



Committees Framework Policy

Policy Owner	Executive Manager Organisational Reform
Department	Chief Executive Office
Date adopted/endorsed	XXXX
Resolution number	XXXX
Next review date	XX Month 2029
TRIM reference	25/114530

Contents

Policy Statement/Objectives	2
Scope	2
References	2
Consultations	2
Definitions	2
Variation and review	3
POLICY	3
1. Guiding principles.....	3
2. Committees of Council	4
3. Regulatory Committee.....	4
4. Advisory Committees	4
5. Project reference groups	5
6. Consultative bodies/reference groups and other consultation.....	5
7. Working groups	5
8. Conflicts of Interest.....	6
9. External committees, organisations and groups	6
10. Committees Framework	7
Related forms/Documents.....	8
Attachments.....	8
Authorisation.....	8
Attachment 1: Terms of Reference template	9
Attachment 2: Project Reference Group Terms of Reference template	13

Policy Statement/Objectives

The purpose of this Policy is to ensure that Council forms committees which reflect the key functions and deliverables of the organisation.

The objectives of the policy are that Council's:

- Committees reflect the key functions and deliverables of the organisation.
- Committees operate in an open and transparent manner.
- Committees operate in an efficient and consistent manner.
- Advisory committees include community membership which are reflective of our community.
- Advisory committees provide expert advice on the development, implementation, and monitoring on the Strategies contained within the Kiama Community Strategic Plan 2022-2032.

Scope

This policy applies to all committees, working groups and references groups formed by Council.

References

This document should be read in conjunction with the following:

- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- Community Strategic Plan 2022-2032
- Code of Meeting Practice
- Code of Conduct for Council committee members, delegates of Council and Council advisers.

Consultations

- Executive Leadership Team
- Governance
- Councillors

Definitions

Term	Definition
Advisory Committee	Committees which make recommendations to the governing body and who's membership may include experts, professionals, government employees, community representatives, Council staff and Councillors.
Committee	A committee is either a Committee of Council or an Advisory Committee .
Committee of Council	Committees which make decisions and who's memberships are made up entirely of Councillors.

Term	Definition
Consultative body	A group of community members, which represent distinct sections of our community, formed to provide feedback on Council programs, activities, strategies etc.
Governing body	The elected representatives (i.e. the Councillors) of the Kiama Municipal Council.
Project Reference Group	A group of expert individuals formed by an Advisory Committee to assist in the preparation of a specific Strategy.
Regulatory Committee	A Committee required by legislation such as the Audit, Risk and Improvement Committee.
Strategy	Strategies referenced by the Kiama Community Strategic Plan (CSP) 2022-2032 and demonstrate how the outcomes of the CSP will be achieved.
Working Group	A collaborative group formed to engage with the community in decision making processes, providing input and advice on policies and services. Established for a limited term for a specific purpose to provide input on a specific project.

Variation and review

Council reserves the right to review, vary or revoke this policy.

Date reviewed	Date adopted/ endorsed	Brief detail of amendments
September 2026	[insert Council meeting date once adopted]	Updated to reflect current Council committees and action a Performance Management internal audit recommendation.
	19 September 2023	New Policy

POLICY

1. Guiding principles

Section 8A of the *Local Government Act 1993* (the LG Act) provides the guiding principles for councils in New South Wales (NSW). These guiding principles include the requirements that councils should:

- plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community, and
- apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.

Section 222 of the LG Act defines the elected representatives, called “councillors”, as the governing body of the council. The LG Act outlines that part of the role of the governing body is to:

- develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of Council, and
- keep under review the performance of Council, including service delivery.

In this respect, Council operates Committees of Council, a regulatory committee and advisory committees.

2. Committees of Council

Committees of Council make strategic decisions relating to the direction of the organisation.

Council operates two Committees of Council:

1. Ordinary Council
2. Performance Review Committee.

Meetings of the Committee of Ordinary Council are generally open to the public. This includes the publication of the meeting agendas on Council's website, the streaming of the meetings on Council's website, the ability for members of the public to physically attend the meetings and the publication of the meeting minutes on Council's website. The exception to this are matters deemed to be confidential under the provisions of section 10 and 10A of the LG Act.

