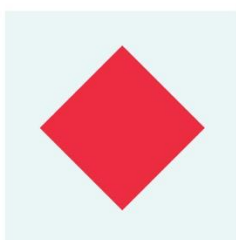


Council and Committees

Membership and Terms of Reference



Adopted: December 2022
Updated: November 2023
Next Review: November 2024

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PREAMBLE

Section 41 of the Local Government Act 1999 empowers a Council to establish committees

- to assist the Council in the performance of its functions;
- to enquire into and report to the Council on matters within the ambit of the Council's responsibilities;
- to provide advice to the Council; and
- to exercise, perform or discharge delegated powers, functions or duties.

Councils must at a minimum formally appoint an Audit and Risk Committee, with the specific functions and responsibilities pursuant to Section 126 of the Local Government Act 1999.

Section 83 of the Planning Development and Infrastructure Act 2016 requires each Council to establish a council assessment panel and determine membership and operating arrangements.

The membership of such Committees and their terms of reference are determined by the Council.

A Council may also establish other working groups to assist in the performance of its functions.

Chapter 6 of the Act and the Local Government (Procedures at Meetings) Regulations 2013 prescribe the way meetings of a Council and its Committees are to be conducted.

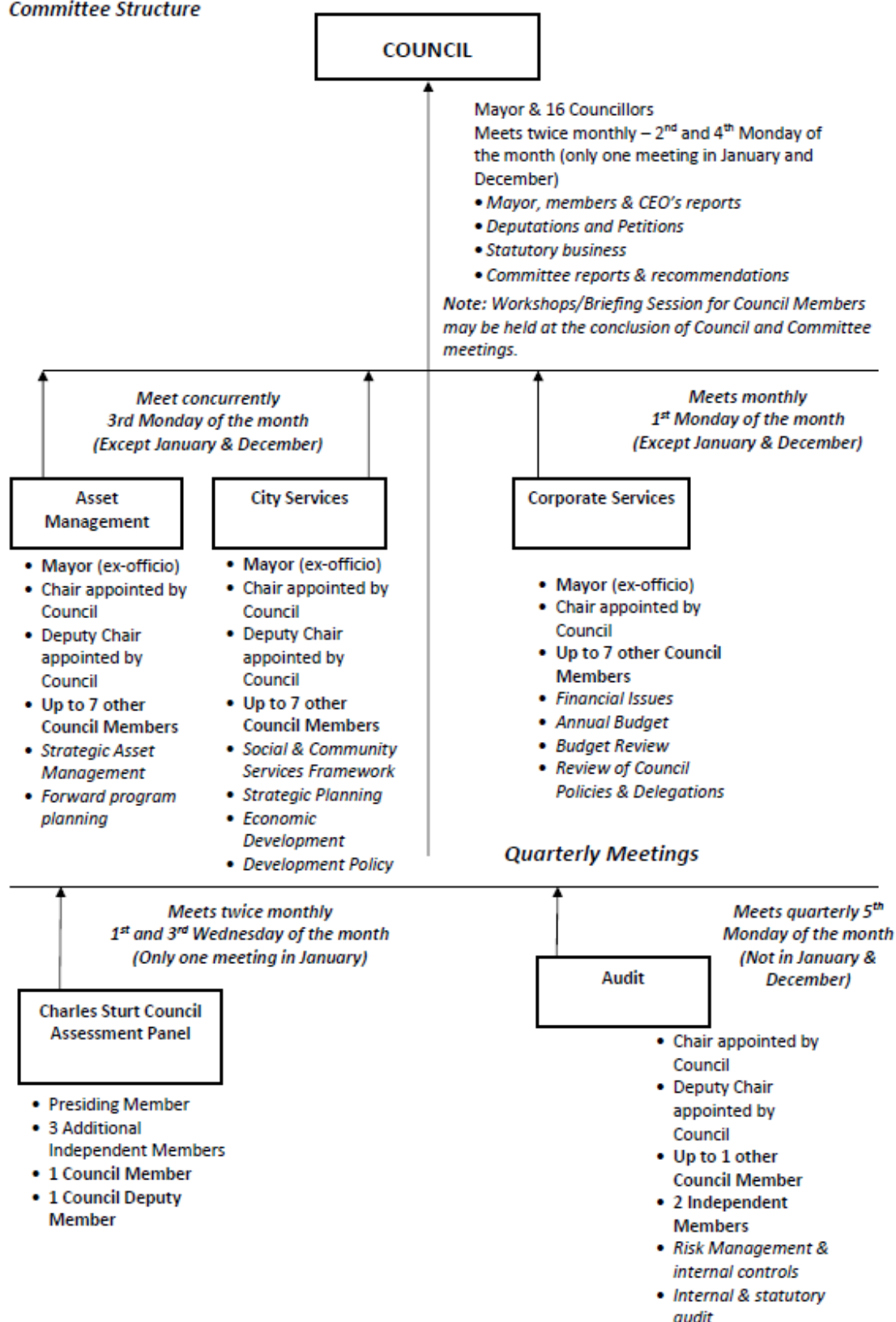
This document details the formal establishment, membership and terms of reference of the Council, its standing Committees and other working groups established by the Council of the City of Charles Sturt and is a record of the Council resolutions associated with these details.

Section 41 Committees have no authority to act independently of Council. All decisions of a Committee will, therefore, constitute recommendations to the Council.

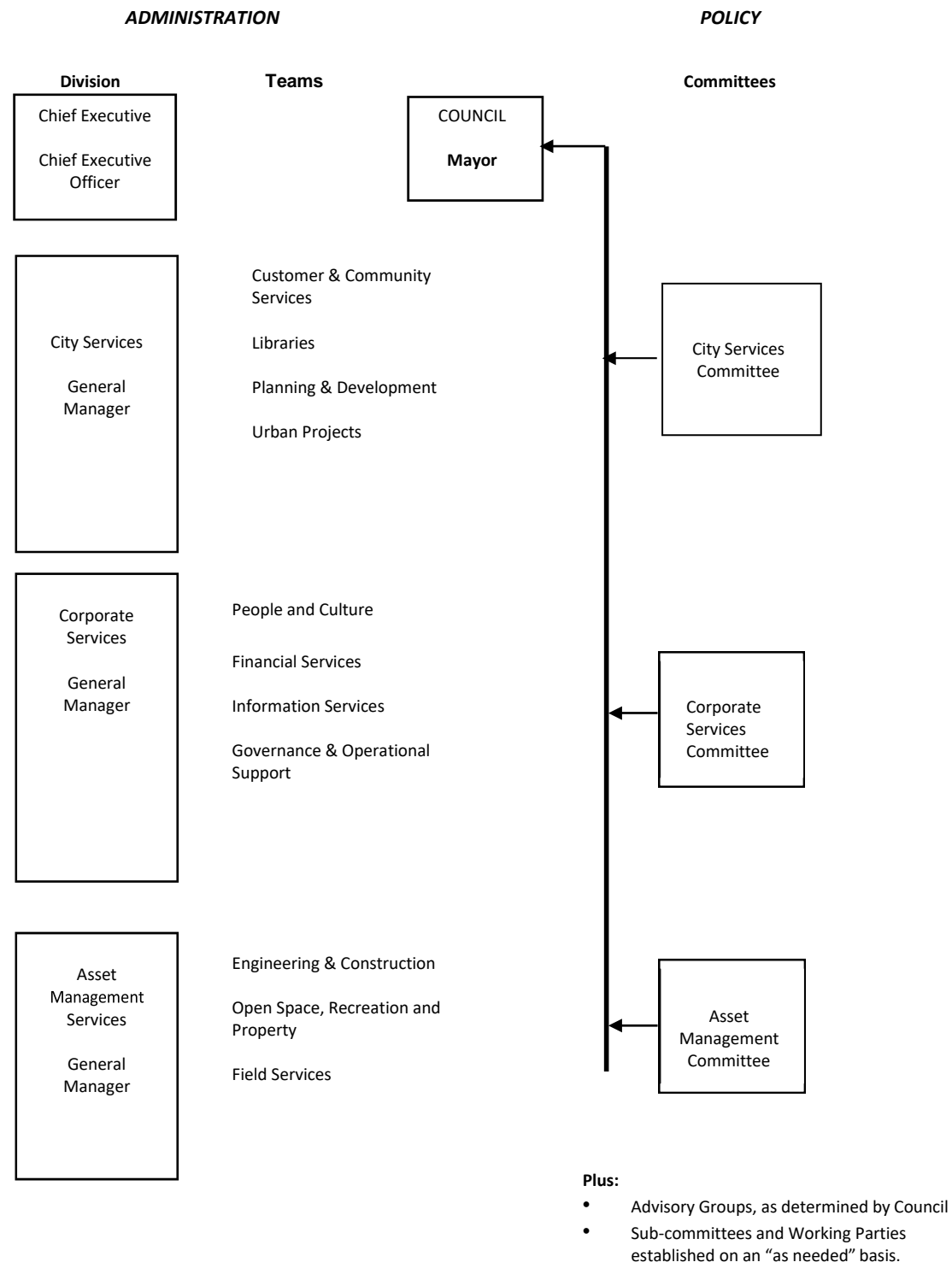
The establishment of a Committee does not derogate from the power of the Council to act in any matter.

Committee Structure



Committee Structure

CITY OF CHARLES STURT



1. MEMBERSHIP**1.1 COUNCIL**

All Members of Council (Principal Member – Mayor Evans)

1.2 COMMITTEES**(a) Asset Management Committee**

Her Worship the Mayor (ex officio)

Presiding Member – Councillor Chidambaranathan

Deputy Presiding Member – Councillor Fardone

Councillors (6 Members)

- Councillor Agius
- Councillor Scheffler
- Councillor Turelli
- Councillor Campbell
- Councillor Ghent
- Councillor Thomas

(b) City Services Committee

Her Worship the Mayor (ex officio)

Presiding Member – Councillor van den Nieuwelaar

Deputy Presiding Member – Councillor Ppiros

Councillors (6 Members)

- Councillor McEwen
- Councillor Tullio
- Councillor Kinsella
- Councillor Le Lacheur
- Councillor Mazeika
- Councillor Tran

(c) Corporate Services Committee

Her Worship the Mayor (ex officio)

Presiding Member – Councillor Campbell

Deputy Presiding Member – Councillor Le Lacheur

Councillors (6 Members)

- Councillor Turelli
- Councillor McEwen
- Councillor Mazeika
- Councillor van den Nieuwelaar
- Councillor Tran
- Councillor Thomas

(d) Audit and Risk Committee

Presiding Member – Councillor Turelli

Deputy Presiding Member – Councillor Chidambaranathan

3 Independent Members

- Sam Spadavecchia
- Peter Brass
- Tracie Dawber

1.3 PANEL (PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT)

(a) Council Assessment Panel

Presiding Member – Ms Stephanie Johnston

Additional Members

- Mr Julian Rutt
- Ms Zoe Garnaut
- Mr Stephen Smith
- Councillor Agius
- Deputy Member – Councillor Ppiros

2. TERMS OF REFERENCE

2.1 COUNCIL

COUNCIL

<u>Comprising:</u>	All Members of Council
<u>Presiding Member:</u>	Her Worship the Mayor
<u>Attended by:</u>	Chief Executive Officer and Leadership Team (as required)
<u>Coordinator:</u>	Manager Governance & Operational Support
<u>Meeting Times:</u>	2 nd and 4 th Monday of each month, (except January and December – in January 4 th Monday only, in December 2 nd Monday only). Commencing at 7.00 pm. [NOTE: If Monday is a public holiday, Council meets on the following Tuesday]

Definitions

“Council” is the body corporate consisting of elected members as constituted under the Local Government Act 1999.

Principal Role

Council is established to provide for the government and management of its area at the local level and, in particular:

- a) to act as a representative, informed and responsible decision-maker in the interests of its community;
- b) to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner;
- c) to encourage and develop initiatives within its community for improving the quality of life of the community;
- d) to represent the interests of its community to the wider community; and
- e) to exercise, perform and discharge the powers, functions and duties of local government under this and other Acts in relation to the area for which it is constituted. [s.6, LG Act 1999]

2. TERMS OF REFERENCE**Continued****2.1 COUNCIL****Functions**

The functions of Council include:

- (a) to plan at the local and regional level for the development and future requirements of its area;
- (b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities);
- (c) to provide for the welfare, well-being and interests of individuals and groups within its community;
- (d) to take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards;
- (e) to manage, develop, protect, restore, enhance and conserve the environment in an ecologically sustainable manner and to improve amenity;
- (f) to provide infrastructure for its community and for development within its area (including infrastructure that helps to protect any part of the local or broader community from any hazard or other event, or that assists in the management of any area);
- (g) to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism;
- (h) to establish or support organisations or programs that benefit people in its area or local government generally;
- (i) to manage and, if appropriate, develop, public areas vested in, or occupied by the Council;
- (j) to manage, improve and develop resources available to the Council; and
- (k) to undertake other functions and activities conferred by or under an Act. [s.6, LG Act 1999]

