Officer.

A reason for the Committee exercising the above powers or duties must be included in the report under the legal section.