Given the nature of the matters discussed, the Performance Review Committee is held in confidential. The Performance Review Committee is governed by the Guidelines for the Appointment and Oversight of General Managers.

These committees are required to operate in accordance with the adopted Code of Meeting Practice and in accordance with the Code of Conduct for Councillors.

3. Regulatory Committee

Section 428A of the *Local Government Act 1993* states:

- (a) A Council must appoint an Audit, Risk and Improvement Committee.

The Audit, Risk and Improvement Committee is required to operate in accordance with the Code of Conduct for Council committee members, delegates of Council and Council advisers. Members must also observe the requirements of the Guidelines for risk management and internal audit for local government in NSW.

4. Advisory Committees

Advisory committees provide advice to Council relating to the direction of the organisation.

All recommendations of an advisory committee need to be reported to an Ordinary Council meeting for formal decision making and ratification.

The Kiama Community Strategic Plan (CSP) 2025-2035 contains four (4) pillars which reflect the aspirations of the community.

The committees contained in this Policy will provide expert advice on the development, implementation, and monitoring on the Strategies contained within each CSP pillar.

Kiama Council has three (3) Advisory Committees:

1. Tourism and Economic Advisory Committee
2. Finance and Major Projects Advisory Committee

3. Kiama Local Transport Forum.

These Committees are required to operate in accordance with the Code of Conduct for Council committee members, delegates of Council and Council advisers.

5. Project reference groups

The following advisory committees have the authority to form, and call for nominations for membership of, project reference groups:

1. Tourism and Economic Advisory Committee
2. Finance and Major Projects Advisory Committee.

Project reference groups are a group of expert individuals formed by an advisory committee to assist in the preparation of a specific strategy within the advisory committee's scope.

In forming a project reference group, the relevant advisory committee will elect one of its members to be the chair of the project reference group. In addition to the elected chair, the membership of a project reference group will include Council staff and expert community members, the number and composition to be determined by the relevant advisory committee.

When forming a project reference group, the relevant advisory committee is to publish the group's Terms of Reference, using the Project Reference Group Terms of Reference template (Attachment 2), and the group's membership on Council's website. The term of membership for a project reference group is to be from the formation of the group until the adoption of the relevant strategy.

Advice provided by the project reference group is to be included in the relevant advisory committee's agendas.

Project reference groups have no delegated authority.

6. Consultative bodies/reference groups and other consultation

Council will undertake specific consultation with young people and our First Nations Community, that is tailored to their needs and supports input (rather than through a formal committee structure), such as the Aboriginal Advisory Group.

Consultative bodies are not Council committees but rather are used to engage with distinct sections of our community on Council programs, activities, strategies etc. Engagement with the respective consultative bodies will occur in accordance with the Community Engagement Strategy.

Feedback, either written or verbal, from consultative bodies will be used when planning Council programs, activities and events.

Meetings of consultative bodies are informal in nature and will occur on an as-needs-basis.

As consultative bodies are not Council committees they are not required to operate in accordance with the Code of Conduct for Council committee members, delegates of Council and Council advisers.

7. Working groups

From time to time working groups may be established to work on specific projects and provide a mechanism for Council and the community to work together on matters of interest. Working groups are established on a needs basis and will have a terms of reference. An expression of interest process will provide membership.

Working groups have no delegated authority.

8. Conflicts of Interest

In accordance with section 4.8 of the 'Code of Conduct for Council committee members, delegates of Council and Council advisers' members of advisory committees are designated persons.

In accordance with clause 4.15 of the 'Code of Conduct for Council committee members, delegates of Council and Council advisers' designated persons must make and lodge with the Chief Executive Office a return in the form set out in schedule 2 to the Code, disclosing the designated person's interests as specified in schedule 1 to the Code within 3 months after:

- (a) becoming a designated person, and
- (b) 30 June of each year, and
- (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

Clause 4.12 of the 'Code of Conduct for Council committee members, delegates of Council and Council advisers' outlines that members of advisory committees are required to disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.

