

1 PURPOSE

The Administrative Review Committee is an Executive Committee of Council established to conduct Internal Reviews of Decisions pursuant to Chapter 18 of the *Local Government Act 2019* and to carry out the financial functions of Council pursuant to Section 17 of the *Local Government (General) Regulations 2021*.

2 SCOPE

The Administrative Review Committee operates to perform functions delegated by Council in accordance with legislation relating to Reviewable Decisions and Financial Functions on an as required basis or in the absence of a monthly Ordinary meeting.

3 AUTHORITY / DELEGATION

The Administrative Review Committee is an Executive Committee to Council. Pursuant to Council decision ORDXXX/21, the Committee has the following delegations:

THAT Council, pursuant to Section 40 of the Local Government Act 2019 delegates to the Administrative Review Committee its powers under section 324 of the Local Government Act 2019 to:

- (a) *investigate, inquire into and make recommendations to Council on matters raised in an application to review a decision in accordance with Part 18.1 of the Local Government Act 2019; and*
- (b) *any other powers and functions delegated to it under its Terms of Reference from time to time; and*
- (c) *pursuant to Section 40 of the Local Government Act 2019 delegates to the Administrative Review Committee its powers under Section 19 of the Local Government (General) Regulations 2021, to carry out, on behalf of the council, financial functions of the council in the months the Council does not hold an Ordinary Meeting.*

4 FUNCTIONS

The functions of the Administrative Review Committee are to:

- a) Receive, investigate and determine applications for reviewable decisions in accordance with Chapter 18 Review of decisions, Part 18.1 Internal Review of the *Local Government Act 2019*.
- b) Receive reports relating to financial functions prepared in accordance with Section 17 of the *Local Government (General) Regulations 2021*.

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5 MEMBERSHIP

Membership will consist of the Lord Mayor as Chair of the Committee and three (3) Council Members.

All other Council Members will be alternate members to the Committee.

The Term of Membership for Community members is one year from July to June.

5.1 CHAIR

The chair of the committee will be the Lord Mayor.

The Committee Chair is responsible for:

- Ensuring the good conduct of meetings in accordance with the role and functions of the Committee; and
- Ensuring that the Committee's recommendations and actions are in line with the Terms of Reference.

The Committee Chair may be called upon to represent the Committee to Council.

The committee may appoint a Deputy Chair for the purposes of chairing a meeting if the Chair is not present or at a meeting as required.

6 MEETINGS

6.1 FREQUENCY AND LOCATION

Subject to direction by Council, the Committee will set its meeting schedule the calendar year prior.

The Committee will meet as required to perform the functions of the Committee.

Committee meetings will be held at the Civic Centre, Darwin at a time determined by the Chief Executive Officer when convening the meeting.

Special meetings can be convened by the Chief Executive Officer on the request of the Chair, or a majority of committee members. The Chief Executive Officer will then issue a Notice of Meeting with the time, date and location of the meeting, and the items to be discussed at the special meeting.

6.2 VOTING

A resolution of the committee will be passed by a majority vote. A majority vote is half plus 1 of the members present at the meeting

The chair must exercise, in the event of an equality of votes, a second or casting vote.

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7 CODE OF CONDUCT

All members are accountable to the *Local Government Act 2019* Code of Conduct, Schedule 1. This includes the requirement to declare gifts and/or benefits.

8 CONFLICT OF INTEREST

On appointment to a Committee, all members must identify if there are any conflicts of interest in performing their role on the committee.

Conflicts of Interest must also be identified at any meeting in which a member has a conflict of interest on a matter.

9 REVIEW AND PERFORMANCE EVALUATION

9.1 TERMS OF REFERENCE

The Terms of Reference will be reviewed annually by the Committee and any changes will be put to Council for endorsement.

9.2 PERFORMANCE EVALUATION

Commencing November 2022, at the end of each calendar year, the Committee will conduct an annual review of the Committee to assess outcomes against these terms of reference.

The review and any amendments to the Terms of Reference will be provided to Council at the commencement of each calendar year.

10 RESPONSIBILITY / APPLICATION

All members of the committee will be asked to sign the Terms of Reference as part of their induction to the committee, to ensure they are aware of their responsibilities under the *Local Government Act 2019* as member of a Council appointed committee.

These Terms of Reference were adopted by Council on 28 September 2021.

Name: _____

Signature: _____

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