2. TERMS OF REFERENCE**Continued****2.1 COUNCIL****Objectives**

In the performance of its roles and functions, Council will –

- (a) provide open, responsible and accountable government;
- (b) be responsive to the needs, interests and aspirations of individuals and groups within its community;
- (c) participate with other Councils, and with State and national Governments, in setting public policy and achieving regional, State and national objectives;
- (d) give due weight, in all its plans, policies and activities, to regional, State and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community;
- (e) seek to co-ordinate with State and national government in the planning and delivery of services in which those governments have an interest;
- (f) seek to facilitate sustainable development and the protection of the environment and to ensure a proper balance within its community between economic, social, environmental and cultural considerations;
- (g) manage its operations and affairs in a manner that emphasises the importance of service to the community;
- (h) seek to ensure that Council resources are used fairly, effectively and efficiently; and
- (i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs.
[s.8, LG Act 1999]

2. TERMS OF REFERENCE**2.2 COMMITTEES****(a) ASSET MANAGEMENT COMMITTEE**

Comprising: Her Worship the Mayor (ex officio)
Presiding Member – appointed by Council
Deputy Presiding Member – appointed by Council
Up to 7 other Members of Council

Presiding Member:

Attended by: Chief Executive Officer and Leadership Team (as required)

Co-ordinator: GM Asset Management Services (in liaison with the Presiding Member)

Meeting Times: 3rd Monday of each month at 6.00pm, except January and December. [NOTE: This Committee meets concurrently with the City Services Committee. If Monday is a public holiday the Committee meets on the following Tuesday.]

If after considering advice from the CEO or delegate, the start time of the meeting can be amended with the consent of the Presiding Member if there is a requirement to accommodate a Council Member workshop or briefing.

Meeting Cancellation: If after considering advice from the CEO or delegate, the Presiding Member of a Council Committee is authorised cancel the respective committee meeting if it is clear that there is no business to transact for that designated meeting.

Members are to be advised at least 3 clear days before the scheduled meeting. Advice of the same will also be posted on Council's website.

Meeting Procedures: Part 2 of Local Government (Procedures at Meetings) Regulations 2013 and the City of Charles Sturt Code of Practice for Meeting Procedures apply.

Reporting: The Asset Management Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

Basic Function

The basic function of the Asset Management Committee is to make recommendations to Council on its asset management strategy and policy framework and on divisional operations to best meet the needs and aspirations of the Charles Sturt community.

2. TERMS OF REFERENCE**Continued****2.2 COMMITTEES****(a) ASSET MANAGEMENT COMMITTEE****Functions**

1. To guide the development of an asset management policy framework for the City and make recommendations for consideration in forward financial estimates, and to deal with matters in respect of Council's asset management programs;
2. To oversee the regular evaluation of asset management and programs and the review of relevant service levels;
3. To advise Council in formulating and delivering appropriate strategies in relation to its strategic property holdings;
4. To monitor and report on the performance of Council owned subsidiaries against the charters with which they have been established;
5. To review as required, relevant legislation affecting Local Government and recommending appropriate course(s) of action;
6. To receive deputations and/or representations from interested parties which may aid Council in determining its objectives, strategies and priorities;
7. To establish sub-committees and/or working parties to assist in carrying out the Committee's functions;
8. To consider any other matters referred to it by the Council, other Council Committees and the Chief Executive;
9. To guide and oversee the implementation of the Council's Environmental Management Plan;
10. To review and make recommendations on specific Council Environmental initiative and projects; and
11. To monitor Council's Environmental response, obligations and performance as defined by the Council's Corporate and Strategic Plan.

2. TERMS OF REFERENCE**2.2 COMMITTEES****(b) CITY SERVICES COMMITTEE**

Comprising: Her Worship the Mayor (ex officio)
Presiding Member – appointed by Council
Deputy Presiding Member – appointed by Council
Up to 7 other Members of Council

Presiding Member:

Attended by: Chief Executive Officer and Leadership Team (as required)

Co-ordinator: GM City Services

Meeting Times: 3rd Monday of each month at 6.00pm, except January and December. [NOTE: This Committee meets concurrently with the Asset Management Committee. If Monday is a public holiday the Committee meets on the following Tuesday.]

