

TERMS OF REFERENCE

Governance Committee

The Governance Committee is established by the Council pursuant to Section 23 of the *Local Government Act 1993*, to assist the Council in carrying out its functions.

1. Membership

- 1.1. Membership of the Committee is in accordance with the resolution passed by the Council at its meeting on 9 November 2009, being five (5) Aldermen.
- 1.2. Following each quadrennial election, Aldermen are appointed to the Committee by the Council. A mid-term review of the Committee membership and Terms of Reference will be undertaken in November 2016. Where a resignation may be accepted by the Council or an Alderman may be removed by resolution of the Council, the Council will appoint an Alderman to fill the vacant position.
- 1.3. In the event of a vacancy occurring at a meeting, the Committee may co-opt another Alderman to fill the vacancy pursuant to Section 23 (2) of the *Local Government Act 1993*, Regulation 10 (4) of the *Local Government (Meeting Procedures) Regulations 2005* and in accordance with Council Policy “Council and Council Committees – Meetings: Procedures and Guidelines”.

2. Appointment of Chairman

- 2.1. In accordance with the Regulation 10 (3) (a) of the *Local Government (Meeting Procedures) Regulations 2005*, and Council Policy “Council and Council Committees – Meetings: Procedures and Guidelines”, the election of the chairman of each of the Council’s committees is reserved to the Council.
- 2.2. Where an appointed chairman may be absent from a Council committee meeting, the provisions of Council Policy “Council and Council Committees – Meetings: Procedures and Guidelines” and Regulation 10 (4) of the *Local Government (Meeting Procedures) Regulations 2005*, apply to appointing the chairman for the meeting.

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3. Quorum

- 3.1 A quorum is a simple majority obtained by the attendance of a majority of the membership of the Committee.
- 3.2 In accordance with Council Policy “Council and Council Committees – Meetings: Procedures and Guidelines”, the Lord Mayor or in their absence the Deputy Lord Mayor is an “ex-officio” member of all committees, except where they are an appointed member of that committee, for the purpose of establishing and maintaining a quorum, where the required number of committee members needed to maintain a quorum is deficient.

4. Conduct of Meetings

- 4.1. Meetings are conducted in accordance with the Provisions of the *Local Government Act 1993*, *Local Government (Meeting Procedures) Regulations 2005* and Council Policy “Council and Council Committees – Meetings: Procedures and Guidelines”.

5. Frequency and Location of Meetings

- 5.1. Meetings of the Committee are conducted monthly in the Lady Osborne Room at the Town Hall on those dates as adopted by the Council as part of its annual [schedule of meetings](#).
- 5.2. Meetings are also advertised in The Mercury newspaper, in accordance with Regulation 7 of the *Local Government (Meeting Procedures) Regulations 2005*, a minimum of four (4) days and a maximum of fourteen (14) days prior to the scheduled date of the meeting.
- 5.3. Where special meetings may be convened, these are advertised a minimum of two (2) days prior to the meeting date.
- 5.4. Meetings are open to the public, except when the meeting is closed pursuant to Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2005*.

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6. Committee Functions

- 6.1 To consider and make recommendations to the Council in respect to the following matters:
- (i) Strategic Planning
 - (ii) Matters pertaining to organisational development and policy issues including:
 - (a) annual review of the Council Policy Manual and Delegations Register; and
 - (b) consideration of the proposed meeting schedule for Council and Council Committees.
 - (iii) Matters which are the subject of consideration between the Council, other local government entities or the State or Federal governments.
 - (i) Matters relating to support to Aldermen.
 - (ii) Community engagement
 - (vi) Corporate Services
 - (vii) Customer services.
 - (viii) Consideration of matters not falling within the terms of reference of other Council committees.
- 6.2 Functions primarily within the responsibility of the committee pertaining to:
- (i) Asset management;
 - (ii) Fees and charges;
 - (iii) Budgets and financial reporting;
 - (iv) Projects;
 - (v) Community consultation;
 - (vi) Grants;
 - (vii) Management of property under the functional auspice of the committee, including buying, selling, acquiring and (leasing of land or buildings and the ongoing use and maintenance of land and buildings;

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- (i) Receiving/considering reports from special committees, sub-committees or other groups; other than the Audit Panel;
- (ix) Legislation, by-laws or new documents; and
- (ii) Tenders and contracts in accordance with Council delegation.

Note:

The Council, at its meeting held on 27 August 2012, acknowledged that an Alderman may call in any delegated matter, including development applications, before the matter is determined under delegated authority by either a Council committee or a Council officer, provided there is sufficient statutory time to do so.

7. Committee Delegations

7.1 As provided under delegated authority from the Council pursuant to Section 22 of the *Local Government Act 1993*, to determine issues relating to the following matters:

- (i) the power to expend monies on Council's behalf as Delegation Classification 2 items in the Council's Annual Plan;
- (ii) determination of matters falling within the Committee's Terms of Reference, for which a Council officer has been delegated authority, where such officer chooses not to exercise such authority; and
- (iii) receiving reports from Council representatives on outside bodies in accordance with Council Policy No. 5-02-02 and from other bodies as determined by Council.

8. Review of Terms of Reference

8.1 The Terms of Reference for Council committees are reviewed following each quadrennial election, and mid-term into the four year period of office of the Council.

9. View ([Agendas and minutes for the Committee.](#))

10. Last Updated: