

## Advisory and Working Groups Policy

### POLICY STATEMENT

Council by resolution, may establish and operate Advisory and Working Groups to facilitate Council member, stakeholder and/or community input and involvement regarding strategic, special interest, project activities.

### APPLICATION

#### 1) Terms of Advisory and Role

Advisory or Working Groups are to operate within the general framework approved by Council which may include but are not limited to:

- a) The role of acting in an advisory and consultative capacity, providing the Shire Administration and the Council with its views and/or proposals relevant to the **Objectives** for which the group was established.
- b) The group will only consider matters relevant to the groups identified objectives.
- c) Will have no decision-making powers and does not have any authority to act on behalf of the Shire. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire.
- d) When the group wishes to inform Council of its position on any matter, or to action any matter not already within the approved budget or being carried out administratively, a formal recommendation to Council. This must only occur when the recommendation has achieved a majority consensus from the group members.
- e) Advisory or Working Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion.
- f) Advisory or Working Group members (President excepted) either collectively or individually are not authorised to speak on behalf of the Shire or provide comment to the media or other persons, in respect of any item under consideration.
- g) Matters determined to be confidential by the Shire's Chief Executive Officer, President or Shire Liaison person are to be dealt with by the members as such. Members are not permitted to reveal the nature or content of confidential material provided to the Advisory or Working Group outside of that Group.

#### 2) Role of the Chairperson

- a) The Advisory or Working Group Chair/Liaison person is to be appointed through Council resolution.
- b) The Liaison person will preside at all meetings. In the absence of the Liaison person, a person elected by the quorum will assume the Chair for that meeting. Preferably, the Advisory or Working Group should be chaired by a Shire staff member or sitting Councillor.
- c) The Chair/Liaison person shall ensure that the Advisory or Working Group operates in accordance with this Policy at all times.

#### 3) Meetings

- a) Unless approved by the Council or there is a need to address an urgent issue (the latter to be agreed by the Chairperson and the Chief Executive
- b) At the first meeting, the group shall determine a Schedule of Meeting dates for the remainder of the year.
- c) The group shall meet as required. Additional meetings may be convened at the discretion of the Chair/Liaison person or Chief Executive Officer.

#### 4) Quorum

- a) A quorum will be by simple majority plus one.

## **5) Agendas**

- a) The Chair/Liaison person will determine the Agenda for each meeting. Members may submit items for consideration and listing on the Agenda.
- b) All meetings shall be confined to items listed on the Agenda, unless the Chair/Liaison person wishes to bring up an urgent item.

## **6) Minutes/Meeting Notes**

- a) The Chair/Liaison person having responsibility for the group shall be responsible to ensure Minutes/meeting notes are prepared as an accurate reflection of the meetings discussions and decisions.
- b) Items considered at the meeting do not need to be voted upon. However, the minutes/meeting notes of the group will record all actions and advice positions. They will not reflect verbatim discussion on issues or matters discussed during debate prior to actions and/or advice agreement being reached. At the end of each meeting, the Chair/Liaison person in attendance will read out the agreed actions to the meeting ensuring they accurately reflect the group consensus.
- c) Matters that the group wish to bring to Council formally are to be conveyed as formal recommendations reflecting the majority consensus of the group.
- d) The view and proposals of the group are to be recorded in meeting notes and retained according to the Shire's record keeping systems.
- e) Meeting notes of the meeting will be prepared by the Chair/Liaison person and distributed to members within ten (10) working days after the date of the meeting.
- f) The meeting notes shall accurately record the details of any disclosure of interest and the extent of such interest.
- g) The meeting notes shall record the times any person who has made a disclosure, has departed and/or re-enters the meeting.
- h) Meeting notes not requiring a Council decision will be available to elected Council members upon request.
- i) Meeting notes requiring a decision of Council are to be reported through to the CEO, with any recommendations regarding the views and proposals of the Advisory or Working Group, to the next available Ordinary Council Meeting, where practicable.

## **7) Administrative Action and Support**

- a) A Shire employee will be assigned to provide administrative support to the Advisory or Working Group. This person will be responsible for the following:
  - i) Issuing of the Agenda;
  - ii) Recording of Apologies prior to the meeting;
  - iii) Preparation of the meeting notes;
  - iv) Room booking; and
  - v) Bringing formal recommendations to Council through reports.
- b) Advisory or Working Group meetings will not be catered aside from tea, coffee, and water being made available.
- c) Any items which have been dealt with by the Advisory or Working Group will only be implemented by Shire Administration once approved by Council, except where an action is carried out in the normal course of the Shire's budgeted activities.

## **8) Code of Conduct**

- a) The Shire of Cunderdin Code of Conduct shall apply to members of Advisory or Working Groups.
- b) Members will be advised of the relevant provisions of the Code of Conduct and must comply with the relevant requirements. A copy of the Code of Conduct is available on the Shire's website.
- c) All members shall be required to declare any conflicts of interest in matters being considered by the Group.
- d) The Shire Chief Executive Officer is available to provide any assistance or guidance concerning the Code of Conduct or any matters of Interest.

## **9) Conflict of Interest**

- a) Although the financial, proximity and impartiality interest provisions of the Local Government Act 1995 do not apply to Advisory or Working Groups (as it is not a Council appointed committee approved under section 5.8 of the Local Government Act 1995), all conflict of interest need to be recognised, ensuring that probity is maintained at all times.
- b) If a matter being discussed by the Advisory or Working Group has a financial or proximity interest in the matters for discussion at meetings, then the member is required to declare the interest and the meeting shall decide if the member should remove themselves from the meeting whilst discussion of the matter takes place.
- c) The members shall take into consideration if the declared matter is:
  - i) trivial or insignificant; or
  - ii) an interest in common to a significant number of electors or ratepayers.
- d) The meeting shall then determine that the member should:
  - i) not participate in that part of the meeting;
  - ii) remain in the meeting and participate in discussion; or
  - iii) remain in the meeting only, but not participate in discussion on the matter.
- e) The meeting notes shall record the member's disclosure of interest and the extent of the interest. They shall also record the times a disclosing member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest.
- f) If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the Shire Chair/Liaison person in attendance at the meeting to assist (though not direct) them in their decision.

## **10) Insurances**

- a) Where available through its insurance provisions the City will arrange all insurance to cover Advisory or Working Group members whilst discharging their normal course of duty.

## **11) Membership**

- a) Membership of an Advisory or Working Group is to be determined by the Council on a basis of relevancy to the purpose for which the group has been established.
- b) Membership may include Council delegate/s (Council members), employees and representatives of stakeholder organisations and members of the community.
- c) Where Advisory or Working Group membership includes representatives of stakeholder organisations, the Shire shall seek verbal/written nomination/s from the organisation/s.
- d) Where Advisory or Working Group membership includes representatives to be drawn from members of the community; the Shire shall advertise locally on the Shire's website and Council noticeboard calling for nominations to be received within a defined period. Members are to be appointed by the Council based on demonstrated knowledge, skills and/or understanding relevant to the purpose for which the Advisory or Working Group has been established or based on any other criteria determined by Council.

- e) In order to facilitate specific aspects of the operations the group, with required skills or knowledge, the membership may be co-opted on an 'as required' basis, by either the Chief Executive Officer or industry specific person.
- f) Should a member resign from the Advisory or Working Group the Chief Executive Officer may appoint a replacement member/s from the Expression of Interest list.

## **12) Tenure of Appointment**

- a) The Council will appoint Advisory or Working Groups members and the groups prescribed Term and any conditions through resolution of Council.
- b) Unless determined otherwise by Council the Advisory or Working Group membership tenure is from the date of approval by Council or until the Staff employment termination or date of sitting Councillor's termination date
- c) The Council may terminate the appointment of any member prior to the expiry of his/her term, if:
  - i) the Chairperson and Chief Executive Officer are of the opinion that the member is not making a positive contribution to deliberations of the group; or
  - ii) the member is found to be in breach of the Code of Conduct or a breach or contravention of the Local Government Act 1995, or its subsidiary legislation; or
  - iii) a member's conduct, action or comments brings the Shire of Cunderdin into disrepute.
- d) The Council may by resolution terminate the Advisory or Working Group at any time and for any reason.

## **13) Vacancies**

- a) Vacancies shall be filled by calling for nominations of either the Council or community representatives. Members filling a vacated position will hold that position until the termination date.

## **14) Council Decision**

- a) The Shire's decision-making obligations are guided by relevant legislative, strategic and operational requirements and therefore the views or proposals of an Advisory or Working Group may not always prevail.

## **15) Review**

- a) The objectives of an Advisory or Working Group shall be reviewed when it is reconvened by Council, or at any other time as required by Council.

### **OBJECTIVE**

To provide guidance for the establishment and operation of the City's Advisory or Working Groups.

Advisory or Working Groups established pursuant to this Policy are not and are not intended to be Committees established under Section 5.8 of the Local Government Act 1995. Advisory or Working Groups cannot be given delegated powers and duties by Council.

### **STATUTORY CONTEXT**

Local Government Act 1995 –  
State Records Act 2000  
Freedom of Information Act 1992

### **CORPORATE CONTEXT**

1.9 Council Chamber Usage  
9.1 Occupational Safety & Health – Employees, Volunteers, Contractors, Visitors

**HISTORY**

Policy Adopted 26 March 2025  
Revised \_\_\_\_\_

**REFERENCES**

None

**DEFINITIONS**

Advisory or Working Group: means and includes Advisory or Working Group as referred to in this Policy and established by a resolution of the Council.