



POLICY NO:-

CP1-021 – COUNCIL COMMITTEES, WORKING GROUPS, REFERENCE GROUPS AND EXTERNAL COMMITTEES

GOVERNANCE INFORMATION			
Procedure Link:	N/A	Administrative Policy Link:	

ADMINISTRATION INFORMATION						
History	1	CP1-021	OCM	9/09/25	Res: 9633	Synopsis: Policy created.
Version:	2					

1. RESPONSIBLE DIRECTORATE

Chief Executive Officer

2. PURPOSE OR OBJECTIVE

This policy is to provide for the governance of Council Committees, Operational Working Groups, Community Project Reference Groups and External Committees, inclusive of requirements for establishment, appointment and reporting.

3. SCOPE / DEFINITION

This Policy applies to the Shire of Collie.

Council Committee means a Committee established under the Section 5.8 of the *Local Government Act 1995 (LG Act)*, or Section 38 of the *Emergency Management Act 2005*, or Section 67 of the *Bush Fires Act 1954*. The purpose of the Council Committee is directly linked to a statutory function of Council.

Operational Working Group means a group created for the sole purpose of providing technical advice on operational matters in a manner that complements staff competencies. An Operational Working Group has no direct tie to a statutory function of Council.

Community Project Reference Group means a group convened in relation to a specific policy development, planning process, capital project or other time limited project and provide a mechanism to engage with the community to achieve specific pre-determined objectives. These groups are established for a fixed period only.

External Committees / Groups means groups that are operated by organisations external to the Shire of Collie and are not subject to this policy even if they have as members, elected members or officers appointed to represent the interests of the Shire.

Committee Member means a person appointed to a Council Committee and includes Councillors, Community Members and/or Organisational Representatives.

Community Members means a person appointed to represent their own views.

Organisational Representative means a person appointed to represent views of the organisation, industry/business sector, community group or club.

4. POLICY

Council and the Shire will promote and facilitate diverse participation in Council committees and Reference groups, seeking to include community members from a range of backgrounds.

4.1 Council Committees

Under Section 5.8 of the *Local Government Act 1995*, the Council may establish Committees to assist the Council and may also delegate to a Committee the ability to exercise the powers and discharge the duties of the Council. Committees report to the Council and can be established for a particular purpose, with a completion date, or can be ongoing. Committees assist good governance when they share the workload and responsibilities of the Council as a whole.

4.1.1 Purpose

Council Committees make recommendations for consideration by members of the Council or may have delegated functions based on their Terms of Reference which would have been adopted by Council. Only the Council has the right to change the Committee Terms of Reference or alter/disband or establish any new Council Committees at any time.

A Council Committee either discharges the duties or exercises the statutory powers of the Council under delegation or assists Council in its performance of those powers and duties by directly advising Council. Unless delegated otherwise, the Council has the right to accept, reject or amend any recommendation made by a committee to Council.

The objectives of a Council Committee must relate to the statutory functions of Council, be strategic in nature and must not relate to the operational function of the Shire.

4.1.2 Establishment / Terms of Reference

The Terms of Reference of each Council Committee must set out the terms of membership to cease at the date of the local government elections, after which time members may be appointed for a further term. Appointment of members can only be made by way of a formal decision of the Council by absolute majority.

A biennial review of each Council Committee's purpose (and delegation if applicable) must be undertaken prior to the local government elections to determine whether they are relevant and whether the Council Committee is still required.

The Terms of Reference should include:

- a) The objectives of the committee;
- b) The number of Council members and other persons (community members or organisational representatives) to be appointed to the committee;
- c) Details of the delegation of any powers or duties to the committee under section 5.16 of the LG Act.

- d) Details of officers responsible for providing assistance to the committee.
- e) Appointment of Presiding and Deputy Presiding Member.

4.1.3 Meeting Procedure

Meetings will be convened, conducted and recorded in accordance with the Shire of Collie Standing Orders Local Law and *Local Government (Administration) Regulations 1996*.

Council Committee members are bound by *Local Government (Model Code of Conduct) Regulations 2021*, CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process and financial interest obligations under the LG Act.

4.1.4 Reporting Information to Council

Officers are to ensure that all recommendations listed in the Council Committee minutes are referred to Council (as a written report) for consideration at the next Ordinary Council Meeting, where practicable.

4.2 **Operational Working Groups**

4.2.1 Purpose

An Operational Working Group may be established to provide advice on operational matters in a manner that complements staff competencies. An Operational Working Group will provide opportunity for community members, organisational representatives or technical experts to provide comment, advice, local knowledge, information and feedback regarding plans, services and programs.

The objective of Operational Working Groups must be operational in effect with the aim to solely provide advice to officers in the performance of their administrative or operational roles. For this reason and to reinforce the role of Council under S2.7 of the *Local Government Act 1995*, Councillors do not participate in Operational Working Groups.

4.2.2 Establishment / Terms of Reference

To establish an Operational Working Group, the CEO must prepare a Terms of Reference which:

- a) Sets the purpose and objective of the group in alignment with the Strategic Community Plan / Corporate Business Plan.
- b) Determines the length of the group's term and any extensions.
- c) Endorses the criteria for membership and composition of the group.
- d) Reporting requirements.

These groups are coordinated and led by Shire Officers and membership does not include Councillors.

