

2.8 COMMITTEES, ADVISORY GROUPS, REPRESENTATIVES MEETINGS AND WORKING GROUPS

Responsible Directorate	Corporate Services
Responsible Service Area	Governance
Adopted	July 2023 C11.07.23
Local Law Ref	<i>Meeting Procedures Local Law 2015</i>
Procedure Ref	N/A

1. PURPOSE

Council has established a number of committees, advisory groups, representatives meetings and working groups as a mechanism for facilitating and improving community participation in the Shire's decision-making processes.

This policy provides guidance for the establishment, appointment, remuneration, operation and reporting of the Shire's committees, advisory groups, representatives meetings and working groups.

2. SCOPE

This policy is relevant to committees established under section 5.8 of the Act. This policy is also relevant to advisory groups, representatives meetings and working groups established by the Shire.

Committees established under an alternative head of power and administered by the Shire are to follow the general principles of this policy if the head of power is silent. Other committees, management boards and groups formed and operated by organisations external to the Shire are not subject to the requirements of this policy even if they have as members, council members or employees appointed to represent the interests of the Shire.

This policy will be reviewed prior to each ordinary local government election.

3. DEFINITIONS

Act	the <i>Local Government Act 1995</i>
CEO	the Chief Executive Officer (CEO) of Shire of Mundaring.
committee	a formal committee of the Council established under section 5.8 of the Act.
committee member	a member of a committee appointed by the Council. Council members may be appointed as a committee member.

Council	the body consisting of all council members sitting formally as the Council of the Shire of Mundaring.
council member	a person elected under the Act as a member of Council. The Shire’s council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act).
employee	an employee of the Shire including casual or contract employees.
external member	a person who is not a council member or employee that is appointed to a committee, advisory group, representatives meeting or working group established by the Shire with requisite skills, knowledge and experience that complement the groups objectives.
group	collectively, a committee, advisory group, representatives meeting or working group established by the Shire.
meeting	unless otherwise specified, means ordinary or special committee, advisory group, representatives meetings and working groups.
members	voting members (council members, external members and employees) appointed to a committee, advisory group, representatives meeting or working group.
Shire	the Shire of Mundaring.

4. POLICY

There are many methods in which the Shire engages with the community in accordance with the “Community Engagement Policy”. The establishment of committees, advisory groups, representative meetings and working groups provide an opportunity for members of the community and where considered appropriate, subject matter experts, to be actively involved in the Shire’s decision making processes.

4.1. Establishing a Committee

Council may establish committees in accordance with section 5.8 of the Act to assist with the functions of the Shire. Section 5.9 of the Act provides who a committee may be comprised of, which includes council members, employees or external members (section 5.9 of the Act defines as ‘other persons’).

To establish a committee, a report is to be presented to Council to consider the establishment of a committee and endorse its Terms of Reference. The Terms of Reference is to include:

- a. the objectives of the committee;
- b. details of the delegation of any powers or duties to the committee under section 5.16 of the Act;
- c. the membership of the committee;
- d. procedure to be followed to determine appointments including qualifications (if applicable) and selection criteria for external members;
- e. the roles and responsibilities of the committee members;
- f. the reporting requirements of the committee;
- g. details of a funding source for the operation of the committee (if applicable); and
- h. how the committee may be disbanded.

The adopted Terms of Reference for each committee is to be available on the Shire's official website.

4.2. Establishing an Advisory Group

Advisory groups may be established by resolution of Council for the provision of strategic and/or operational advice on a matter. Advisory groups established in accordance with this policy are not, and are not intended to be, committees established pursuant to section 5.8 of the Act. Advisory groups may consist of council members, external members and/or employees.

To establish an advisory group, a report is to be presented to Council to consider the establishment of an advisory group and endorse its Charter. The Charter is to include:

- a. the purpose of the advisory group;
- b. the membership of the advisory group (at least one council member is to be appointed as a member);
- c. procedure to be followed to determine appointments including qualifications (if applicable) and selection criteria for external members;
- d. the roles and responsibilities of the members;
- e. the reporting requirements of the advisory group; and
- f. the term of the advisory group (if applicable).

The adopted Charter for each advisory group is to be available on the Shire's official website.

Where extraordinary circumstances arise and the Shire President and CEO agree that there is a need to establish an advisory group, it may be established without a council resolution. A formal council resolution to establish the advisory group and endorse the Charter is to be sought as soon as practicable thereafter.

