TERMS OF REFERENCE

IPSWICH CITY COUNCIL
GOVERNANCE COMMITTEE

Adopted at the Council Ordinary Meeting held on 13 November 2018
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1. ESTABLISHMENT

The Governance Committee is established as a Standing Committee in accordance with section 264 of the Local Government Regulation 2012.

2. SUPPORTING LEGISLATION AND POLICY

This document should be read in conjunction with the following legislative instruments:

- Local Government Act 2009 (“the Act”)
- Local Government Regulation 2012 (“the Regulation”)
- Ipswich City Council Local Law No.2 (Council Meetings) 2013 (“Local Law No. 2”)
- Ipswich City Council Subordinate Local Law No. 2.1 (Council Meetings) 2013 (“Sub Local Law No. 2.1”)  

3. PURPOSE

The Governance Committee will broadly align with the Advance Ipswich 2015 Community Plan Theme “Listening Leading, and Finance Management” relevant to the Advance Ipswich Community Plan.

The Governance Committee provides direction and leadership on the responsibilities listed below recognising the diverse current and future needs of rural and urban communities of the City of Ipswich.

4. SCOPE AND LIMITATIONS

This Committee deals with a range of internal council services, such as budget development, long term financial planning, corporate risk, committee services, Councillor support, property services and customer service, and Information and Communication. Recommendations to council will be based on informed decision making and a strong understanding of the current and future needs of the diverse communities of Ipswich.

The Governance Committee makes recommendations for consideration of the full council at its Ordinary meeting. The Governance Committee has no delegated authority.

The main functions of the Committee are to:

- Provide a forum to enable complex or strategic issues to be discussed at length;
- Receive and consider officer’s reports in order to provide a recommended course of action to council to determine matters outlined in the roles and responsibilities of the Committee.
5. **AUTHORITY/ DELEGATION**

The Governance Committee has the power to only recommend a course of action to council.

Council, may by resolution, delegate powers under the Local Government Act or another Act to the Governance Committee to decide matters.

The powers delegated may be specific to an individual matter or in general terms to provide lasting authority to determine nominated issues. Such delegations must be in accordance with section 257 (Delegation of Local Government Powers) and section 260 (Local Government Delegations Register) of the Act.

5.1 **ROLES AND RESPONSIBILITIES**

The role of the Governance Committee is to consider matters within the defined scope and to provide recommendations and advice to Council. The Committee shall have a primary role of considering the long term strategic direction of Council’s corporate governance and financial management with the aim of demonstrating best practice and legislative compliance. Another area the committee will provide direction on is the development and ongoing practice of excellent customer and information technology and information services.

The Committee is charged with considering matters relating to the following Services and Functions.

**Responsibilities:**

- Provide sound and sustainable financial management and budgeting
- Provide good governance and leadership
- Provide comprehensive and meaningful community engagement
- Create good neighbourly relations through community information, education and necessary compliance action
- Maintain a consistent and efficient approach to law enforcement and compliance actions

**Services:**

- Accounting, financial and business analysis functions and services
- Customer services
- rates/property services
- Delivery of training
- Development, implementation and coordination of information, communication and technology (ICT) services
- Risk management and insurance services,
- Committee process
- Corporate travel
- Right to Information and Information Privacy
- Probity
- Property services
• Business improvement and corporate services

Council business referred to above will include such business relating to the Community Plan Theme “Listening Leading and Finance Management”.

6. MEMBERSHIP

Council at its Ordinary Meeting of 16 October 2018 (refer Officer’s report) resolved that the membership of the Governance Committee be appointed in accordance with section 264 (Appointment of Committees) and section 266 (Alternate Members of Committee) of the Regulation as follows:

Chairperson:

• Greg Chemello (Interim Administrator)

Members:

• Greg Chemello (Interim Administrator)
• Insert Councillor name
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• Insert Councillor name

Alternate Member:

• Insert Councillor name

Councillors will be appointed to the Committee for the term of the council unless otherwise removed by a resolution of council.

In keeping with section 162 (When a Councillor’s office becomes vacant) of the Act, the office of a Councillor of the Governance Committee will become vacant if the Councillor:

• is dismissed; or
• ceases to be qualified to be a Councillor under Division 1 (Qualifications for Councillors); or
• is found, on a judicial review, to be ineligible to continue to be a Councillor; or
• does not comply with section 169 (Obligations of Councillors before acting in office); or
• is absent, without the local government’s leave, from 2 or more consecutive ordinary meetings of the local government over at least 2 months; or
• resigns as a Councillor by signed notice of resignation given to the chief executive officer; or
• dies; or
• becomes a local government employee
If the Councillor’s office becomes vacant the Alternate Member will take the place of the absent Committee Member.

6.1 ROLE OF COMMITTEE MEMBERS

The role of a Committee Member is to consider and make recommendations on matters relating to council achieving the goals for Council’s Governance services and functions, as outlined in Council’s Advance Ipswich Community Plan, Corporate and Operational Plan, and considering the implementation of policies relating to council’s Corporate functions, in relation to the current and future interests of the residents of the local government area.

It is recommended that committee members allocate and schedule specific preparation time in their diaries once committee meeting dates have been set.

Before attending meetings, it is important that committee members allow adequate time to read the agenda papers, accompanying reports and:

• identify matters of particular interest or which may be contentious
• identify any matters which need clarification or additional information to help inform your view, and contact the Chair or relevant Department Head for assistance before the meeting
• identify any agenda items where you may have a material personal interest or conflict of interest and be ready to take appropriate action
• talk to committee member colleagues about their views and aspirations.

Setting aside sufficient time to prepare for the meeting, obtain additional information and consultation with stakeholders within the community is essential.

