



George Town Council

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# Establishment of Special Committees Policy

**Policy No. 7 - Version: 02**

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## 1. Introduction

Section 24 of the Local Government Act 1993 (the Act) empowers Councils to establish, on such terms and for such purposes as it thinks fit, special committees. This Policy has been developed to reflect the method that Council will use in determining the need for and the establishment of a Special Committee.

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## 2. Type of Policy

This Policy is recognised as a 'Council Governance' Policy in that it requires endorsement by Council and provides specific direction in relation to governance practices.

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## 3. Objective

The objective of this policy is to provide a more consistent and structured approach for Council when considering and identifying the need for and the establishment of a Section 24 Special Committee or to review an existing Special Committee.

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## 4. Link to 2016 -2026 Strategic Plan

**Goal 5:** Ensure Council listens to and understands community needs and continues to make responsible decisions on behalf of the community.  
**Key Objective 4:** Consistently achieve a high standard of internal financial and governance arrangements.

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## 5. Legislative Requirements

### **Local Government Act 1993, S24 Special Committees**

- (1) *A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) *A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) *The council is to determine the procedures relating to meetings of a special committee.*

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## 6. Risk Considerations

This Policy aligns itself with the objectives for risk management at George Town Council, namely:

- Set performance standards and regular review and improve practices and procedures.

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## 7. Policy

In considering the need for and the establishment of a Special Committee of Council, Council will adhere to the requirements of Section 24 of the Local Government Act 1993 “Special Committees” and be guided by the following steps. These steps align with the flowchart in Attachment 1.

### 7.1 Identify the Need for a Special Committee

Before establishing a Special Committee of Council, careful consideration will be given to whether the circumstances call for such an action. Other options for addressing the identified issue will be considered, with the establishment of a Special Committee being just one potential remedy.

### 7.2 Identify the Purpose of the Proposed Committee

Once it is determined that a Special Committee of Council is the most appropriate remedy for an identified issue, the purpose for which the Committee will be formed will be articulated. The purpose will specifically address the identified need, and will include details of the roles and responsibilities of the proposed Committee that, if properly executed, will directly lead to the resolution of the need or issue. Any budgetary implications or responsibilities will be considered at this stage.

### 7.3 Identify Committee Membership

Identification of Committee membership comprises three distinct steps:

1. Determination of membership criteria;
2. Selection or nomination of members; and
3. Appointment of members.

*(Steps 2 & 3 are described here only for purposes of considering the implementation of a Special Committee. The actual selection and appointment of members will not occur until after the Terms of Reference have been finalised).*

When considering the most appropriate membership for the Committee, the following points will act as a guide:

- The need for any specialist skills or knowledge;
- The need for balanced representation;
- Whether the nature of the Committee’s representation will be achieved across stakeholder groups;
- The need to balance desire for diverse representation with consideration for practical operation of the Committee and the relative benefits of restriction of membership numbers;
- The extent, if any, of Council representation on the Committee, whether Councillor and/or Council officer representation, how they will be appointed and what role they will play on the committee;
- Membership tenure and any restrictions on number of consecutive terms.

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## 7. Policy (Cont.)

Options to consider for identification and selection of Committee members-elect include:

- Direct appointment by Council;
- Direct invitation to either individuals or organisations;
- Public advertisement of Committee member vacancies;
- Election of members where appropriate;
- A combination of any of the above.

Appointment of Committee members will not occur until members-elect are ratified by Council in a formal Council meeting.

### 7.4 Identify How the Committee Will Operate

When considering operating procedures for a proposed Special Committee, the following points will act as a guide:

- How the Committee will operate;
- Whether there will be office bearers, how they will be appointed and the term of appointment;
- How often, what time and where the Committee will meet;
- Meeting Procedures (to be in accordance with the Local Government (Meeting Procedures) Regulations 2015 unless otherwise determined by Council);
- How the Committee will report to Council and the Community;
- Whether the Committee will have an operating budget and how that will be managed;
- Risk exposure;
- Which Council department will have administrative, budgetary and operational responsibility for the Committee;
- What degree of administrative support will be provided to the Committee and whether sufficient resources exist within the organisation to deliver that support.

