

Committee: Policy and Legislation Committee

Responsible Directorate: Finance and Corporate Services

Version: Current

1. INTRODUCTION

- 1.1. The Policy and Legislation Committee (the Committee) is established under the powers given in Section 5.8 of the *Local Government Act 1995* (the Act).
- 1.2. The Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(b) of the Act, to determine the local government's policies, and its legislative function in accordance with Division 2 of Part 3 of the Act.
- 1.3. The Committee shall act for and on behalf of Council in accordance with the provisions of the Act, local laws and policies of the City of Busselton and these Terms of Reference.

2. OBJECTIVE

- 2.1. The objectives of the Committee are:
 - a. to assist the Council to determine the local government's policies and to carry out its legislative function;
 - b. to consider new and review existing policies and delegations of the City of Busselton (other than financial policies);
 - c. to review local laws and other delegated legislation made by the City of Busselton;
 - d. to consider reports proposed to be put to the Council with significant policy or legislative implications;
 - e. to review and advise the Council on specific matters relating to policy or legislation as directed by the Council.

3. MEMBERSHIP

- 3.1. Council shall appoint five elected members to the Committee.
- 3.2. Council shall appoint four elected members as deputy members of the Committee.
- 3.3. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council shall appoint new members to the Committee at its ordinary meeting following the ordinary election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

4. PRESIDING MEMBER

- 4.1 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

5. MEETINGS

- 5.1. The Committee shall meet at least six times per year.
- 5.2. The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.3. Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers to be provided to members not less than 72 hours prior to the meeting.
- 5.4. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *City of Busselton Standing Orders Local Law 2018*.
- 5.5. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.6. Where the Committee makes a recommendation to Council, the Chief Executive Officer shall ensure the recommendation is on the agenda at the next practicable ordinary Council meeting.

6. QUORUM

- 6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

7. DELEGATED POWERS

- 7.1. The Committee has been established by a decision of Council, but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

- 8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:
 - a. are the Committee's purpose and objectives being met?
 - b. should the purpose and objectives be amended?
 - c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
 - d. are the Committee members regularly attending meetings?
 - e. review the Terms of Reference, including membership.

9. TERMINATION OF COMMITTEE

- 9.1. Termination of the Committee shall be:
 - a. in accordance with the *Local Government Act 1995*; and
 - b. by a decision of Council.

10. APPROVAL

Council Adoption	DATE	25 September 2019	Resolution #	C1909/191
Previous Adoption	DATE	28 June 2017	Resolution #	C1706/152