4.3. Establishing a Representatives Meeting

Representative meetings may be established by resolution of Council for the provision of strategic and/or operational advice on a common interest. Representatives meetings established in accordance with this policy are not, and are not intended to be, committees established pursuant to section

5.8 of the Act. Representative meetings may consist of council members, community members representing organisations with a common interest (external members) and/or employees.

To establish a representatives meeting, a report is to be presented to Council to consider the establishment of a representatives group and endorse its Charter. The Charter is to include:

- a. the purpose of the representatives meetings;
- b. the membership of the representatives meetings (at least one council member is to be appointed as a member);
- c. the roles and responsibilities of the members;
- d. the reporting requirements of the of the representatives meetings; and
- e. the term of the of the representatives meetings (if applicable).

The adopted Charter for each representative meeting is to be available on the Shire's official website.

4.4. Establishing a Working Group

Working groups may be established for the purpose of delivering strategic and/or operational outcomes. Working groups established in accordance with this policy are not, and are not intended to be, committees established pursuant to section 5.8 of the Act. Working groups may consist of council members, external members and/or employees.

To establish a working group, a report is to be presented to the Executive Leadership Team to consider the establishment of a working group and endorse its Charter. The Charter is to include:

- a. the purpose of the working group;
- b. the Panel (which may consist of council members, CEO or senior employees) who will determine the number of council members, employees and external members to be appointed to the working group
- c. procedure to be followed to determine appointments including qualifications (if applicable) and selection criteria for external members;
- d. the roles and responsibilities of the members;
- e. the reporting requirements of the working group; and
- f. the term of the working group (if applicable).

4.5. Nominations and Appointment of External Members

Where nominations are sought for external members with appointment to be made by Council, applications will be provided as confidential attachments when presented to Council for consideration. Recommendations will be confidential until Council has resolved appointment.

External members will have details of their appointment (including their names) included on the Shire's official website.

4.6. Characteristics of Groups

The following table provides further detail on the characteristics of committees, advisory groups, representatives meetings and working groups.

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
Establishment (refer to items 4.1, 4.2, 4.3 and 4.4)	A report is to be presented to Council to establish committees. Committees will only be established when tasks cannot be allocated to existing committees. Terms of Reference to be adopted by Council.	A report is to be presented to Council to establish an advisory group. Charter to be endorsed by Council.	A report is to be presented to Council to establish a representatives meeting. Charter to be endorsed by Council.	A report is to be presented to the Executive Leadership Team (ELT) to establish a working group. Charter to be endorsed by ELT. Council is to be advised of the establishment.
Delegation/ Powers	Committees may make recommendations to Council. These recommendations are not binding on Council. Where a committee has delegated authority for a specific functions, it is able to make a decision in its own right.	Advisory groups have no delegated authority to make any decisions for or on behalf of Council. Advisory groups are not authorised to: <ul style="list-style-type: none"> • Expend or authorise the expenditure of any Shire funds • Correspond with any party • Speak on behalf of the Shire or Council • Issue any media release • Issue any instruction to Shire employees. 	Representative meetings have no delegated authority to make any decisions for or on behalf of Council. Representative meetings are not authorised to: <ul style="list-style-type: none"> • Expend or authorise the expenditure of any Shire funds • Correspond with any party • Speak on behalf of the Shire or Council • Issue any media release • Issue any instruction to Shire employees. 	Working groups have no delegated authority to make any decisions for or on behalf of Council. Working groups are not authorised to: <ul style="list-style-type: none"> • Expend or authorise the expenditure of any Shire funds • Correspond with any party • Speak on behalf of the Shire or Council • Issue any media release • Issue any instruction to Shire employees.
Remuneration	External members are to be remunerated in accordance with s.5.100 of the Act. The extent to which external members can be reimbursed shall be as determined by the Salaries and Allowances Tribunal.	Nil	Nil	Nil