*Note: All of the above shall be outlined in the Committee's Terms of Reference as adopted by Council.*

All Special Committees of Council will be reviewed annually against this Policy. A review of existing Special Committees of Council will be conducted upon adoption of the Policy, and thereafter all reviews will be conducted in or as near as possible to December of each year.

### 7.5 Establish Terms of Reference

After consideration of the previous steps and before proceeding with the establishment of a Special Committee of Council, Terms of Reference for the proposed committee will be developed and approved by Council. See Template attached as Appendix 2.

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## 7. Policy (Cont.)

### 7.6 Selection or Nomination of Members

The method of selection of members will proceed as determined by Council in accordance with the above steps.

### 7.7 Establish Committee

Once the above steps have been completed, the Special Committee of Council can be established and members-elect appointed by determination of the Council in a formal Council meeting.

### 7.8 Review of Existing Committee/s

The above steps will be applied by Council in reviewing the requirement to continue or to discontinue an existing Special Committee.

The above process is an internal one except where Council specifically determines that the Community Consultation Policy should apply.

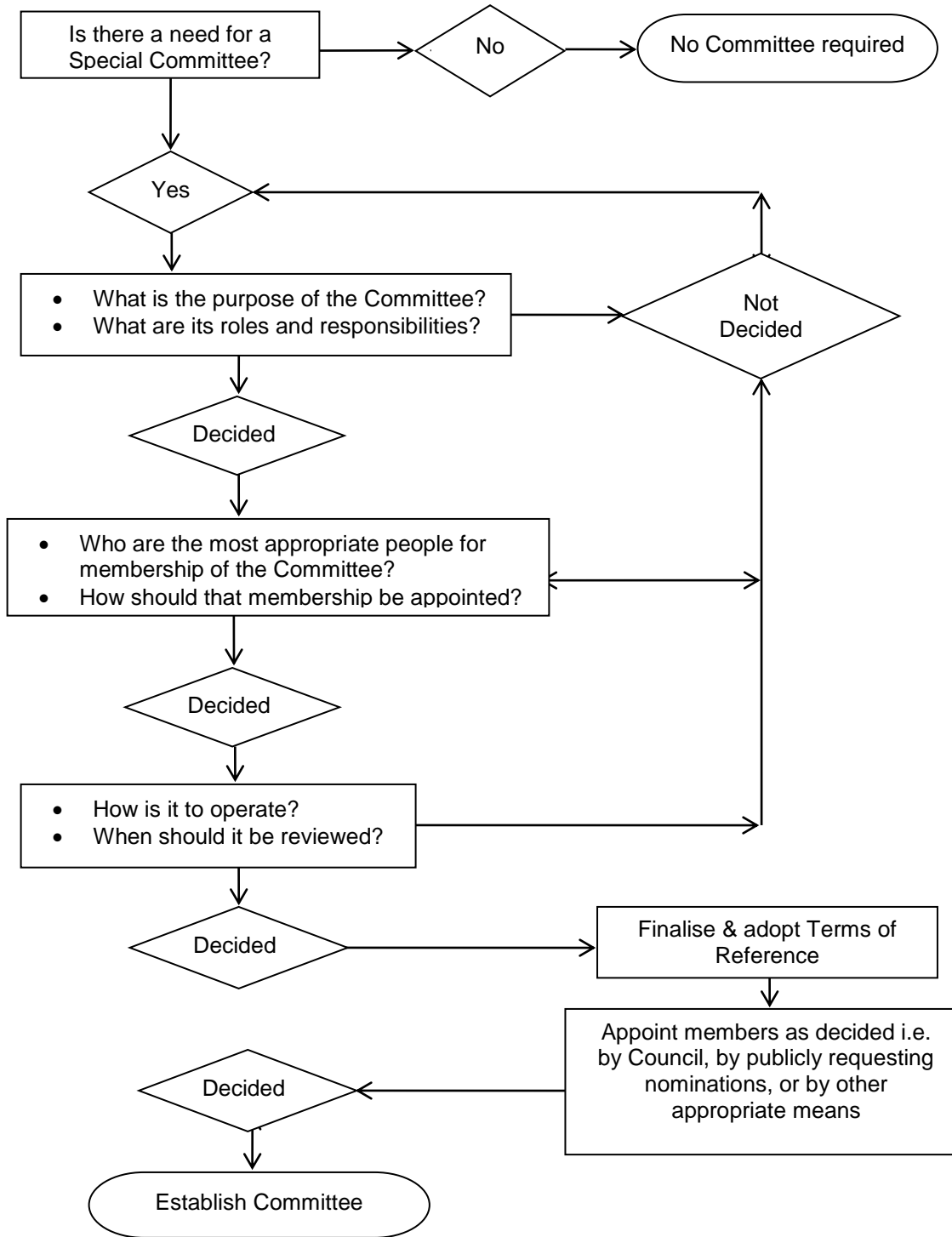
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## 8. Implementation of Policy