6.2 APPOINTMENT OF CHAIRPERSON

The Chairperson of the Committee shall be appointed by the Council in accordance with section 267 (Chairperson of Committee) of the Regulation.

In the absence of the appointed Chairperson from a meeting, the members present will appoint an Acting Chairperson for the duration of that particular meeting.

6.3 ROLE OF CHAIRPERSON

The Chairperson becomes the spokesperson on behalf of council in discussing matters relating to the Governance Committee with the community.

The role of Chairperson allows that Councillor to specialise in the areas relating to the Governance Committee’s responsible services and functions of council.

The Chairperson will preside at the meeting and conduct the meeting in accordance with Council’s adopted meeting procedures. If there is a dispute about meeting procedure reference will be made to section 270 (Procedure at Meeting) of the Regulation and the Local Law No. 2.
6.4 ADMISSION OF NON-MEMBERS TO DEBATE

The Chairperson may invite a non-member to participate in the discussion of a particular item of business relating to the Governance Committee in accordance with sections 13 and 19 of Local Law No. 2.

7. MEETINGS

All meetings of the Committee shall be open to the public unless resolved by the Committee to be closed to the public for the purpose of discussing a matter deemed to be confidential in terms of section (Closed Meeting) 275 of the Regulation, namely:

- the appointment, dismissal or discipline of employees; or
- industrial matters affecting employees; or
- the local government’s budget; or
- rating concessions; or
- contracts proposed to be made by it; or
- starting or defending legal proceedings involving the local government; or
- any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

7.1 CONDUCT

Meetings must be conducted in accordance with the provisions of the Act and the Regulation. If there is a dispute regarding meeting procedure or the conduct of an individual, the Chairperson must refer to the Local Law No. 2.

7.2 FREQUENCY AND LOCATION

The Governance Committee meeting is held at the Council Chambers located at 45 Roderick Street, Ipswich, pursuant to section 257 (Frequency and Place of Meetings) of the Regulation.

The Governance Committee will meet on the Tuesday the week prior to the Council Ordinary Meeting at 12.30 pm or 10 minutes after the conclusion of the Environment Committee, whichever is the earlier.

Although the Governance shall meet monthly, the Committee can also decide to meet more frequently as and when required by the members.

The schedule of Governance Committee meetings are to be adopted in November of each year for the following calendar year.

In accordance with section 277 (2) (Public Notice of Meetings) of the Regulation the schedule of meetings must be published in a newspaper, circulating generally in its area, at least once a year.
It should be noted that from time to time it may be necessary to hold a committee meeting outside the adopted committee calendar. In such circumstances the Corporate Services Branch will be responsible for advertising the new meeting on council’s website and publishing the meeting advice in the local papers as per section 277 (Public Notice of Meetings) of the Act. Committee Members will receive the Agenda for the new meeting 2 days before the date of the meeting in accordance with section 258 (Notice of Meetings) of the Act.

7.3 VOTING

The following practices apply to voting at the Committee meeting:

- Each Councillor is entitled to one vote and must be physically present at the meeting to cast their vote.
- Voting at the Committee meeting can be conducted by open means (such as on the voices, by show of hands or such other electronic means as determined by Council).
- A Councillor who is present at a Committee meeting but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- For all motions on the agenda and business paper the Committee will record the names of those Councillors who supported the motion and those who opposed (or are taken to have opposed) the motion with the exception of Procedural Motions.
- This Clause extends to a meeting or part of a meeting that is closed to the public.
- Council will record all voting in a voting register managed by Committee Section, Corporate Services Branch.

7.4 QUORUM

A quorum of the Governance Committee is defined in accordance with section 269 (Quorum) of the Regulation:

- A quorum of a committee is a majority of its members.
- However, if the number of members is an even number, one-half of the number is a quorum

7.5 MATERIAL PERSONAL INTEREST/CONFLICT OF INTEREST

In accordance with section 175C - Councillor’s material personal interest and 175E - Councillor’s conflict of interest of the Act, Committee Members must declare their interest, whether they be material, real or perceived.

7.6 AGENDA DISTRIBUTION

The Agenda for this Committee will be distributed in accordance with section 258 (Notice of Meetings) of the Regulation. Council aims to distribute the Committee agenda at least two (2) clear business days prior to the meeting date.
7.7 REPORTING GUIDELINES

In accordance with section 272(6) of the Regulation Council resolved at its Post-Election Meeting held on 8 April 2016 to exempt its standing committees from keeping minutes of its proceedings.

In accordance with section 272(8) of the Regulation, Council will continue with the existing practice of providing a written report of committee recommendations to the Ordinary Council meeting for consideration and adoption.

Even though written reports of the committee’s proceedings are submitted to Council, in keeping with the local government principle relating to ‘transparent and effective processes and decision making in the public interest’, reports of the committee will now include a statement of reasons for any amendments to an officer’s recommendation as well as a written record of any significant points of discussion regarding the report and its recommendation/s.

8. REVIEW AND PERFORMANCE EVALUATION

8.1 TERMS OF REFERENCE

The Governance Committee shall review these Terms of Reference at the first Governance Meeting of each calendar year or as and when required.

8.2 PERFORMANCE EVALUATION

At the first Governance Meeting of each calendar year the Governance Committee shall undergo a self-assessment process to ensure all the services and functions and business of the Committee is being dealt with in an efficient and effective manner.

<table>
<thead>
<tr>
<th>VERSION</th>
<th>COMMITTEE CONSIDERATION DATE</th>
<th>COUNCIL ADOPTION DATE</th>
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<tbody>
<tr>
<td>V1</td>
<td>Council Ordinary Meeting</td>
<td>16 October 2018</td>
</tr>
<tr>
<td>V2</td>
<td>Council Ordinary Meeting</td>
<td>13 November 2018</td>
</tr>
<tr>
<td>V3</td>
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