If after considering advice from the CEO or delegate, the start time of the meeting can be amended with the consent of the Presiding Member if there is a requirement to accommodate a Council Member workshop or briefing.

Meeting Cancellation: If after considering advice from the CEO or delegate, the Presiding Member of a Council Committee is authorised to cancel the respective committee meeting if it is clear that there is no business to transact for that designated meeting.

Members are to be advised at least 3 clear days before the scheduled meeting. Advice of the same will also be posted on Council's website.

Meeting Procedures: Part 2 of Local Government (Procedures at Meetings) Regulations 2013 and the City of Charles Sturt Code of Practice for Meeting Procedures apply to this Committee.

Reporting: The City Services Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

Basic Function

The basic function of the City Services Committee is to make recommendations to Council on the overall priorities and strategies which should be adopted to ensure the provision of the full range of Council services to best meet the needs and aspirations of the Charles Sturt community.

2. TERMS OF REFERENCE

Continued

2.2 COMMITTEES**(b) CITY SERVICES COMMITTEE****Functions**

1. To provide advice to the Council in relation to the extent to which the Council's strategic planning and development policies accord with the Planning Strategy; and
2. To assist the Council in undertaking strategic planning and monitoring directed at achieving:
 - i orderly and efficient development within the area of the Council; and
 - ii high levels of integration of transport and land-use planning; and
 - iii relevant targets set out in the Planning Strategy within the area of the Council; and
 - iv other outcomes of a prescribed kind (if any).
3. To provide advice to the Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:
 - i a Strategic Directions Report; or
 - ii a Development Plan Amendment proposal
4. To review and, if necessary, guide the development of a city-wide economic development strategy and a local heritage strategy and policy.
5. To guide and oversee the implementation of major projects and events within the City.
6. To review and consider specific changes to the Development Plan as identified in Council's Corporate Business Plan and/or as initiated by State Government.
7. To review as required, relevant legislation affecting Local Government and recommending appropriate course(s) of action.
8. To receive reports, at least six (6) monthly, from the Charles Sturt Development Assessment Panel (DAP) re trends, issues and other relevant matters.

2. TERMS OF REFERENCE**Continued****2.2 *COMMITTEES*****(b) CITY SERVICES COMMITTEE**

9. To guide the development of a city services framework for the City, including social and community services, customer and community relations, public health and safety, and natural and built environment, and deal with matters in respect of Council's city services program.
10. To recommend strategies and actions to guide the public and private sector towards achieving the City's priorities, in particular in relation to social and community development, public health & safety, and natural & built environment.
11. Raise awareness and educate the sector on the need for gender equity at both councillor and executive levels, and the important role that women play in terms of the effectiveness and long term health of local government.

Provide networking and information sharing opportunities for women aspiring to leadership and decision making roles.

Provide additional professional and personal development opportunities for women to enable them to achieve their desired roles in the sector.
13. To receive deputations and/or representations from interested parties which may aid Council in determining its objectives, strategies and priorities.
14. To establish sub-committees and/or working parties to assist in carrying out the Committee's functions.

The Committee may seek advice from any independent experts on any matter that it sees as relevant in regards to fulfilling these Terms of Reference.

The City Services Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

2. TERMS OF REFERENCE**Continued****2.2 COMMITTEES****(c) CORPORATE SERVICES COMMITTEE**

Comprising: Her Worship the Mayor (ex officio)
Presiding Member – appointed by Council
Deputy Presiding Member – appointed by Council
Up to 7 other Members of Council

Presiding Member:

Attended by: Chief Executive and Leadership Team (as required)

Co-ordinator: GM Corporate Services

Meeting Times: Monthly at 6.00pm on the 1st Monday of the month except January and December; and when the Committee may otherwise deem necessary. [NOTE: If Monday is a public holiday, the Committee meets on the following Tuesday.]

If after considering advice from the CEO or delegate, the start time of the meeting can be amended with the consent of the Presiding Member if there is a requirement to accommodate a Council Member workshop or briefing.

Meeting Cancellation: If after considering advice from the CEO or delegate, the Presiding Member of a Council Committee is authorised to cancel the respective committee meeting if it is clear that there is no business to transact for that designated meeting.

Members are to be advised at least 3 clear days before the scheduled meeting. Advice of the same will also be posted on Council's website.

Meeting Procedures: Part 2 of Local Government (Procedures at Meetings) Regulations 2013 and the City of Charles Sturt Code of Practice for Meeting Procedures apply to this Committee.