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
Membership	<p>Membership to be listed in the endorsed Terms of Reference. There is to be a majority of council members compare to external members.</p> <p>If authorised by the committee, council members attending as observers may participate in the meeting (but are not able to vote). Generally, employees are not voting members. The committee may invite, through the CEO, Shire employees or others to attend but such persons shall not be entitled to vote.</p> <p>Tenure of membership is to be consistent with s.5.11 of the Act.</p> <p>If for any reason, a member is unable to hold office for the full period of their appointment, Council shall fill that vacancy. The member appointed shall hold office for the balance of the term of the member originally elected.</p>	<p>Membership to be listed in the endorsed Charter. There is to be a majority of external members compared to council members.</p> <p>If authorised by the advisory group, council members attending as observers may participate and/or vote.</p> <p>Generally, employees are not voting members. The advisory group may invite, through the CEO, Shire employees or others to attend but such persons shall not be entitled to vote.</p> <p>An external member absent for three consecutive meetings without leave shall forfeit their membership.</p> <p>If for any reason, a member is unable to hold office for the full period of their appointment, Council shall fill that vacancy. The member appointed shall hold office for the balance of the term of the member originally elected.</p>	<p>Membership, including representative organisations, to be listed in the endorsed Charter. There is to be a majority of external members (representative organisations) compared to council members.</p> <p>If authorised by the representatives meeting, council members attending as observers may participate and/or vote.</p> <p>Generally, employees are not voting members. The representatives meeting may invite, through the CEO, Shire employees or others to attend but such persons shall not be entitled to vote.</p> <p>An organisation with a representative absent for three consecutive meetings without leave shall forfeit their membership.</p> <p>If for any reason, a member is unable to hold office for the full period of their appointment, Council shall fill that vacancy. The member appointed shall hold office for the balance of the term of the member originally elected.</p>	<p>Membership to be listed in the endorsed Charter. There may be a majority of any of the following: council members, external members or employees.</p> <p>The working group may invite, through the CEO, Shire employees or others to attend but such persons shall not be entitled to vote.</p> <p>An external member absent for three consecutive meetings without leave shall forfeit their membership.</p> <p>If for any reason, a member is unable to hold office for the full period of their appointment, a Panel consisting of council members, CEO or ELT members as included in the endorsed Charter shall fill that vacancy. The member appointed shall hold office for the balance of the term of the member originally elected.</p>
Appointment (refer to item 4.5)	<p>Council members:</p> <ul style="list-style-type: none"> • Council members to be appointed to committees by Council (s.5.10). <p>External members:</p> <ul style="list-style-type: none"> • Selection criteria for external members to be included in endorsed Terms of Reference. • Nominations for external members to apply for a position 	<p>Council members:</p> <ul style="list-style-type: none"> • Council members to be appointed to the advisory group by Council (no absolute majority required). <p>External members:</p> <ul style="list-style-type: none"> • Selection criteria for external members to be included in endorsed Charter. 	<p>Council members:</p> <ul style="list-style-type: none"> • Council members to be appointed to the representative meeting by Council (no absolute majority required). <p>External members:</p> <ul style="list-style-type: none"> • Organisations to be appointed by Council. Individual representatives determined by organisation. 	<p>Appointment may be made by a Panel consisting of council members, CEO or ELT members as included in the endorsed Charter.</p> <p>Selection criteria to be included in Charter if applicable.</p>

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
Appointment /cont.	<p>on the group must be advertised detailing the selection criteria of external members for a period of at least two weeks. Advertising is to be in keeping with the principles of local public notice as defined by the Act and the “Community Engagement Policy”.</p> <ul style="list-style-type: none"> At the close of the advertising period, applications for external members shall be assessed against the selection criteria with a report providing recommendations for appointment to be considered by Council (s.5.10). <p>Deputy committee members:</p> <ul style="list-style-type: none"> Deputy committee members to be appointed by Council (s.5.11A). A deputy is to act in the capacity of a committee member unable to attend a meeting and shall exercise all rights of the absent committee member. 	<ul style="list-style-type: none"> Nominations for external members to apply for a position on the group must be advertised detailing the selection criteria of external members for a period of at least two weeks. Advertising is to be in keeping with the principles of local public notice as defined by the Act. At the close of the advertising period, applications for external members shall be assessed against the selection criteria with a report providing recommendations for appointment to be considered by Council. 	<ul style="list-style-type: none"> Appointment based on common interest and invitation to participate by the Shire. Individual representatives to be determined by each organisation with advice provided to the Shire. 	
Presiding Member	<p>Presiding member and deputy presiding member to be appointed by the Committee (s.5.12).</p> <p>Where the presiding member is unable or unwilling to chair the meeting, the deputy presiding member will chair the meeting.</p>	<p>Advisory groups to appoint their own presiding member.</p> <p>Presiding member is to be a council member appointed to the advisory group.</p> <p>Where the presiding member is unable or unwilling to chair the meeting, the senior employee tasked with supporting the advisory group will chair the meeting (but does not have voting rights).</p>	<p>Representative meetings to appoint their own presiding member.</p> <p>Presiding member is to be a council member appointed to the representatives meeting.</p> <p>Where the presiding member is unable or unwilling to chair the meeting, the senior employee tasked with supporting the representatives meeting will chair the meeting (but does not have voting rights).</p>	<p>Working groups to appoint their own presiding member.</p> <p>Where the presiding member is unable or unwilling to chair the meeting, the senior employee tasked with supporting the group will chair the meeting (voting rights in keeping with the endorsed charter).</p>

