



XXXXXXXXXX COMMITTEE

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2025

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1 INTRODUCTION

- 1.1 The Council of the Shire of Collie (the "Council") establishes this committee under the powers given in Section 5.8 of the *Local Government Act 1995*, the committee to be known as the XXXXXXXX Committee, (the "Committee").
- 1.2 The Council appoints to the Committee those persons to be members of the Committee by resolution of Council. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on the day prior to local government elections being held. Council may appoint members for a further term at the next available meeting following the elections.
- 1.3 The Committee provides appropriate advice and recommendations to the Council on matters relevant to its Terms of Reference (ToR). This is in order to facilitate informed decision-making by the Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer ("CEO").

2 COMIITTEE AIMS & OBJECTIVES – GENERIC

The following objectives are generic to all Council committees:

- 2.1 To consider, advise and assist the local government in performing specified functions or fulfilling required responsibilities within the Shire of Collie district;
- 2.2 Where appropriate, to liaise with relevant agencies and other persons in the development, review and testing of Council policy and strategic objectives;
- 2.3 To carry out research and other activities as directed by the Council or prescribed by the regulations;
- 2.4 To fulfil the objectives and/or undertake the specific tasks as a Committee of Council specified in 'Section 2 - Committee Aims & Objectives – Generic' and 'Section 3 - Committee Objectives – Specific; and
- 2.5 To ensure that all members dealings are carried out in accordance with the Shire of Collie Code of Conduct for Council Members, Committee Members and Candidates.

(Details of tasks to be endorsed by Council by resolution when the committee is established or as amended from time to time by Council resolution).

3 COMMITTEE OBJECTIVES - SPECIFIC

The XXXXXXXX Committee shall have the following objectives:

- 5.1 To
- 5.2 To

Any variation to these objectives is not to be considered by the Committee unless approved by Council.

4 MEMBERSHIP

- 4.1 The Council shall appoint, by Absolute Majority, members for the Committee for a period of two years or until the next Ordinary Council election.
- 4.2 The members, taken collectively, will have a broad range of skills and experience relevant to the function of the Committee.
- 4.3 In accordance with provisions of Section 5.9 of the *Local Government Act 1995*, the Committee is to comprise of Councillors, Officers and Other Persons.

5 MANAGEMENT / PROCEDURES

- 5.1 The formation and conduct of the Committee shall be in accordance with the requirements of the *Local Government Act 1995* and any other statutory requirements.
- 5.3 The Council shall appoint a Presiding Member and may appoint a Deputy Presiding Member to conduct its business in accordance with the following provisions of Section 5.12 of the *Local Government Act 1995*.
- 5.4 The Presiding Member shall ensure that business is conducted in accordance with the Shire of Collie Standing Orders and that minutes of the proceedings are kept in accordance with Section 5.22 of the *Local Government Act 1995*.
- 5.5 Shire of Collie Local Law Standing Orders apply to all Shire of Collie committees.
- 5.6 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.
- 5.7 A Council Officer shall be appointed by the Council CEO to prepare agendas and minutes on behalf of the Committee.
- 5.8 The Committee shall meet regularly on an as needs basis at intervals sufficient to administer the affairs of the Committee.
- 5.9 Minutes of each Committee meeting shall be presented to Council in a format consistent with Council Standing Orders.
- 5.10 The Council may adopt, amend, reject or refer back to the Committee any issues arising from the minutes.
- 5.11 The Committee shall not direct Council Staff on any matter as all staffing matters are the responsibility of the Council CEO.
- 5.12 The Committee shall not raise matters at meetings that are outside of the Committee's Specific Objectives including staffing, administrative or operational matters.

- 5.13 The Committee will not have the authority or power to commit the Shire of Collie or any association, organisation, group or individual to expenditure without Council endorsement.
- 5.14 The Committee may call upon consultants or guests with specific expertise or as the need arises and invite them to attend meetings. Such persons shall not be entitled to vote on any decision arising from such meetings.
- 5.15 No member of the Committee is permitted to make public comment on behalf of the Committee or the Shire of Collie.

6 DELEGATED POWERS

- 6.1 The Committee is an Advisory Committee and as such, all decisions of the committee shall be presented as recommendations to Council for consideration. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.
- 6.2 The Council reserves the right to delegate powers to the Committee if circumstances require delegation. The Delegation shall be recorded in the Council minutes prior to the delegation being exercised.

7 TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 7.1 In accordance with the *Local Government Act 1995*; or
- 7.2 At the direction of Council; or
- 7.3 On the specified date.

8 AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

- 8.1 This document may only be altered by the Council through direct resolution of Council.

9 OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 9.1 The Chief Executive Officer shall appoint an officer relative to the Committee's Terms of Reference to manage the committee. In normal circumstances this is the relevant Director or the Governance Coordinator.
- 9.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.