Reporting: The Corporate Services Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

Basic Function

The basic function of the Corporate Services Committee is to make recommendations to Council on all financial and Council policy and delegation issues affecting the business of Council to ensure it governs in a responsible and accountable way.

2. TERMS OF REFERENCE**Continued****2.2 COMMITTEES****(c) CORPORATE SERVICES COMMITTEE****Functions**

1. To guide the development and regular review of Council's long term financial plan (Forward Financial Estimates), and each annual budget and corporate business plan in alignment with the long term financial plan and relevant strategies and policies;
2. To monitor the performance of Council's financial and administrative activities, including undertaking the statutory quarterly budget review;
3. To recommend to Council new or desired changes to its policies relating to financial and revenue matters, including budgets and rating;
4. To undertake the review of Council's policies and recommend any changes which are considered necessary;
5. To identify any gaps in Council's Governance and Policy framework and work with other Council committees to identify areas where policy support is required;
6. To undertake the annual review of Council's Delegations Register and recommend any changes which are considered necessary;
7. To review as required relevant legislation affecting Local Government and recommend appropriate policy responses;
8. To consider reports and make recommendations to Council on matters referred to it by Council, other Council Committees or by the Chief Executive; and
9. To establish sub-Committees and/or Working Parties to assist in carrying out the Committee's functions.

The Corporate Services Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

2. TERMS OF REFERENCE**Continued****2.2 COMMITTEES****(d) AUDIT AND RISK COMMITTEE****Comprising:**

2 Council Members (appointed by Council)
3 Independent Members (appointed by Council)

Presiding Member: Appointed by Council from all current Members of the Committee.

Deputy Presiding Member: Appointed by Council from all current Members of the Committee

Attended by: Chief Executive and Leadership Team (as required)
Council's Internal and External Auditors (as required)

Co-ordinator: GM Corporate Services

Meeting Times: Quarterly at 6.00 pm on the 5th Monday of the month, except January and December; and when the Committee may otherwise deem necessary. [NOTE: If Monday is a public holiday the Committee meets on the following Tuesday.]

If after considering advice from the CEO or delegate, the start time of the meeting can be amended with the consent of the Presiding Member if there is a requirement to accommodate a Council Member workshop or briefing.

Meeting Cancellation: If after considering advice from the CEO or delegate, the Presiding Member of a Council Committee is authorised to cancel the respective committee meeting if it is clear that there is no business to transact for that designated meeting.

Members are to be advised at least 3 clear days before the scheduled meeting. Advice of the same will also be posted on Council's website.

Meeting Procedures: Part 2 of Local Government (Procedures at Meetings) Regulations 2013 and the City of Charles Sturt Code of Practice for Meeting Procedures apply to this Committee.

Reporting: The Audit and Risk Committee is responsible to and reports direct to Council. This is by way of report and recommendations documented as minutes of the Committee meeting.

Basic Function

The purpose of the Audit and Risk Committee is to provide independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters.

2. TERMS OF REFERENCE**Continued****2.2 COMMITTEES****(d) AUDIT AND RISK COMMITTEE****1. Membership**

- 1.1 Pursuant to Regulation 126(2)(a) the majority of the members of the committee must be persons who are not members of any council.
- 1.2 Members of the Audit and Risk Committee (when considered as a whole) must have skills, knowledge and experience relevant to the functions of the Audit and Risk Committee, including financial management, risk management, governance and ideally be familiar with the reporting requirements of Local Government.
- 1.3 Members of the Committee may be removed from office by Council resolution at any time.

2. Council Member Representative

- 2.1 Appointments of Council Members shall be for a term of two years. The appointees may be reappointed for another term which cannot exceed the term of Council.
- 2.2 Ideally, the Council Members on this Committee will have experience in business, legal, audit or financial management.
- 2.3 The Council Member representatives will provide a verbal report to Council on the key matters and recommendations within the committee meeting, when the minutes and/or committee recommendation reports are presented to Council for adoption.
- 2.4 The Council Member representatives will provide a verbal report to the Committee on any Council decisions or discussions that are relevant to the Audit and Risk Committees functions.

