



TERMS OF REFERENCE

Councillor Contracts Committee

1. PURPOSE

The Committee is established for the purpose of making decisions on Council contracts above the CEO delegation (currently \$450,000), thereby expediting the contract approval process.

2. BACKGROUND

- 2.1 By this Terms of Reference document, the Golden Plains Shire Council (Council) establishes the Councillor Contracts Committee (Committee) pursuant to section 63 of the Local Government Act 2020 (LGA). The Committee is established as an ongoing Delegated Committee.
- 2.2 The members of a Delegated Committee have the powers, duties and functions of Council as set out in these Terms of Reference and the Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 2.3 These Terms of Reference are authorised by a resolution of Council passed on 26 March 2024.

3. OBJECTIVES

- 3.1 The objectives of the Committee are to specifically streamline decision-making processes of Council.

4. ROLES & RESPONSIBILITIES

The role of the Committee is:

- 4.1 To exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation; and
- 4.2 To only consider contracts that meet the following criteria:
 - 4.2.1 Contracts over the CEO delegation (currently \$450,000 ex GST);
 - 4.2.2 Recommended contracts within the Council approved budget;
 - 4.2.3 Full contract evaluation reports have been prepared in accordance with Council's procurement policy, including the consideration of local content;
 - 4.2.4 Contract evaluation reports are authorised by the relevant Director and the Chief Executive Officer.

5. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

- 5.1 In order to fulfil and carry out its purposes and objectives Council delegates to the members of the Delegated Committee, pursuant to section 11(1)(a) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation passed at Council on 26 March, 2024 and attached to these Terms of Reference.
- 5.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.
- 5.3 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules and the Committee Policy.

6. MEMBERSHIP

- 6.1 The Committee will consist of a minimum of three (3) members comprising one councillor from each of the Council Portfolios.
- 6.2 Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.3 Each member of the Committee has and may exercise one equal vote on any item before the Committee for determination.
- 6.4 Council will revise the membership and voting rights of each Committee member as it sees fit.
- 6.5 The Committee will appoint a Chairperson of the Committee in accordance with section 63(2)(a) of the Local Government Act 2020.
- 6.6 If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 6.7 The Committee has the discretion to refer any item submitted to it to the full Council for decision if the Committee so determines.

7. MEETINGS

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- Council's Governance Rules;
 - Section 61 Local Government Act 2020; and
 - The Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet as required and agreed by the Committee from time to time. Meetings are to take place within 72 hours from the distribution of the agenda.
- 7.3 A quorum of the Committee will be two (2) Councillors.
- 7.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 7.5 If the Committee does not move or second the officer recommendation, then it lapses, and the report will be presented to the next full Council meeting.
- 7.6 Administrative support to the Committee will be provided by the Infrastructure and Environment Executive Assistant.

8. REPORTING

- 8.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with Council's Governance Rules.
- 8.2 At the Committee's discretion, as exercised from time to time, the Committee can refer matters to the full Council as required.

8.3 The Committee will circulate a copy of the minutes to all Councillors following each meeting.

8.4 The decisions of the Committee will be reported in the Quarterly Financial report, presented to ordinary Council meetings, to ensure transparency.

9. CREATION AND DISSOLUTION

9.1 By these Terms of Reference, the Committee is established; and powers, duties and functions of the Committee members, as set out in the Instrument of Delegation, are delegated.

9.2 These Terms of Reference and the Instrument of Delegation come into force immediately when the resolution of Council adopting them is made; and remain in force until Council determines to vary or revoke it.

9.3 The Committee must be dissolved by a resolution of Council.

9.4 The Terms of Reference will be reviewed as required.

10. DOCUMENT INFORMATION

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NOTES:	<p>Policy documents are amended from time to time, therefore you should not rely on a printed copy being the current version. Please access the most current version available at:</p> <p>https://gplainsvicgovau.sharepoint.com/sites/StrategyandPolicy</p>