Terms of Reference

Committee: Policy and Legislation Committee

Responsible Directorate: Finance and Corporate Services **Version:** ADOPTED

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 this 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;
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; and
e. to review and advise the Council on specific matters relating to policy or legislation as directed by the Council.

3. MEMBERSHIP

3.1. The Council will appoint five elected members to the Committee.

3.2. Council will appoint two elected members as deputy members of the Committee.

3.3. Membership of the Committee will, unless determined otherwise, cease on the day of the next ordinary Council election.

3.4. Council will appoint new members to the Committee, in accordance with paragraphs 3.1 and 3.2, at the next meeting of Council following the Council election.

3.5. The membership of a member may be ceased in accordance with the Act.

4. PRESIDING MEMBER

4.1. The Council will appoint a Presiding Member and Deputy Presiding Member to conduct its business in accordance with s5.12 of the Act.

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5. MEETINGS

5.1. The Committee will meet at least six times per year.

5.2. The Committee will report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.

5.3. Notice of meetings will 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 will ensure that detailed minutes of all meetings are kept in accordance with the Part 14 of the *City of Busselton Standing Orders Local Law 2018*.

5.5. All members of the Committee will have one vote. If the vote of the members present is equally divided, the Presiding Member will cast a second vote.

5.6. Where the Committee makes a recommendation to the Council, the Chief Executive Officer will ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.

6. QUORUM

6.1. The quorum for a meeting will be at least 50% of the number of offices of membership, whether vacant or not.

7. DELEGATED POWERS

7.1. Pursuant to section 5.17 of the Act, the Committee is delegated the powers to refer a policy back to the Chief Executive Officer, or the Chief Executive Officer's nominee, with a request for further information or amendments to be made to the policy.

7.2. Committee recommendations, other than those made in accordance with the delegated powers in paragraph 7.1, are not 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 Council prior to the ordinary Council elections, officers will present for the Council's consideration a review as to the effectiveness and ongoing relevance of the Committee.

9. TERMINATION OF COMMITTEE

9.1. Termination of the Committee shall be by an absolute majority decision of Council.

10. APPROVAL

Council Adoption	**DATE**	12 November 2025	**Resolution #**	
Previous Adoption	**DATE**	16 August 2023	**Resolution #**	C2308/80

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