4.2.3 Meeting Procedure

Meetings will be conducted in an informal manner leading to greater opportunities for discussion.

- Meetings do not require quorum;
- Meetings to be convened on an as needs basis;
- Potential for members with conflicts of interest to participate in discussion.

4.2.4 Reporting Information to Council

To ensure Council are aware of Operational Working Groups, their purpose and topics of discussion and meeting outcomes:

- Meeting notes are to be published on the electronic shared network drive / Councillor Portal;
- Councillors are to be updated periodically by officers at Council Forums or Workshops.

4.3 **Community Project Reference Groups**

4.3.1 Purpose

Community Project Reference Groups specifically relate to policy development, planning processes, capital projects or other time limited projects and provide opportunity for community members, organisational representatives and/or technical experts to collaborate and deliberate in order to develop meaningful feedback, advice, and to share local knowledge and information on a specific topic and for a fixed period of time.

4.3.2 Establishment / Terms of Reference

A Community Project Reference Group may be established throughout the year as an engagement mechanism to develop community consensus on matters that have broad competing needs. Each group will be formed for a fixed period of time and with a bespoke Terms of Reference which ensures balanced membership depending on the specific pre-determined project objectives. These groups are coordinated and led by Shire Officers and membership may include Councillors.

4.3.3 Meeting Procedure

Meeting structure, duration and style will be determined for each group as part of the engagement design process and depends on the specific pre-determined project objectives. Meetings will generally be conducted in an informal manner, in some cases more of a workshop style, and in a way that fosters discussion. This may include:

- Meetings not requiring a quorum;
- Meetings convened on an as needs basis;
- Potential for members with conflicts of interest to participate in discussion;
- Customised reporting to Councillors depending on the matter at hand and project context.

4.3.4 Reporting Information to Council

To ensure Council are aware of Community Project Reference Groups, their purpose and topics of discussion and meeting outcomes:

- Meeting notes are to be published on the electronic shared network drive / Councillor Portal;
- Councillors are to be updated periodically by officers at Council Forums or Workshops.

4.4 External Committee / Groups

Being a Council Delegate representing the Shire of Collie is an important role and carries with it a high level of responsibility. It is important to ensure that the most appropriate person is appointed for a delegate position and that clear guidance is given as to the obligations of the role.

Council will only consider the appointment of a delegate/s to an external committee or group in the following circumstances:

- a) Where the body/group/organisation represents state or regional interests that are likely to impact upon the Shire of Collie;
- b) Where the body/group/organisation represents local interests and the Council has a direct financial interest in the affairs of that group; or
- c) Where the body/group/organisation represents local interests and the group occupies Council property.

4.5 Councillor Delegates

4.5.1 Method of Appointing Councillors to Council Committees or External Committees / Groups

At a meeting of the Council where a Councillor is to be appointed to a Council Committee or External Committee / Group and there are more nominations than vacancies, the Chief Executive Officer is to conduct a secret ballot using the first past the post system to establish the preferred delegate or delegates to fill the position. In the event of a tied vote for a position, lots will be drawn by the Chief Executive Officer to determine the preferred delegate.

The Shire President or Presiding Member is then to call for a resolution of Council for the preferred delegate or delegates to be appointed to the vacant position and for the next preferred delegate to be appointed the deputy for the position to carry out the duties of the appointed Councillor in his or her absence when required.

Where a Councillor has indicated their desire to nominate for a delegate position and the time for acceptance of nominations closes prior to the next available Council meeting, the Chief Executive Officer is to forward the relevant nomination and subsequently advise Council of the nomination, so that it can be considered and ratified through the normal process. Where the number of nominations from Councillors exceed the number of vacant positions, the Chief Executive Officer will consult with the Shire President to determine an order of preference based on experience in the position of Councillor and interest and merit in the vacant position.

4.5.2 Delegate Roles and Responsibilities

Where a Councillor has been endorsed as Council's delegate for a Council Committee or External Committee / Group the delegate shall:

- a) Understand that their appointment / membership is as a representative of the Council and is by right of their position with Council;

- b) Ensure their availability to attend scheduled meetings, and where they are unable to do so, provide prior apology to the respective Presiding Member. The delegate must also provide timely notice of anticipated absences to any deputy delegate where one is appointed;
- c) Ensure that in participating and contributing to decision making of the external committee, body or organisation the delegate communicates and is cognisant of Council's determined position on matters before the external organisation;
- d) Perform the functions and duties of a delegate in accordance with the standards set out in the *Local Government (Model Code of Conduct) Regulations 2021* and CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process; and
- e) Keep Council informed of the activities and achievements of the external committee, body or organisation in a timely manner.

Where a delegate has failed to attend three successive external organisation meetings, with or without apology, during a period where leave of absence has not been granted, the Council shall consider appointing a replacement delegate to ensure that the purpose and integrity of Council's participation in the external organisation is maintained.

If a delegate is unable to fulfil their commitment to an external organisation then the delegate must advise the Chief Executive Officer so that Council's consideration of appointing a replacement delegate can be facilitated and subsequent formal advice to the external organisation attended to.

5. REFERENCE DOCUMENTS

Local Government Act 1995.

Local Government (Administration) Regulations 1996.

Local Government (Model Code of Conduct) Regulations 2021

Shire of Collie Policy - CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process.