

## CITY OF WEST TORRENS



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### Terms of Reference

## YOUTH ADVISORY COMMITTEE

### PREAMBLE

A Committee of Council may be established by resolution of the Council.

A Committee is established for the purpose of assisting the Council in the performance of its functions, inquiring into and reporting to the Council on matters within the ambit of the Council's responsibilities, providing advice to the Council and to exercise, perform or discharge delegated powers, functions or duties of the Council.

The establishment of a Committee does not derogate from the power of the Council to act in a matter.

The Youth Advisory Committee (Committee) is a forum for passionate young people who want to make a difference in the community, challenge themselves as leaders and be influential in local government decision making.

### 1. ESTABLISHMENT

Pursuant to section 41 of the *Local Government Act 1999* (Act), Council has established a committee to be known as the 'Youth Advisory Committee' (referred to in these Terms of Reference as "Committee").

### 2. OBJECTIVES

The primary objective of the Committee is to advise Council on matters relating to young people as active, involved and diverse citizens in the West Torrens Community.

The Committee is established to assist the Council in the performance of the following functions of the Council:

- Provide a youth perspective on issues
- identify and raise issues that are important to young people in the City of West Torrens; and
- Provide a communication link between young people in the CWT community and Council.

### **3. MEMBERSHIP**

- 3.1 All members of the Committee will hold office for the period beginning at nomination in Term 1 of the school year to the end of that same year, with the option to renominate for a second year on Committee.
- 3.2 Membership of the Committee will comprise the Mayor, up to four (4) Elected Members and up to fourteen (14) independent members who are not members of Council.
- 3.3 The independent members must meet the following criteria at the commencement of their term:
- The members will be in year 11, 12 or 13 of High school at time of initial nomination;
  - Be under the age of 25 years and;
  - Live, work, recreate or study in the City of West Torrens.
- 3.4 Independent members who live, work, recreate or study in the City of West Torrens. may renominate for a second term on the Committee.
- 3.5 Members of the Committee may be removed from office by Council resolution at any time.
- 3.6 Members of the Committee may resign their position at any time by giving notice of their intention in writing to the Chief Executive Officer.
- 3.7 If a vacancy occurs on the Committee, in accordance with clauses 3.5 or 3.6, then Council may appoint a replacement Member to the Committee.
- 3.8 An Elected Member who is not a duly appointed member as listed in clause 3.2, may attend a committee meeting, with the right to speak and ask questions relating to motions but not debate or vote on motions.
- 3.9 All Elected Members of the Committee, where required, must hold and maintain a current DCSI clearance, sign and adhere to the CWT Child Safe Environments Code of Conduct and participate in relevant child safe environment training for the duration of their appointment to the Committee.

### **4. PRESIDING MEMBER**

- 4.1 Council, at its 18 July 2023 meeting, appointed Mayor Michael Coxon as the Presiding Member of the Youth Advisory Committee for the period 1 May 2024 to the conclusion of the 2026 local government elections.
- 4.2 The Committee is to recommend to Council, at its May meeting each year, the appointment of its Deputy Presiding Member for the remainder of the term of Committee for that year.
- 4.4 The role of the Presiding Member is to:
- 4.3.1 oversee and facilitate the conduct of meetings in accordance with the *Local Government Act 1999* and *Local Government (Procedures at Meetings) Regulations 2013*;
  - 4.3.2 ensure that the Guiding Principles at Regulation 5 are observed and that all Committee members have an opportunity to participate in discussions in an open and responsible manner; and

- 4.3.3 call the meeting to order and move the debate towards finalisation when a matter has been debated significantly and no new information is being discussed.

## **5. OPERATIONAL MATTERS**

- 5.1 The Committee does not enjoy any delegated powers or functions from the Council so that all decisions of the Committee (subject to any clause of these Terms of Reference to the contrary) will constitute recommendations to the Council.
- 5.2 For the purposes of s41(8) of the Act, the Council's reporting and other accountability requirements are satisfied by the delivery of a copy of the minutes of each meeting of the Committee to each member of the Council and the inclusion of those minutes in the agenda papers for the next ordinary meeting of the Council.
- 5.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member will preside at that meeting. If both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee then a member of the Committee chosen from those present, by formal resolution, will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.

## **6. MEETING PROCEDURES**

- 6.1 The Committee will act at all times in strict accordance with the Act and will be subject to the operation of Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* and the City of West Torrens Code of Practice - Procedures at Meetings.
- 6.2 Insofar as the Act and Regulations and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, Council has determined its own procedure as articulated in the City of West Torrens Code of Practice - Procedures at Meetings.
- 6.3 The attached agenda format will be used for the conduct of meetings.
- 6.4 In the event that a meeting is cancelled or is inquorate, the items for discussion on the meeting agenda will be deferred to the next appropriate meeting of the Committee.

## **7. MEETING TIME AND PLACE**

- 7.1 The Committee will meet every two months, commencing in May each year, with the exception of December and January each year when no meetings will be held, at 4:00pm in the Civic Centre, 165 Bradman Drive, Hilton SA 5033.
- 7.2 The Chief Executive Officer is delegated authority to vary the meeting date, time and place of Committee meetings in consultation with the Presiding Member.

## **8. QUORUM**

- 8.1 A quorum for a meeting of the Committee will be half the members plus one of which one member must be an Elected Member and one member an independent member.

- 8.2 No business can be transacted at a meeting unless a quorum is present.

## **9. DECISIONS**

- 9.1 The Committee has no delegated authority to make decisions.
- 9.2 All decisions of the Committee will be made on the basis of a majority of members present and presented to Council as recommendations for consideration and approval.

## **10. VOTING**

- 10.1 All members of the Committee must (subject to any provisions of the Act or Regulations to the contrary) vote on all matters presented for decision at a meeting of the Committee.
- 10.2 For the avoidance of doubt, every member of the Committee including the Presiding Member has a deliberative vote only, i.e. no casting vote.
- 10.3 The Presiding Member will ask for members to vote and will then declare whether the motion is carried or lost.
- 10.4 The Presiding Member is deemed to vote in the affirmative unless they clearly declares otherwise.

## **11. FUNCTIONS AND RESPONSIBILITIES**

- 11.1 The primary function of the Committee is to assist the Council achieve the stated objectives listed in Section 2 of these Terms of Reference.
- 11.2 Under section 72 of the Act, Council has determined the independent members of this Committee are excluded from the application of Chapter 5 Part 4 Division 1 Subdivision 2 of the Act (Register of Interests). However, under Section 75D of the Act all members of the Committee, including independent members, are required to comply with the provisions of Chapter 5 Part 4 Division 1 Subdivision 4 of the Act (Conflicts of Interest) at all meeting of the Committee.
- 11.3 Independent members of the Committee are public officers for the purpose of the *Independent Commission Against Corruption Act 2012* and Division 4 of Part 7 (Offences relating to Public Officers) of the *Criminal Law Consolidation Act 1935* and subject to the provisions of those Acts, including reporting requirements.
- 11.4 Independent members of the Committee are required to comply with the provisions contained within the Behavioural Standards for Council Members.
- 11.5 Independent members of the Committee are subject to Section 62 of the *Local Government Act 1999* that provides for the provision of Chapter 5 Part 4 Subdivision 2 (General Duties).

## **12. LIABILITIES OF MEMBERS**

No civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or

discharge, of the members' or committee's powers, functions or duties. Such a liability attaches instead to the Council.