



Appointment to Council Committees Policy 2025

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Authorising Officer	Director Corporate and Leisure
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1. Statement and Purpose

- 1.1 This policy recognises the important role that members of the public and Council committees play in providing specific advice on a range of matters relevant to Council's services and service delivery and establishes the guiding principles for the appointment of members of the public to Council committees.

1.2 Council committees are one of a number of ways of enabling community participation in decision making. The appointment of members of the community onto Council committees allows and encourages:

- a. active involvement by the community in council decision making;
- b. Resource sharing between people working towards a common goal;
- c. Strengthening the sense of community;
- d. Encouraging transparent channels of communication; and
- e. Delegation of functions, duties, and powers to the community, providing direct community involvement, accountability and ownership for projects and properties.

1.3 The *Local Government Act 2020* (Vic) ('the Act') prescribes that impacted stakeholders and community members must be actively involved in Council's decision-making processes and that they will have an opportunity to influence or become involved with government decisions that affect their lives. This Policy assists Council is complying with this obligation.

1.4 Committees may be established to provide community level input into a broad area of Council's operations. They may also be set up for a specific time-limited project, such as a review of a Local Law or the construction of a major infrastructure project. They also provide for direct involvement of community members in management of council assets or interests.

1.5 It is appropriate that appointments of members of the public to council committees are conducted with appropriate levels of probity and that clear processes for appointments are established. The purpose of this policy is to set out the principles and requirements for the appointment of appropriately skilled individuals to Council committees.

2. Scope

2.1 This policy applies to the appointment of members of the public to Council committees , including Delegated Committees, Community Asset Committees, Advisory Committees and Statutory Committees.

2.2 This policy does *not* apply to appointment of members of the public to the Audit and Risk Committee as appointments to that Committee are governed by the Audit and Risk Committee Charter and the *Local Government Act 2020* (Vic), nor does it apply to community members of

Community Reference Groups who are appointed in accordance with the Community Reference Group Policy.

3. Policy

3.1 Council is committed to making appointments of members of the public to council committees that are:

- a. devoid of bias and free from political influence and personal favouritism thereby removing any claim of political patronage;
- b. consistent;
- c. transparent;
- d. promoting diversity; and
- e. in accordance with the requirements established by any applicable legislation, Council policies and a relevant committee governing instrument.

3.2 Precedence

Where the requirements for committees established by the Act or any other Act including any related Ministerial guidelines differ from the provisions of this policy, those requirements take precedence over the provisions of this policy.

3.3 Term

A person appointed to a committee to represent the community or to represent an organisation continues as a member of the committee until:

- a. that person's term expires;
- b. the committee is dissolved by Council;
- c. the committee completes its purpose in accordance with its governing instrument;
- d. a person appointed to a committee to represent an organisation or interest group is replaced by such an organisation or interest group;
- e. the member resigns from the committee;
- f. the death of the member;
- g. a member acts in such a way that may warrant dismissal from the committee or is inconsistent with the standards of behaviour as set out in that committee's governing instrument; or

- h. a member fails to meet any minimum attendance requirements of the committee outlined in the governing instrument of the committee.

Qualifications

- 3.4 Any member of the public appointed to a committee must meet the relevant compliance requirements of that committee as defined in that Committee's governing instrument.
- 3.5 All prospective members of a Council Committee must obtain a Working with Children Check (WWCC) at their own expense, prior to commencing their position. An appointment to a committee with a mandatory working with children's check included as a condition of membership cannot be formally adopted until Council receives evidence of this check.
- 3.6 Notwithstanding the obligation of prospective members to provide a WWCC prior to commencing their position, prospective members must complete Council's child safety training module prior to commencing their position.
- 3.7 Prospective committee members must complete a nomination form to qualify to be a member of the committee. Each nominee membership application will be required to confirm that they:
 - a. Have not been convicted of any indictable offence;
 - b. Have not been convicted of fraud;
 - c. Have not been disqualified from acting as a director or acting in the management of a company; and
 - d. Are not facing court proceedings for any criminal proceedings, including bankruptcy.
- 3.8 Where an organisation, community group or facility user is represented on any committee by an individual, the following requirements apply:
 - a. An organisation must be a registered company or otherwise legally incorporated;
 - b. A community group must have a written constitution and current office bearers;
 - c. A facility user must be a person, class or group who is a regular user or hirer of the facility;
 - d. The organisation, community group or facility user must nominate its representative in writing. The written nomination is to be made, as appropriate, by a duly authorised office bearer or office holder of the organisation, community group or facility user.

Refusal of nominations

- 3.9 Council has the discretion to refuse any nomination.

Council delegates

3.10 Council delegates may be appointed by Council from time to time on terms determined by Council

Council appointees

3.11 Each committee will be supported by a Council contact officer.

3.12 Council officers are non-voting and are not able to hold a committee office.

De facto members

3.13 De facto members may be invited to present or provide specialist advice.

3.14 De facto members do not have a vote on committee deliberations and must not be involved in the development of recommendations to Council.

Ordinary vacancies

3.15 The Chief Executive Officer will undertake an expression of interest process for the appointment of new members except in any case where a specific appointment process is established by that committee's governing instrument.

3.16 Nominations for new committee members will be called for prior to the completion of the term of the retiring committee members, or whenever considered necessary by Council.

3.17 Information related to each committee, a copy of the committee governing instrument and a nomination form will be provided to prospective nominees.

