



# Southern Communities Transport Scheme Advisory Committee

## Terms of Reference

### 1. ESTABLISHMENT

- 1.1 The Southern Communities Transport Scheme Advisory Community (the Committee) is established under Section 41 of the Local Government Act, 1999.

### 2. PURPOSE

- 2.1 The Committee is established for the purpose of assisting to address the needs of transport disadvantaged people by supporting a regional approach between the City of Victor Harbor and the Alexandrina Council (referred to as "the Councils") to the planning, development and co-ordination of services.
- 2.2 Specifically, the role of the Committee is to:
- 2.2.1 Advise on the operations of the Southern Communities Transport Scheme (referred to as "the Scheme") which coordinates and brokers existing transport services, provides transport information, and provides services to transport disadvantaged people where no other appropriate services exist.
- 2.2.2 Assist Council to meet its responsibilities as detailed in the Service Agreement between the Council and the Department for Communities and Social Inclusion.
- 2.3 Specific roles and responsibilities of partner Councils in relation to the operation of the Committee will be included in a memorandum of understanding.
- 2.4 A memorandum of understanding will also be prepared in relation to the shared services arrangement for operation of the Scheme.

### 3. MEMBERSHIP

- 3.1 The membership of the Southern Communities Transport Scheme Advisory Committee shall consist of one Council Employee, and one Council Member from each of the City of Victor Harbor, and the Alexandrina Council, plus
- one nominee from the Department for Communities and Social Inclusion
  - up to three representatives of volunteers from the Scheme
  - up to two interested service users or community members
  - the Mayor of the City of Victor Harbor is appointed as ex-officio

- 3.2 The Committee may co-opt one additional person if it is considered that additional skills and experience would benefit a specific project or add value to the general performance of the Committee.

## **4. APPOINTMENT OF MEMBERS**

### **4.1 Term of Office**

- 4.1.1 The term of office for representatives or nominees, with the exception of the Mayor, shall be at the pleasure of the nominating body and appointed by Council.

### **4.2 Vacancies**

- 4.2.1 The filling of any vacancy occurring by resignation or removal of a member shall be at the discretion of Council through a Council resolution. Nominations and appointments for vacancies must be from the same sector or representative body as the vacant position.

### **4.3 Removing Members**

- 4.3.1 The Council may at any time remove a member of the Committee but shall observe the principles of natural justice.

### **4.4 Leave of Absence**

- 4.4.1 Any member absent for three or more consecutive meetings without apology or leave of the Committee shall have their position declared vacant and clause 4.2 shall be invoked.

### **4.5 Appointment of Proxy Members**

- 4.5.1 Each sector or body representative on the Committee may appoint a proxy representative who may attend meetings and have voting rights in the absence of the primary representative. Such proxy appointments shall be indicated to the Chairperson prior to the meeting for which such appointment is made.

## **5. ROLE AND RESPONSIBILITIES OF COMMITTEE MEMBERS**

- 5.1 The role of a Committee member is to:
- 5.1.1 Participate in the deliberations of the Committee, with regard to the policy and business which is before it;
  - 5.1.2 Be mindful of the objectives and policies of the Council as they relate to the business of the Committee;
  - 5.1.3 Be aware of the Committee resources, budget and strategic plan, and the need for efficiency and effectiveness in the activities for which the Committee has been established;
  - 5.1.4 Be informed on issues before the Committee, to prepare adequately for meetings and seek additional information if required;
  - 5.1.5 Be mindful of the potential for a "Conflict of Interest" to occur through participation on the Committee and to declare such Interests as and when they arise;
  - 5.1.6 Represent the nominating sector, body or organization honestly and fairly; and

Observe confidentiality when it is required.

## **6. MEETINGS**

### **6.1 Ordinary Meetings**

- 6.1.1 The Committee shall meet at appropriate times and places as determined by the Committee and at least once per year.
- 6.1.2 The Chief Executive Officer or delegate is authorised, after consulting with the Chairperson of the Committee, to cancel the respective Committee meeting, if it is clear there is no business to transact for that designated meeting.
- 6.1.3 A meeting will be limited to a maximum of one and a half hours' duration unless the Committee resolves to extend the meeting to a particular time or the completion of business.

### **6.2 Special Meetings**

- 6.2.1 Special Meetings may be called by the Chairperson or at least two members of the Committee at any time subject to consultation with the Chief Executive Officer or delegate.

