



# Governance and Compliance Committee

## Terms of Reference

**Adopted by Council:** 28 November 2022 (0004/2022)

**Review Date:** November 2026

Quorum wording amended 26 February 2024  
(0597/2024)

### 1. Establishment

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (the Act) the Council establishes a committee to be known as the **Governance and Compliance Committee** (“the Committee”).
- 1.2 The Committee will exist for the term of the Council or unless resolved otherwise by the Council.
- 1.3 The Committee is established as a Standing Committee within the Council’s governance framework.

### 2. Functions and Responsibilities

- 2.1 The Committee is established to assist the Council in the performance of its functions in the following functions:
  - Legislative Compliance
  - Health, Animal Management and By-Laws
  - Federal, State and Local Government Relations
  - Corporate Governance
  - Operational Reviews
- 2.2 The Committee takes into consideration both the risk and the opportunities of matters considered, so as to enable Council to act as an informed and responsible decision maker representing the interests of the community.

### 3. Authority

- 3.1 The Committee’s powers are limited to advising the Council by making recommendations.
- 3.2 All decisions of the Committee will, therefore, constitute recommendations to the Council.

### 4. Membership

- 4.1 Membership of the Committee is determined by the Council and comprises one Ward Councillor from each Ward of the Council, being 7 Elected Members plus the Mayor ex officio.
- 4.2 Membership continues for the term of the Committee unless a member resigns from the Committee or is removed earlier by resolution of Council.
- 4.3 All members must attend meetings of the Committee and, where unable to do so, must provide an apology prior to the meeting.
- 4.4 Proxy membership is not permitted.



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- 4.5 The appointment of the Presiding Member and Deputy Presiding Member will be made by the Council for a term determined by the Council.

### 5. Meetings

- 5.1 Meetings of the Committee will be held in the Council Offices at 34 Church Street, Salisbury, in the Council/Committee Rooms. Meetings will occur every two months or as required.
- 5.2 In the event that a meeting falls on a public holiday, the meeting will convene on the next business day in that same week.
- 5.3 In accordance with section 87 of the *Local Government Act 1999* (the Act), a minimum of three clear days' notice of an ordinary meeting of the Committee will be provided to members of the Committee.
- 5.4 Public notice of meetings will be given through publication of the meeting schedule on the City of Salisbury website. A copy of the Notice of the Meeting will be displayed publicly at the Council's Community Hub.

### 6. Quorum

- 6.1 The quorum shall be determined by dividing the total number of Members of the Committee (excluding the Mayor if ex officio) by two (ignoring any fractions) and adding one. For example, a Committee comprising of five (5) members (excluding the Mayor in the count if ex officio), the quorum is three (3).  
When the Mayor as an ex officio member is in attendance, the Mayor will be included in the count towards achieving the required quorum number.
- 6.2 Elected Members who are granted a leave of absence under Section 55A of the *Local Government Act 1999* and Elected Members who are suspended or removed from office, are not counted in the total number of Members of the Committee when calculating the number of members that constitutes a quorum.

### 7. Meeting Procedures

- 7.1 All meetings will be held in accordance with the Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations) and the *City of Salisbury Code of Practice for Meeting Procedures*.
- 7.2 Where the Act, the Regulations or these Terms of Reference do not prescribe the procedure to be observed in relation to the Committee, the Committee may determine its own procedure.



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### 8. Voting

- 8.1 All members of the Committee have equal voting rights and each member of the Committee present at a meeting will have one vote.
- 8.2 Each member must vote on a question arising for decision, except when a conflict of interest is declared.
- 8.3 The Presiding Member has a deliberative vote only and does not, in the event of an equality of votes, have a casting or second vote.
- 8.4 In the event of an equality of votes, the Committee has not made a decision on that item, which will then be referred to the Council for decision.

### 9. Minutes and Documents

- 9.1 Minutes and documents will be managed in accordance with Regulation 25 – *Local Government (Procedures at Meetings) Regulations 2013* and the *City of Salisbury Code of Practice for Access to Meetings and Documents*.
- 9.2 Minutes will be kept of the proceedings at each Committee meeting. Members of the Committee will be provided with a copy of all minutes of the proceedings of the Committee within (5) five days after a Committee meeting.
- 9.3 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting.
- 9.4 Members of the public are entitled to access all documents received at a meeting of the Committee unless it is resolved to be confidential under the *Local Government Act 1999*.

### 10. Reporting

- 10.1 The Committee reports directly to the Council.
- 10.2 Decisions made by the Committee will be referred to the next Council meeting, presented as Committee recommendations to Council.