



## APPOINTMENTS OF COUNCILLORS TO COMMITTEES

**EXECUTIVE MEMBER:** KYLIE BENNETTS, GENERAL MANAGER, CITY GROWTH AND ORGANISATIONAL CAPABILITY

**PREPARED BY:** RACHEL RUSSELL, MANAGER GOVERNANCE AND ORGANISATIONAL PERFORMANCE

### 1. PURPOSE

- 1.1 To appoint Councillors to delegated committees, advisory committees and external committees until December 2021.

### 2. EXECUTIVE SUMMARY

- 2.1 Council are required to appoint Councillor representatives to delegated, advisory and external committees, this report helps to facilitate that requirement.

### 3. RECOMMENDATION

- 3.1 Appoints Councillor representatives to delegated, advisory and external boards and committees as per Attachment 1, effective from the date of this resolution until December 2021.
- 3.2 Appoints Councillor X as one of two Councillor representatives on the South Melbourne Market Committee, effective from the date of this resolution until December 2021.
- 3.3 Appoints Councillor X as one of two Councillor representatives on the South Melbourne Market Committee, effective from the date of this resolution until December 2021.
- 3.4 Notes the Councillors appointed to the roles outlined in Recommendations 3.1-3.3, will also fulfil the requirements of any sub-groups or sub-committees formed by these bodies where Councillor representation is required. In the event the Councillor representative is not able to fulfil this role, a Councillor representative will be determined by the Mayor or brought back to Council for resolution.

### 4. KEY POINTS/ISSUES

- 4.1 Council participates in various delegated, advisory and external boards and committees. Each requires Council to nominate Councillor representation. This report facilitates those appointments.
- 4.2 The Local Government Act (LGA) 2020 specifies three types of committees, and the powers and administrative arrangements related to those committees. These committees include delegated committees, joint delegated committees and Community asset committee. There is also the ability for Council to establish advisory committees.
- 4.3 Council currently has three delegated and / or joint delegated committees:



- 4.3.1 Inner Melbourne Action Plan Implementation Committee (comprised of Councillors and officers of the municipalities of Port Phillip, Melbourne, Maribyrnong, Yarra and Stonnington).
- 4.3.2 Council Neighbourhood Programs Committee (comprised of Councillors and an officer). Note this Committee is currently inactive as funding for this program was removed as part of the 2019/20 Council budget process. At the time Councillors requested that this be reconsidered as part of the 2020/21 budget process.
- 4.3.3 Planning Committee (comprised solely of Councillors).
- 4.4 Other committees of Council or where Council has the ability to participate include:
  - 4.4.1 The Audit and Risk Committee;
  - 4.4.2 12 Advisory committees; and
  - 4.4.3 13 External committees.
- 4.5 There may be occasions where advisory or external committees form sub-groups or sub-committees to deal with a matter. If a Councillor representative is required, then typically the Councillor representative for that advisory or external committee will fulfil that role. Where the Councillor representative is not able to fulfil that role for some reason, the Mayor may determine a Councillor appointment to the sub-group or committee, or the matter will be brought back to Council for resolution.

## 5. CONSULTATION AND STAKEHOLDERS

- 5.1 Councillors are requested to make use of the standing item on the Council agenda “reports by Councillor delegates appointed to other bodies” to report back to Council on the activities of the respective bodies.

## 6. LEGAL AND RISK IMPLICATIONS

- 6.1 Section 53 of the LGA 2020 requires Council to establish an Audit and Risk Committee. This committee must:
  - 6.1.1 Include members who are Councillors of Council;
  - 6.1.2 Consist of a majority of members who are not Councillors;
  - 6.1.3 Not include any member who is a member of Council staff of the Council;
  - 6.1.4 The chair must not be a Councillor of Council.
- 6.2 Council is required by section 43 of the LGA 2020 to keep Councillors indemnified whilst they are undertaking the duties of a Councillor. The legislation states:

“A Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Community Asset Committee against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith –

  - (a) in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act; or



- (b) in the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a power under this Act, the regulations or a local law or any other Act.

6.3 This indemnity covers Councillors whilst acting in good faith and representing Council on these bodies.

## **7. FINANCIAL IMPACT**

7.1 Not as a result of this report.

## **8. ENVIRONMENTAL IMPACT**

8.1 Membership of the Association of Bayside Municipalities involves the identification, resolution and advice on matters of common interest to Bayside Councils to improve the overall management of the Port Phillip Bay environment.

8.2 The Metropolitan Waste and Resource Recovery Group (MWRRG) is a Victorian State Government Statutory Body responsible for coordinating and facilitating the delivery of waste management and resource recovery across metropolitan Melbourne.

8.3 The South East Councils Climate Change Alliance (SECCCA) supports member councils and their communities in the south east region to respond and adapt to the impacts of climate change. SECCCA collaborates with all levels of government to deliver regional climate change projects. They exist to advocate, educate and deliver targeted projects in the areas of greenhouse gas abatement, sequestration and adaptation.

## **9. COMMUNITY IMPACT**

9.1 Appointments to external bodies is at the discretion of the Council, however, there is a possibility that Council and the community would lose a significant voice in an important forum, for example, the Municipal Association of Victoria, the Metropolitan Transport Forum, etc., if Council was not represented.

## **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

10.1 The appointment of Councillors to committees is consistent with Council's strategic direction and commitment to the community of a financially sustainable, high performing, well governed organisation that puts the community first.

## **11. IMPLEMENTATION STRATEGY**

### **11.1 TIMELINE**

11.1.1 The appointments will take effect from the date of this resolution.

### **11.2 COMMUNICATION**

11.2.1 Once the appointments are determined, relevant Council staff will advise the respective committees and external bodies of the appointments made; and ensure that Councillors' calendars are updated with the appropriate meeting dates. Arrangements will be made to ensure induction occurs relative to the requirements of the appointment.

**ORDINARY MEETING OF COUNCIL– 02 DECEMBER 2020**



**12. OFFICER DIRECT OR INDIRECT INTEREST**

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

**TRIM FILE NO:** F20/1

**ATTACHMENTS** 1. Attachment 1 - Council committee appointment schedule