Responsibility for the operation of this Policy rests with the General Manager.

<b>Date of Approval:</b>	
<b>Approval Authority:</b>	Council
<b>Source of Approval:</b>	
<b>Commencement Date:</b>	
<b>Related Council Documents:</b>	<ul style="list-style-type: none"><li>• Policy Development, Approval and Review Policy No. 09</li><li>• Community Consultation Policy No. 13</li><li>• Risk Management Policy No. 33</li></ul>
<b>Next Review Date:</b>	2020 or as required by legislative changes
<b>Publication of Policy:</b>	This Policy will be made publicly available via Council's website.

Process Model



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## Terms of Reference Template

### TERMS OF REFERENCE

#### INTRODUCTION

- “The XYZ Committee is established as a Special Committee of Council” in accordance with Section 24 of the Local Government Act 1993;
- Why the Committee was established;
- When it was established; and
- Under what legislative power it was established.

#### AIM

- Main purpose of the Committee (in one sentence).

#### OBJECTIVES

- Key tasks of the Committee – e.g. ‘to provide specialist advice and support to Council relating to ...’.

#### ROLES AND RESPONSIBILITIES

- Key method of operation of the Committee – e.g. ‘The XYZ Committee advises and makes recommendations to Council on matters relating to ...’;
- Include any key responsibilities, such as managing a facility, administration of any finances; and
- Consider its powers, whether it has the ability to establish sub-committees, and how it will communicate with Council and community.

#### MEMBERSHIP

- Provide specific information about eligibility for membership;
- Make-up of the membership;
- How the Chairperson and members are nominated and appointed (note: a Special Committee of Council appointed under the Local Government Act 1993 can only be appointed by the Council);
- Consider: combination of representatives, number of members/number or representatives from each stakeholder group, representation from Council and/or Council Staff, whether the Committee is to be chaired by a Councillor or a community representative;
- Include information about whether and which executive office positions there will be and how those positions are determined; and
- Provide details of term of appointment to the Committee and whether there are any restrictions on number of consecutive terms.



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## Terms of Reference Template (Cont.)

### **MEETINGS & MEETING PROCEDURES**

- How often the Committee will meet (or minimum number of meetings to be held each calendar year);
- Where the Committee will meet and what time;
- Notice of meetings;
- Number of members required for a quorum;
- Keeping of and confirmation of minutes by Committee;
- Provision of minutes to Council;
- Whether Council officers are to attend meetings; and
- Which Council department will have administrative, budgetary and operational responsibility for the Committee.

### **REPORTING REQUIREMENTS**

How the Committee will report to Council any recommendations made by the Committee.

### **REVIEW PERIOD**

- Details of any review period (e.g. "The Committee's terms of reference, membership and responsibilities shall be reviewed annually by Council")
- Intended length of the Committee and any qualifiers (e.g. "The Committee is established for a period of two years from [date] or until the completion of the ABC project")