3. Independent Member Representative

- 3.1 Recruitment of Independent Members will be conducted by firstly forming a selection panel comprising appropriate administration staff and two Council Members as appointed by Council, who will undertake a selection process and recommend independent candidate(s) to the Council for appointment as Independent Members.
- 3.2 Independent Members will be appointed for four years, commencing in line with the Council term. In the event that there is a casual vacancy, the period of appointment of a new Independent Member may be for a period less than four years.
- 3.3 Independent Members may be reappointed by Council for a further term (or terms) however consecutive service cannot exceed 8 years.
- 3.4 Knowledge held by Independent Members will be of a senior management level and include the areas of business, legal and audit, with experience in financial management, ideally within the local government environment.

4. Presiding Member

- 4.1 The appointment of the Presiding Member and Deputy Presiding Member will be made by Council for a term determined by the Council.
- 4.2 If the Presiding Member is absent from a meeting, the Deputy Presiding Member will preside at that meeting, or if both are absent from the meeting, then a Member of the Audit and Risk Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member) is present.

5. Operation of Meetings

- 5.1 The Committee must liaise with the external auditor on at least one occasion each year on a confidential basis, without the presence of other Council Members or Council Employees. This must be attended by a majority of the Members of the Committee.
- 5.2 When the Committee moves into confidence without the presence of Council Employees, the Presiding Member will be responsible for the minute taking and will issue the minutes to the Manager Governance after the meeting.
- 5.3 The Committee, through the Chief Executive Officer, may seek information or obtain expert/legal advice on matters of concern within the scope of its responsibilities.
- 5.4 For the purposes of quorum for the Audit and Risk Committee, this will be pursuant to Council's Code of Practice for Meeting Procedures, but each meeting must also have a majority of Independent Members in attendance to satisfy quorum.
- 5.5 The Chief Executive Officer will ensure appropriate support is provided to the Committee.

6. Reporting

- 6.1 The Committee will provide a report to the Council after each meeting, summarising the work of the Committee during the period preceding the meeting and the outcomes of the meeting.
- 6.2 The Committee will provide an annual report to the Council on the work of the Committee and this report will be included in Council's Annual Report.
- 6.3 The Committee will review its performance on a biennial basis to assess the on-going role and effectiveness of the Committee and report any recommendations to Council as required, including amendment to the operations of these Terms of Reference if the Committee forms the opinion that such amendments are necessary to improve its performance.

7. Sitting Fee

- 7.1 The Independent Members of the Committee will be paid an allowance in the form of a sitting fee for each meeting attended as set by Council resolution and will be reviewed biennially by Council.
- 7.2 Independent Members will be paid upon receipt of a Tax Invoice.
- 7.3 Independent Members who are required to attend an Ordinary Council meeting, other Committee meetings or mandatory training are entitled to 50% of the sitting fee, for a duration of 2 hours or more.

8. Functions**8.1 The Audit and Risk Committee perform the following legislative functions:**

- 8.1.1 Review annual financial statements to ensure that they present fairly the state of affairs of the Council.
- 8.1.2 Propose, and provide information relevant to, a review of the Council's strategic management plans or annual business plan.
- 8.1.3 Monitor the responsiveness of the Council to recommendations for improvement based on previous audits and risk assessments, including those raised by Council's auditor.
- 8.1.4 Propose and review the exercise of powers under Section 130A (other investigations).
- 8.1.5 Liaise with Council's auditor in accordance with any requirements prescribed by the regulations.
- 8.1.6 Review the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the Council on a regular basis.
- 8.1.7 Provide oversight of planning and scoping of the internal audit work plan.
- 8.1.8 Review and comment on internal audit reports on a quarterly basis.
- 8.1.9 Review and evaluate the effectiveness of policies, systems and procedures established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis.
- 8.1.10 Review any Prudential Report obtained by the Council under Section 48(1).
- 8.1.11 Perform any other function determined by the Council or prescribed by the regulations.
- 8.1.12 Review and make recommendation, based on any factors prescribed by Regulation, the appointment of Council's Auditor for the purposes of Section 128 of the Act.

8.2 The Audit and Risk Committee perform the following additional functions:

- 8.2.1 Review a summary report of Council's insurance and liability renewal arrangements.

2. TERMS OF REFERENCE**Continued****2.3 *PANEL (PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT)*****(a) COUNCIL ASSESSMENT PANEL (“CAP” or “Panel”)**

Please refer to the separate [Development Act 1993 Delegations Policy](#) for items to be considered by the CAP.

Please refer to the separate Procedure for Appointment of Council Assessment Panel Members (6.12) which outlines its role and membership.