For the purposes of the Code, a member has a pecuniary interest in a matter if the pecuniary interest is:

- (a) their interest, or
- (b) the interest of their spouse or de facto partner, their relative, or their partner or employer, or
- (c) a company or other body of which they, or their nominee, partner or employer, is a shareholder or member.

The Code outlines that a person making a return under clause 4.15 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date. For the purpose of the Code and this Policy a property development has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*:

property developer for the purposes of this Division—

- (a) an individual or a corporation if—
 - (i) the individual or a corporation carries on a business mainly concerned with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit, and
 - (ii) in the course of that business—
 - (A) 1 relevant planning application has been made by or on behalf of the individual or corporation and is pending, or
 - (B) 3 or more relevant planning applications made by or on behalf of the individual or corporation have been determined within the preceding 7 years,
- (b) a person who is a close associate of an individual or a corporation referred to in paragraph (a).

9. External committees, organisations and groups

Council will continue to engage with a number of external committees, organisations and consultation bodies.

Examples of these external committees, organisations and consultation bodies include:

- Kiama Business Network
- Illawarra Shoalhaven Interagency
- Library Cooperative

- Housing Trust
- Illawarra Shoalhaven Joint Organisation
- LG8.

Council also values the contribution of the established Community Associations in our Local Government Area, such as the Jamberoo Valley Ratepayers and Residents Association, the Minnamurra and Gerroa Progress Associations and Kiama Matters. Our Community Participation Plan and Community Engagement Strategy also acknowledge these associations as key stakeholders.

10. Committees Framework

The membership, purpose/authority and meeting occurrence of each Committee is outlined in the following Committees Framework:

Committee name	Delegation / Authority	Meeting occurrence / Type
Ordinary Council	Full delegation	Monthly Open to the public, except for matters deemed to be confidential (refer to s10A of the <i>Local Government Act 1993</i>).
Audit, Risk and Improvement Committee	Refer to section 428A of the <i>Local Government Act 1993</i> .	At least 5 times per year. Closed to the public as matters deemed to be confidential (refer to s10A of the <i>Local Government Act 1993</i>).
Local Transport Forum	Refer to Transport for NSW's Local Transport Forum function and responsibilities guide	As required.
Performance Review Committee	This committee deals with CEO employment arrangements in closed session.	Mid year and end of year. Closed to the public as matters deemed to be confidential (refer to s10A of the <i>Local Government Act 1993</i>).
Tourism and Economic Advisory Committee	This Committee provides expert advice on the development, implementation, and monitoring of the following: • Regional Economic Development Strategy • Visitor Economy Strategy • Night-Time Economy Strategy Has the authority to form, and call for nominations for membership of project reference groups.	Bi-monthly

Committee name	Delegation / Authority	Meeting occurrence / Type
Finance and Major Project Advisory Committee	This Committee provides expert guidance on: • Long-term projects, ensuring adherence to sound project management principles. • The efficacy of the project management framework in delivering critical projects. • Opportunities proposed by staff or other committee members. • The highest and best use of Council catalyst sites to maximise community return on investment. Has the authority to form, and call for nominations for membership of project reference groups.	Each quarter. Closed to the public as matters deemed to be confidential (refer to s10A of the <i>Local Government Act 1993</i>).

