

# Discussion Paper: Community Consultative Bodies – Future Engagement Framework

## Purpose

This discussion paper has been prepared to support informed conversation with Community Consultative Bodies (CCBs) and other community service group representatives to determine the most appropriate alternative to the CCB engagement model, for the long term. It explains why Council is moving away from the current model, clarifies legal and governance issues, and outlines a new approach that strengthens community voice while removing legal risk for Council and community members.

This paper is not a decision document. Its purpose is to clearly set out Council's position, the reasons for change, and how community engagement could continue to be strengthened.

## Background and Context

Community Consultative Bodies have historically played an important role in providing a forum for local issues, advocacy and information-sharing between communities and Council.

Over time, however, legal uncertainty has emerged about the status of these bodies—specifically whether they are:

- Council committees, or
- Independent community groups.

This lack of clarity creates legal and governance risks for both Council and participants. In response, Council has resolved to conclude the CCB model of engagement from 1 July 2026 (16 Dec 2026: Min CL25.418) as a Council owned structure while continuing and strengthening community engagement through a clearer, safer, and more transparent model.

## Key Principles Guiding the Change

The proposed changes are guided by the following principles:

1. Community independence – Community groups should operate independently and retain control of their own affairs.
2. Clear legal separation – Council should not carry legal risk for bodies it does not control.
3. Strong community voice – Community input must remain visible, accessible and heard by all Councillors.
4. Transparency and fairness – All communities should have equal access to engagement opportunities.
5. Reduced risk for volunteers – Community members should not be exposed to unclear legal or governance obligations.

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## **Legal Doubt: Council Committee or Community Group?**

A central issue with the current CCB model is legal ambiguity.

While CCBs have not been established as formal Council committees, aspects of their operation can give the impression that they are representing Council and operating under Council authority.

This creates doubt about who is legally responsible for decisions and actions, whether Council has oversight or control and where liability sits if issues arise.

Council's position is clear. If Council does not control a body, it should not carry legal exposure for that body.

To remove this ambiguity, Council is proposing to formally step away from the CCB structure.

## **Legal Responsibilities and Risk**

It is important to note that under the proposed approach, all community groups currently endorsed as a CCB can continue to operate as independent community organisations, or incorporated bodies.

They would continue to retain full control of their meetings, agendas and participation and carry their own legal responsibilities, including:

- Defamation risk
- Meeting conduct and disputes
- Apprehended Violence Orders (AVOs)
- Personal conduct issues
- Any workplace or volunteer safety considerations.

Council will not review agendas or minutes, manage disputes, review complaints or have any regard for legal matters arising from group activities.

This clear separation ensures Council has no legal exposure, and community groups are fully aware of their responsibilities.

## **Why Council is Concluding the CCB Model**

The decision to discontinue the CCB model is not intended to reduce community engagement. Rather, it reflects significant concerns with the current structure, which presents unacceptable legal risks for Council, limits Council's ability to enforce standards without assuming liability, and may unintentionally expose volunteers to risk.

Removing the CCB structure enables Council to clearly articulate its role, minimise legal exposure, and engage communities in a more equitable and consistent manner.

## What will Continue

Importantly, many practical elements valued by communities will continue.

### 1. Community groups continue to exist

- Council does not vote to disband or establish community groups
- Groups may continue exactly as they choose
- Council does not control membership, structure or leadership.

### 2. Councillors can continue to participate

- Community groups may continue to invite Councillors to attend meetings
- Councillors attend at their discretion
- Attendance does not create a Council committee or formal decision-making body.

### 3. Free access to Council facilities for meetings

- Council will continue to provide free access to Council-owned halls for community meetings
- Access will be managed through standard booking processes
- This support does not imply governance or oversight.

## What will Change

### Conduct

- Community groups will not be required to comply with the CCB Guidelines.
- Council will not investigate behaviour within community-run meetings.

### Governance and Risk

- Council will not intervene in disputes or complaints
- Council will not manage legal issues of any kind
- Council will not be responsible for meeting outcomes.
- Council will not endorse or cease to recognise by resolution.
- Council will not set boundaries of any CCB.

## Engagement Model Options

### 1. Community Access Forum Model

Council's strong preference is for community groups to consider becoming incorporated associations.

Currently, 16 of the 23 CCBs are incorporated bodies, providing them a formal legal identity, separate from its individual members. This provides protection, credibility and clarity about responsibilities as well as ability to attract grant funding opportunities.

Council is willing to assist groups with information and guidance on incorporation. Council into the future would therefore have no involvement in their formation/disestablishment and operations. All existing guidelines and council requirements would be abolished.

Public liability insurance and access to council facilities would remain cost neutral for a period of 3 years and be reviewed at that time. Access to council halls and facilities would be waived.

A new conduit to council will be formalized for the existing community bodies. To strengthen connection between Council and communities, a Community Access Forum will be established.

The forum will provide a direct platform for community groups to raise issues with Council. It will enable Councillors and Council staff to hear community concerns simultaneously, promoting transparency and equity in access.

It will operate immediately following Public Access Forum held once per month at the Council Chambers, where community groups may nominate representatives to speak. Issues will be presented for consideration but will not be debated or voted on. Councillors may make enquiries, and feedback will be formally captured.

Matters raised through the forum will inform advice to Council and, where appropriate, may form the basis of a Council report. Over time, the forum will become a recognised engagement pathway between community groups and Council. As part of this shift, Council policies will be updated to reflect the new engagement model. References to Community Consultative Bodies will be removed, and the Community Access Forum will be established as the primary engagement mechanism.

## **2. Ward-based Precinct Committees**

These would meet once every six months and comprise one or two representatives from various community organisations and groups, including those currently recognised as CCBs.

They would be formal council committees and membership would include the councillors from the respective ward and the Mayor and/or her representative. The agenda would be set by the CEO in conjunction with the membership of the committee.

## **3. Formalise all CCBs and make them official Council committees**

Council Committees operate under approved terms of reference, adopted policies, and Council's Code of Conduct, providing greater clarity around expectations and behaviour.

Members are appointed based on their skills and knowledge and must comply with Council's governance, record keeping and financial reporting requirements.

The CEO would then be delegated an authority to investigate complaints and manage governance, which is highly expensive and problematic.

## Conclusion

Council values strong, independent community voices. The proposed changes are about clarity, safety and sustainability, not withdrawal.

By removing legal ambiguity, ending a structure that exposes Council and volunteers to risk and introducing a stronger, more transparent engagement platform, we can enhance engagement with all communities in a fair and equitable way.

*This discussion paper is intended to support open dialogue. Feedback from community groups is welcomed and will help shape the final engagement framework.*

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