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
Conduct	<p>All committee members to conduct themselves in accordance with:</p> <ul style="list-style-type: none"> the Act Meeting Procedures Local Law Code of Conduct for Council Members, Committee Members and Candidates. <p>Disclosure of interests</p> <ul style="list-style-type: none"> Council members/ employees to disclose financial, proximity and impartiality interests (s.5.60). External members to be aware that any conflict of interest needs to be recognised to ensure that probity is maintained at all times. 	<p>All advisory group members to conduct themselves in keeping with the provisions with:</p> <ul style="list-style-type: none"> the Act Meeting Procedures Local Law Code of Conduct for Council Members, Committee Members and Candidates. <p>Disclosure of interests</p> <ul style="list-style-type: none"> Council members/ employees, to be disclose financial, proximity and impartiality interests (s.5.60). External members to be aware that any conflict of interest needs to be recognised, to ensure that probity is maintained at all times. 	<p>All representative meeting members to conduct themselves in keeping with the provisions with:</p> <ul style="list-style-type: none"> the Act Meeting Procedures Local Law Code of Conduct for Council Members, Committee Members and Candidates. <p>Disclosure of interests</p> <ul style="list-style-type: none"> Council members/ employees, to be disclose financial, proximity and impartiality interests (s.5.60). External members to be aware that any conflict of interest needs to be recognised, to ensure that probity is maintained at all times. 	<p>All working group members to conduct themselves in keeping with the provisions with:</p> <ul style="list-style-type: none"> the Act Meeting Procedures Local Law Applicable Code of Conduct (i.e. Code of Conduct for Council Members, Committee Members and Candidates or Code of Conduct for Employees). <p>Disclosure of interests</p> <ul style="list-style-type: none"> All members to be aware that any conflict of interest needs to be recognised, to ensure that probity is maintained at all times.
Meetings	<p>Committees with a delegation to be generally open to the public (s.5.23) with public participation in accordance with the Meeting Procedures Local Law. Committees that do not have a delegation may not be open to the public.</p> <p>Meeting documents to be available on the Shire's official website (s.5.25).</p> <p>Committees to operate in accordance with their adopted Terms of Reference.</p>	<p>Meetings to be generally open with the public to attend as observers. Meeting details available on request. Meeting documents available on request.</p>	<p>Meetings to be generally open with the public to attend as observers. Meeting details available on request. Meeting documents available on request.</p>	<p>Meetings are closed to the public.</p>
Quorum/ Voting	<p>Meeting quorum is at least 50% of the number of members of the committee (s.5.19).</p> <p>Each committee member who is present at a meeting is entitled to one vote (s.5.21).</p>	<p>Meeting quorum is at least 50% of the number of members of the advisory group (in keeping with principles of s.5.19).</p> <p>One vote per member (in keeping with principles of s.5.21).</p>	<p>Meeting quorum is at least 50% of the number of members of the representatives meeting (in keeping with principles of s.5.19).</p> <p>One vote per member (in keeping with principles of s.5.21).</p>	<p>Meeting quorum is at least 50% of the number of members of the representatives meeting (in keeping with principles of s.5.19).</p> <p>One vote per member (in keeping with principles of s.5.21).</p>