Related forms/Documents

- Audit, Risk and Improvement Committee Charter
- Kiama Local Transport Forum guide
- Performance Review Committee Terms of Reference
- Tourism and Economic Advisory Committee Terms of Reference
- Finance and Major Projects Advisory Committee Terms of Reference

Attachments

Attachment 1	Terms of Reference template
Attachment 2	Project Reference Group Terms of Reference template

Authorisation

Name: Council Resolution No: XXXX

Date: XXXX

Attachment 1: Terms of Reference template

Committee name:	"{Enter name of committee}"	
Status:	Council committee ☐ Statutory committee ☐ Sunset committee ☐ (specify the end date)	
Purpose:	Role of the Committee: • {Insert Text}	
Objectives:	To provide: • {Insert Text}	
Committee operations:	Council will engage the Committee in early in strategic planning and policy development processes. Confidentiality protocols will apply, and meeting topics will be scheduled to ensure timely input. Meeting agendas will align with Council's adopted related strategies and action plans. The Committee will engage with relevant local stakeholders.	
Committee Meetings:	Meetings are held {Insert Text}	
Venue:	Meetings will be held at the Kiama Council Chambers or other suitable venues as required. They may also be held online if required.	
Membership:	"{Insert list of councillor, reps, officers, etc requirements}"	
Term of membership	Membership of the "{Insert name of committee}" Committee will be for the length of a Council term. NB: a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.	
Meeting quorum:	A Quorum will be deemed to have been met under the following criteria: 1. minimum of 50% plus 1 2. or per statutory requirements (if required).	
Selection of members	When vacancies occur, Council will appoint new committee members through an open and transparent process as follows: 1. through a public invitation for EOI by applicants 2. by consideration of applications by Council 3. by Council approval of successful applicants. The following factors will be taken into consideration when determining members: 1. the relevant experience and expertise of the person 2. a balance of tourism and economic development experience 3. a resident of the Kiama Local Government Area 4. a gender balance 5. cultural and age diversity is represented	

Item 13.8

Enclosure 1

Committee name:	"{Enter name of committee}"
Responsibility	Committee members will: 1. Act in an advisory role to Council staff, the Council and Councillors on tourism and economic development matters 2. Provide strategic guidance on implementation of plans, programs and initiatives. 3. Provide important links to the communities they represent in promoting and delivering outcomes. 4. Participate in working groups as needed. 5. Comply at all times with Council's Code of Conduct 6. At all times contribute in a positive and respectful manner 7. Avoid disruptive behaviour or conduct contrary to the committee's purpose. 8. On appointment and annually provide Pecuniary Interest Returns as required by the Office of Local Government and Council. 9. Refrain from any form of conduct that may cause a reasonable person unwarranted offence or embarrassment.
Conflicts of interest	• Conflicts of Interest are to be called as a matter of process. • Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. • Details of any conflicts of interest shall be appropriately noted. • Committee members must complete a declaration of interest form. • Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. • Where a conflict is identified, Council's Code of Conduct will apply.
Meeting administration:	• Meetings are to be chaired by a Councillor Committee member as elected by the committee and endorsed by Council. • Minutes and agendas will be circulated no less than five days prior to next scheduled meeting. • Minutes will be taken by a representative of Council. • Minutes are to be brief and focused on action items and advice. • Minutes shall be approved by the Chair and circulated to each member and to Councillors within two weeks of the meeting being held. • Minutes will be submitted to the next Ordinary Meeting of Council for noting. • Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council.
Code of Conduct and WHS	At all times Councillors, employees, contractors, volunteers, Council committee members, delegates of Council and Council advisors must comply with Council's Code of Conduct. At all times Councillors, employees, contractors, volunteers, Council committee members, delegates of Council and Council advisors must comply with the Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2017.
Executive positions	The role of the Chairperson is:

Committee name:	"{Enter name of committee}"
	• To chair the meeting and exercise functions as determined by the Committee. • To be the spokesperson for the Committee, as directed by the Committee. • To call for conflicts of interest on agenda items • To advocate for the Committee and represent its decisions • To sign off minutes endorsed by the Committee • To call extraordinary meetings of Committee • The Deputy Chairperson will be elected by the Committee. The role of the Deputy Chairperson is to act as Chair when the Chair is not present at meetings.
Sub Committees / Working Groups / Portfolios	The Committee will have the right to establish subgroups as deemed appropriate to assist in fulfilling their role and purpose.
Voting and recommendations	Voting and recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes Where consensus cannot be reached after two consecutive meetings, a simple majority (60%) of members present may adopt a recommendation. Alternative views are to be recorded in the meeting minutes.
Communication	Members of the Committee are not permitted to speak to the media as representatives of the Committee or Destination Kiama unless approved by the Chairperson. Where approval has been given by the Chairperson, views and opinions expressed are those of the Committee and not of Kiama Municipal Council Where endorsement is required from Kiama Municipal Council, approval must be sought through the formal processes.
Termination of membership	Non-Councillor member positions will be declared vacant/terminated when a member: 1. completes their designated term and retires from the committee 2. completes their term and is not re appointed 3. resigns their membership, in writing, to the Chairperson 4. fails to attend more than 50% of scheduled meetings unless granted special leave of absence by the Chairperson 5. acts in a way that is contrary to their responsibility as outlined (above). NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.
Process for termination of membership	Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.

Committee name:	{Enter name of committee}
	Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling. If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.

Item 13.8

Enclosure 1

Attachment 2: Project Reference Group Terms of Reference template

Committee:	Project Reference Group
Status:	Committee of Council ☐ Statutory committee ☐ Advisory committee ☒ (specify the end date)
Purpose:	Role of the Project Reference Group is to assist in the preparation of a specific Strategy within the relevant Advisory Committee's scope.
Objectives:	Objectives of the Committee are to: •
Committee Meetings:	Meetings are held every xxx.
Venue:	Meetings will be held at the Kiama Council Chambers, other suitable venues as required or by Teams.
Membership:	• xxx Councillor representatives • xxx Community representatives • xxx CEO/Staff representatives Councillors can attend meetings as an observer.
Term of membership	The term of membership of the Group will be for the length of the relevant project.
Chairperson	Appointed by the Committee and will be a member of the Advisory Committee.
Meeting quorum:	A Quorum will be deemed to have been met under the following criteria: 1. minimum of 50% plus 1 2. or per statutory requirements (if required).
Meeting administration:	• Meetings are to be chaired by the Chairperson or their alternate. • Minutes will be taken by a representative of Council. • Minutes are required to be submitted to the next committee meeting. • Minutes and agendas will be circulated no less than seven days prior to a scheduled meeting.
Selection of members	When positions become vacant the selection of new committee members will be undertaken: 1. through a public invitation for EOI by applicants 2. by consideration of applications by Council 3. by Council approval of successful applicants. The following factors will be taken into consideration when determining members: 1. the persons relevant experience and expertise

Item 13.8

Enclosure 1

Committee:	Project Reference Group
	2. whether the person is a resident of the Kiama Local Government Area 3. there is a gender balance 4. there is representation from across the full Kiama geographical area 5. cultural and age diversity is represented 6. committee members are able to demonstrate that they are connected and representative” of the community.
Responsibility	Committee members will: • xxx This committee has the authority to form, and call for nominations for membership of, project reference groups for specific advice on projects related to Pillar xxx of the Kiama Community Strategic Plan 2022-2032.
Code of Conduct	1. at all times committee members must comply with Council's Code of Conduct for Council committee members, delegates of Council and Council advisers 2. at all times contribute in a positive and respectful manner 3. at all times avoid disruption, contrary conduct or being wasteful of time and resources.
Conflicts of interest	• Conflicts of Interest are to be called as a matter of process. • Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. • Details of any conflicts of interest shall be appropriately noted. • Committee members must complete a declaration of interest form. • Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. • Where a conflict is identified, Council's Code of Conduct will apply.
Termination of membership	Non-Councillor member positions will be declared vacant/terminated when a member: 1. completes their designated term and retires from the committee 2. completes their term and is not re appointed 3. resigns their membership, in writing, to the Chairperson 4. fails to attend more than 50% of meetings scheduled in a 12-month period unless granted special leave of absence by the Chairperson 5. acts in a way that is contrary to their responsibility as outlined (above). NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.
Process for termination of membership	Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant

Committee:	Project Reference Group
	committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record. Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling. If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.