

Purpose

The purpose of this policy is to:

Council appoints Committees to provide input and overview to Council on specific functions, portfolios, programs or projects determined by Council on an ongoing basis. It is in the best interests of Council and the community that consistent practice is followed for the establishment, operation of and appointment to committees.

The purpose of this policy is to ensure:

1. Consistency in the establishment, operation of and appointment to committees; and
2. Council operates committees in compliance with the provisions of the Local Government Act 2009 (LGA) and the Local Government Regulation 2012 (LGR).

Scope

This policy is applicable to all Committees of the Whitsunday Regional Council and Committee's to which Whitsunday Regional Council provides Councillor representation.

Guiding Principles

Committee Categories

Council may establish, operate and appoint members to Committees, in order to address areas of interest to Council and the community, using the following categories:

1.1 Advisory Committees

- 1.1.1 A committee established in accordance with s265 of the LGR, which provides advice and recommendations to Council on a specific function, portfolio, program or project as determined by Council when establishing the Committee.
- 1.2.1 An Advisory Committee must not be appointed as a Standing Committee and may contain members who are not Councillors, including community members and representatives from organisations.
 - 1.2.1.1 All Advisory Committee members, whether they are a Councillor or not, may vote on business before the Committee.

- 1.2.1.2 Advisory Committees cannot be delegated powers under the LGA or any other Act and must report to Council for a decision on any issues raised at a meeting of the Committee.

1.3 Standing Committees

- 1.3.1 A Committee of which only Councillors can be members, which meets to discuss the specific function, portfolio, program or project determined by Council when establishing the committee. A Standing Committee exists indefinitely to deal with matters arising from time to time that fall within their jurisdiction.
- 1.3.2 The Mayor has a responsibility to be a member of each Standing Committee under s12(4)(g) of the LGA.
- 1.3.3 Standing Committees conventionally have an advisory role only, however under s257(1)(c) and (d) of the LGA, Council may, by resolution, delegate a power under the Local Government Act 2009 or another Act to a Standing Committee or Chairperson of a Standing Committee of the Council.

1.4 Statutory Committees

- 1.4.1 A Committee Council must establish to comply with legislation.

1.5 Special Committees

- 1.5.1 A Committee of which only Councillors can be members, which is convened for a single issue or short-term purpose, and ordinarily dissolved once they have done the specific job assigned to them by Council. Special Committees conventionally have an advisory role only.

1.6 External Committees

- 1.6.1 A Committee run by a third party which Council has been invited to provide representation to.

1.7 Committee Establishment

1.7.1 A Council Committee must be established by resolution of the Council.

1.7.2 Operation of Council Committees will be in accordance with the relevant Committee's Constitution, which must be adopted by Council, and at a minimum provide details regarding the following:

- 1.7.2.1 Authority;
- 1.7.2.2 Objectives;
- 1.7.2.3 Duties and Responsibilities;
- 1.7.2.4 Membership;
- 1.7.2.5 Chairperson;
- 1.7.2.6 Secretary;
- 1.7.2.7 Ethical Practices;
- 1.7.2.8 Meetings and Attendance;
- 1.7.2.9 Meeting Agenda and Minutes;

1.7.3 Council officers of the relevant Council department, as determined by Council on establishment of the Committee, shall resource the Committee.

1.8 Committee Membership and Appointment

1.8.1 Appointment of community members and representatives from organisations as members and alternate delegates to any applicable Council Committee must:

- 1.8.1.1 be affirmed by resolution of the Council;
- 1.8.1.2 be representative of the diverse needs and issues relating to the specific functions, portfolios, programs or projects of the Committee, as determined by Council;
- 1.8.1.3 take into consideration the required skills, knowledge and experience required, as determined by Council, to be a member of the Committee;
- 1.8.1.4 be in accordance with the Committee's Constitution; and
- 1.8.1.5 be reviewed on an annual basis.

1.8.2 Community members and representatives from organisations which are members of or alternate members to Council Committees are required to adhere to the following standard of behaviour in relation to their participation on a Council Committee:

- 1.8.2.1 Carry out responsibilities conscientiously and in the best interests of the Committee, Council and the community;
- 1.8.2.2 Treat people in a reasonable, just, respectful and non-discriminatory way; and
- 1.8.2.3 Ensure their conduct does not reflect adversely on the reputation of the Committee or Council.

1.8.3 The membership or alternate membership of community members and representatives from organisations to Council Committees is at the discretion of Council and may be terminated by resolution of the Council.

1.9 Committee Meetings and Agenda

- 1.9.1 Council Committee meetings will be open to the public, unless the Committee has resolved that the meeting is to be closed under s275 of the LGR.
- 1.9.2 Notice of the days and times when Council Committee meetings will be published and displayed in accordance with s277 of the LGR.
- 1.9.3 Items to be discussed at a Council Committee meeting shall be made available for inspection by the public at the time the agenda for the meeting is made available to members of the Committee.

1.10 Committee Reporting

- 1.10.1 Minutes of Council Committee meetings will be taken, confirmed and made available to the public in accordance with s272(1), s272(2) and 272(3) of the LGR, unless the Committee is exempt from the requirement to take minutes of its proceedings in accordance with s272(6) and s272(7) of the LGR.
- 1.10.2 Where an exemption exists under s272(6) and s272(7) of the LGR, the Committee will prepare a written report of its deliberations and advice or recommendations put to the Council in accordance with s272(8) of the LGR and this report will be made available to the public.
- 1.10.3 Recommendations of Council Committees with no executive powers will be reported to Council for their review and decision.
- 1.10.4 Councillors appointed as members of External Committees shall have the option of informing Councillors at a Council Briefing Session of agenda items to be discussed by the External Committee, in order to advise Councillors of the relevant issues and goings-on of the Committee.
- 1.10.5 Councillors appointed as members of External Committees shall provide regular updates to Council on the decisions, activities and issues affecting the Committee by, at a minimum, either:
 - 1.10.5.1 Tabling minutes of meetings of the Committee at a Councillor Briefing Session;
 - 1.10.5.2 Providing a verbal update on the Committee at an Councillor Briefing session; or
 - 1.10.5.3 Submitting a written report on the Committee for inclusion in a Briefing Session agenda.
- 1.10.6 Councillors appointed as members of External Committees shall ensure that the External Committee is aware of the reporting obligation outlined at point 17.

2. Related Polices and Legislation

This policy is in reference to section 48A of the Act.

3. Definitions

CEO refers to the Chief Executive Officer of the Whitsunday Regional Council appointed in accordance with the Local Government Act 2009.

STRATEGIC POLICE: CORPORATE SERVICES

Committees Policy (GOV_01)

Endorsed by Council

24 April 2024

Commission refers to the Crime and Corruption Commission.

Council refers to the Whitsunday Regional Council

Corruption refers to corrupt conduct

Corrupt Conduct refers to section 15 of the Act

Crime and Corruption Commission refers to the Commission form under the Act

Employee refers to any employee, contractor, volunteer etc. of the Council

Nominated Person refers to the Mayor or a delegate authorised by the Mayor

Public Official refers to the CEO

COUNCIL POLICY			
Date Adopted by Council	24/04/2024	Council Resolution	OM2024/04/24.22
Effective Date	24/04/2024	Next Review Date	25/04/2025
Responsible Officer(s)	Manager Governance and Administration	Revokes	LSP_OMCEO_28