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
		Decisions are to be made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice). If not possible, the presiding member can make the final decision.	Decisions are to be made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice). If not possible, the presiding member can make the final decision.	Decisions are to be made by consensus (i.e. members are satisfied with the decision even though it may not be their first choice). If not possible, the presiding member can make the final decision.
Recording	<p>Contents of Minutes in accordance with the Act and Meeting Procedures Local Law:</p> <ul style="list-style-type: none"> • Only decisions of the meeting are required to be recorded, not discussion. • Unconfirmed Minutes of a meeting must be published within seven days after the meeting is held. (r.13 of Admin Regs) 	<p>Record of Proceedings shall record:</p> <ul style="list-style-type: none"> • details of any disclosure of interest and the extent of such interest. • the times any member has departed and/or re-enters the meeting. • consensus agreement on actions. <p>Record of Proceedings will not reflect verbatim discussion on issues or matters discussed prior to consensus agreement being reached.</p> <p>At the end of each meeting, the presiding member will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view.</p> <p>Unconfirmed Record of Proceedings to be provided to group within 7 days after the meeting is held (in keeping with principles of r.13).</p>	<p>Record of Proceedings shall record:</p> <ul style="list-style-type: none"> • details of any disclosure of interest and the extent of such interest. • the times any member has departed and/or re-enters the meeting. • consensus agreement on actions. <p>Record of Proceedings will not reflect verbatim discussion on issues or matters discussed prior to consensus agreement being reached.</p> <p>At the end of each meeting, the presiding member will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view.</p> <p>Unconfirmed Record of Proceedings to be provided to group within 7 days after the meeting is held (in keeping with principles of r.13).</p>	<p>Meeting Notes shall record:</p> <ul style="list-style-type: none"> • the details of any disclosure of interest and the extent of such interest. • consensus agreement on actions. <p>Meeting Notes will not reflect verbatim discussion on issues or matters discussed prior to consensus agreement being reached.</p> <p>At the end of each meeting, the presiding member will read out the agreed actions and any points of agreement to the meeting to ensure they are accurately reflected to the consensus view.</p> <p>Unconfirmed Meeting Notes to be provided to the group prior to the next meeting.</p>

	Committee (established under s.5.8 of the Act)	Advisory Group	Representative Meeting	Working Group
Reporting	Where a committee does not have a delegation/ authorisation, if a decision is the duty or function of the Council, it must be referred to Council. Recommendations of the committee to be included in a council meeting agenda to obtain a formal council decision, where applicable.	Where advice is received from an advisory group which may inform decisions made by Council and has been included as consensus agreement in the record of proceedings, advice may be included in an Officer report for formal consideration by Council. Agreed actions will be assessed for financial or resourcing implications prior to being actioned.	Where advice is received from a representative meetings which may inform decisions made by Council and has been included as consensus agreement in the record of proceedings, advice received is to be included in an Officer report for formal consideration by Council. Agreed actions will be assessed for financial or resourcing implications prior to being actioned”.	Where advice is received from a working groups which may inform decisions made by Council and has been included as consensus agreement in the meeting notes, advice received is to be included in an Officer report for formal consideration by Council. Agreed actions will be assessed for financial or resourcing implications prior to being actioned.
Changes to Terms of Reference/ Charter	Terms of reference to be reviewed prior to each ordinary local government election. Committees may amend their Terms of Reference when required with Council to endorse any changes.	Charter to be reviewed prior to each ordinary local government election. Advisory groups may amend their Charter when required with Council to endorse any changes.	Charter to be reviewed prior to each ordinary local government election. Representative meetings may amend their Charter when required with Council to endorse any changes.	Working groups may amend their Charter when required with ELT to endorse any changes.
Disband	Council may determine at any time that a committee is no longer required and is to be disbanded.	Council may determine at any time that an advisory group is no longer required and is to be disbanded. Where advisory groups are for a project with a finite end date or in response to a specific matter Council is not required to formally disband the advisory group, instead the advisory group will be dissolved as referenced in the relevant Charter.	Council may determine at any time that a representatives meeting is no longer required and is to be disbanded. Where representative meetings are for a project with a finite end date or in response to a specific matter Council is not required to formally disband the advisory group, instead the advisory group will be dissolved as referenced in the relevant Charter.	ELT may determine at any time that a working group is no longer required and is to be disbanded. Where working groups are for a project with a finite end date or in response to a specific matter ELT is not required to formally disband the advisory group, instead the advisory group will be dissolved as referenced in the relevant Charter.

4.7. External Committees, Management Boards and Groups

External committees, management boards and groups (collectively external groups) formed and operated by organisations may have council members or employees appointed by Council to represent the interests of the Shire.

Council members and employees appointed to external groups are to act in accordance with the relevant constitution, terms of reference or charter as applicable and should make every effort to attend meetings and lodge a formal apology for those meetings that cannot be attended. If for any reason, a member is unable to hold office for the full period of their appointment, Council shall fill that vacancy.

Council may determine at any time that an appointment to an external organisation is no longer required and will advise the organisation to this effect providing explanation for that decision.

5. APPENDICES

Appendix 1 Sample Recommendations

Appendix 2 Sample Terms of Reference

Appendix 3 Sample Charter

6. RELATED LEGISLATION

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government (Model Code of Conduct) Regulations 2021

7. RELATED DOCUMENTS

Code of Conduct for Council Members, Committee Members and Candidates
(1.1)

Community Engagement Policy (CD-04)