

## Administrative Review Committee – Terms of Reference

Date Adopted: 26<sup>th</sup> July 2018  
Review Date: Each Term of Council

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### 1. Establishment

The Administrative Review Committee (the Committee) is established as an advisory committee to the Council in accordance with the Local Government Act section 229(1).

### 2. Objective

The Committee is to inquire into applications for review of a Reviewable Decision received under section 228 of the Local Government Act and referred to the Committee under section 229.

### 3. Authority

With consideration of legal and confidentiality implications the Committee is authorised, within the capacity of its role and responsibilities, to:

- Obtain any information it requires from any employee and/or external party.
- Discuss any matters with either the Council or the officer of the Council who made the decision.
- Obtain external legal or other professional advice, as considered necessary to meet its responsibilities.

### 4. Membership

In the event that the reviewable decision is made by Council, the Director Infrastructure & Assets, Director Community Services, Director Remote Services or a non-executive Council Officer, the committee will be:

- The Chief Executive Officer (CEO);
- The Director Corporate Services (DCorp);
- A Director or Officer of Council who is a subject matter expert in the matter being reviewed.

Any members involved in a decision being reviewed must not take part in the review.

In the event the reviewable decision was made by either the CEO or the DCorp that member will be replaced on the Committee by another Director.

### 5. Key Responsibilities

The Committee:

- May summarily reject an application for a review, if satisfied that the application is frivolous, vexatious or lacking in substance;
- Must, unless rejected as above, inquire into the matters raised by the application and make a recommendation on the application to the Council, as follows:
  - for confirmation or the decision; or
  - for amendment of the decision; or
  - for revocation of the decision; or
  - for making some further decision to mitigate the effect of the decision.

### 6. Reporting

The Committee will make recommendations direct to the Council as soon as practical after receiving a request for a review of a decision.



two ways :: one outcome

**7. Meetings**

The Committee will meet on an as needs basis if an application for review is referred from the CEO.

**8. Quorum**

A quorum will consist of a majority of members.

**9. Secretariat**

Secretariat support will be provided by the Central Desert Regional Council.

**10. Conflict of Interest**

In accordance with Section 74(1) of the Local Government Act, committee members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item or topic. All details of any conflict of interests are to be minuted.

If members or observers at a Committee meeting are deemed to have a real or perceived conflict of interest, they are to be excused from Committee discussions on the issue where the conflict of interest exists.

**15. Approval and Review History**

Date	Comment
	Adopted by Council