3.18 Selection criteria representing the specific mix of member skills or representation will be used for selecting members as set out in committee governing instruments. Selection of community representatives will be based on the following criteria:

- a. Willingness to make an active contribution to discussion;
- b. Strong networks and linkages with the particulars of that committee;
- c. Current involvement in the community in the interest area that relates to the purpose of the committee; and
- d. A capacity to commit to the committee for the required term.

3.19 A Business Paper Report will be provided to Council recommending that Council determine the appointment of new members.

3.20 With regards to Delegated Committees and Community Asset Committees, where there are more nominations than vacancies and the nominees address the requirements of the relevant

committee, Council may at its discretion, appoint members to the committee in excess of that specified in the committee governing instrument.

3.21 All nominees will be notified by a letter from Council as to the outcome of the appointment process.

Extraordinary vacancies

3.22 If a vacancy arises, Council will call for a nomination for a replacement committee member in line with the process for ordinary vacancies as outlined in that Committee's governance document.

3.23 Members appointed in response to extraordinary vacancies will serve the remaining term of the committee member they are replacing.

Removing a committee

3.24 Council may determine by Council resolution to remove an existing committee.

3.25 Reasons for removal could include:

- a. Council deems that it would be more beneficial to the community to have Council staff directly manage the role previously undertaken by the Committee;
- b. Council is unable to manage the risks associated with the activity being undertaken by the Committee;
- c. the Committee is not performing the required function or adhering to the reporting requirements;
- d. an incorporated body approaches Council about undertaking the role of the Committee;
- e. the function previously undertaken by the Committee is no longer required;
- f. the term specified in a committee governing instrument expires.

Removing a committee member

3.26 Council may remove individual members of the Committee at any time for reasons including if it is deemed they are acting outside the best interests of the Committee, outside the powers that have been delegated to the Committee or in breach of any behavioural standards expected of Committee members in the respective Code of Conduct.

4. Roles and Responsibilities

4.1 Council

The Council are responsible for actively considering any recommendations presented by a committee at a Council meeting that is open to the public.

4.2 Governance and Reporting Advisor

The Governance and Reporting Advisor is responsible for ensuring this policy is sufficiently reviewed and consulted by relevant Council staff and the community prior to formal adoption by Council.

5. Breaches

Breaches of this policy may result in ineligible or unsuitable members of the community being appointed onto a committee, thereby increasing the risk of inefficient engagement or improper conduct by committee members.

6. Community Consultation

Before adoption of this policy, it will be circulated in accordance with Council's Community Engagement Policy 2020 to ensure deliberative engagement has been undertaken and to ensure sufficient awareness of the policy's coverage is provided for community members wishing to nominate for membership onto a committee.

7. Human Rights

This policy has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of Human Rights and Responsibilities Act 2006.

8. Gender Impact Assessment

This policy has considered and applied Council's Gender Impact Assessment Template and satisfies the provisions established in the *Gender Equality Act 2020* (Vic).

9. Monitoring and evaluation

9.1 This success of this policy will be measured by the efficiency in which interested community members are appointed onto committees.

9.2 Council's Instrument of Delegations - Council to Community Asset Committees will be reviewed at least once a year, or when requested by Council staff to satisfy operational challenges, or as part of the standard delegations' review cycle.

10. Definitions

Act means *Local Government Act 2020* (Vic)

Advisory Committee means a Committee appointed by Council to provide advice to Council which has no delegated powers and is not a legal entity in its own right.

Chief Executive Officer means the person occupying the office of Chief Executive Officer of the Council and includes a person acting in that office.

Committee is a broad term and means an Advisory Committee, Community Asset Committee and Community Reference Group. Any reference to a Committee is a reference to any of these groups, unless otherwise indicated.

Committee members means any member of the public, including councillors appointed to that Committee, who have voting rights on that Committee.

Community asset committee means a committee established under section 25 of the Act.

Council means the Wangaratta Rural City Council comprised of elected councillors and led by the Mayor

Council means the Rural City of Wangaratta, led by the Chief Executive Officer

Council delegate means an officer employed by the Council

Councillor means a councillor of the Council

De facto members means a person who is invited to attend a Committee meeting to provide specialist advice on a specific matter, or at the invitation of the Committee or Council, but is *not* a Committee member and cannot exercise a vote at that Committee meeting.

Delegated committee means a committee created under section 63 of the Act. A planning committee established under section 188 of the *Planning and Environment Act 1987* (Vic) is also a delegated committee.

Extraordinary vacancy means a vacancy that arises during a Committee members' term that is not an ordinary vacancy.

Instrument of delegation means the governing instrument that outlines a committee's powers, duties and functions.

Members of the public means any person (i.e not a councillor) who wishes to nominate for a vacant position on any Committee covered by this policy.

Ordinary vacancy means a vacancy that

Statutory committee means a committee that Council is required or have in place under the Act or any other Act. Any guidelines for statutory committees provided by a relevant Minister or government body will be applied. They are mostly advisory in nature. Current examples include the:

- Audit and Risk Committees required under section 53 of the Act;
- Municipal Emergency Management Planning Committee required under section 59 of the *Emergency Management Act 1986* (Vic)

11. References and Related Policies

Legislation

- *Local Government Act 2020* (Vic)

Policies

Community Reference Groups Policy 2022

Community Engagement Policy 2020

Charters and Terms of Reference

Business and Industry Community Reference Group Terms of Reference

Environment and Sustainability Community Reference Group Terms of Reference

Youth Council Advisory Committee Charter

12.Review

Any change or update which materially impacts and alters this policy must be by Council approval following review by the Corporate Management Team.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

Version History		
Version Number	Date of change	Reasons for change
1.0	July 2020	Creation of policy
2.0	May2025	Standard policy review