### **6.3 Notice of meetings**

- 6.3.1 A notice of the meeting is to be provided to each Committee member in writing, setting out the date, time and place of the meeting; and be accompanied by an agenda for the meeting.
- 6.3.2 The agenda for Ordinary Meetings of the Committee shall be forwarded to members of the Committee at least three clear days prior to meetings.
- 6.3.3 A minimum of four hours' notice shall be given for any Special Meetings of the Committee.
- 6.3.4 A copy of the notice of meeting, agenda and accompanying reports shall be placed on public exhibition at the Council Office. The notice of meeting and agenda will be provided on Council's website as soon as practicable after the time that the notice of the meeting is given to members of the Committee.

### **6.4 Minutes**

- 6.4.1 Minutes shall be kept of all meetings of the Committee. Each Committee member shall receive a copy of the minutes within five days of the meeting of the Committee.
- 6.4.2 A copy of the minutes shall be placed on public exhibition at the Council's Office within five days of the meeting of the Committee. The minutes will be available on Council's website as soon as practicable after the minutes are given to members of the Committee.

6.4.3 The minutes shall be confirmed at the next regular meeting with or without amendments.

## **6.5 Presiding Member**

6.5.1 The Council shall appoint a Chair (Council Member) to preside at all meetings of the Committee at which he/she is present and in his/her absence the appointed Deputy Chair, being a Council Member from the Alexandrina Council, shall preside.

## **6.6 Quorum**

6.6.1 A quorum for the Committee shall constitute four members and shall include one Council Member from the City of Victor Harbor and one member (being staff or Council Member) from Alexandrina Council. If at the expiration of 15 minutes from the time of commencement of the meeting a quorum is not present, the Presiding Member will adjourn the meeting.

## **6.7 Meeting Procedure**

6.7.1 The procedures and protocols to be observed at the Committee meetings shall be as provided in Part 3 of the *Local Government (Procedures at Meetings) Regulations 2013*, unless varied by these terms of reference.

## **6.8 Electronic Attendance at Meetings**

6.8.1 Members may participate in a meeting of the Southern Communities Transport Scheme Advisory Committee by electronic means which includes telephone, computer or other electronic device used for communication.

6.8.2 A member participating in the Southern Communities Transport Scheme Advisory Committee meeting by electronic means is taken to be present at the meeting provided that the member:

6.8.2.1 Can hear all other members present at the meeting;

6.8.2.2 Can be heard by all other members present at the meeting; and

6.8.2.3 Can be heard by the person recording the minutes of the meeting.

## **7. SUB-COMMITTEES**

7.1 The Committee may appoint such sub-committees as it considers necessary provided that all actions of such sub-committees shall be approved or confirmed by the Committee.

## **8. VOTING**

8.1 A question arising for decision at a meeting of the Committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

8.2 Each member of the Committee present at any meeting, shall have one vote on any matter.

8.3 The Chairperson or acting Chairperson shall have a deliberative vote only.

- 8.4 Each member present at a meeting of the Committee must vote on all questions arising for a decision at that meeting.

## **9. CONFLICT OF INTEREST**

- 9.1 Sections 74, 75, 75A, 75B, 75C, 75D of the *Local Government Act 1999* refer to conflict of interest provisions. Committee members need to be aware of the circumstances under which a conflict of interest may arise and declare that interest to the membership present at the meeting.

## **10. STAFF**

- 10.1 The Committee will be supported by staff of the Council and the Scheme.

## **11. FINANCE**

- 11.1 A record of the financial transactions of the Scheme shall be maintained by Council's finance department and reported to the Committee on a regular basis.
- 11.3 The Committee may recommend expenditure of funds within the Council's approved budget limitations, and the business/operational/marketing plans of the Committee.
- 11.4 Any variations to the budget shall require Council's approval.

## **12. Delegations**

- 12.1 Council may delegate matters to the Committee in accordance with Section 41 of the *Local Government Act 1999*.
- 12.2 The Committee may:
- 12.2.1 Approve Minutes as a true and accurate record of proceedings.
  - 12.2.2 Appoint a Deputy Chair (If not provided by Council).
  - 12.2.3 Approve their work plan and annual report of the Committee.
  - 12.2.4 Form sub-committees and project groups.
  - 12.2.5 Determine if a matter should be considered in confidence.

## **13. REPORTING**

- 13.1 The Committee shall supply to the Council a copy of all Committee minutes pursuant to clause 6.4, for the endorsement of the Council.

## **14. AUDIT**

14. The Committee must cooperate with Council's Audit Committee, established pursuant to Section 126 of the *Local Government Act 1999* and must comply with the requirements within Council's Internal Control Manual.

## **15. PUBLIC ACCESS**

- 15.1 Meetings of the Committee shall be open to the Public.

15.2 The Committee may resolve to exclude the Public from attendance at the meeting if it is considered necessary to receive, discuss or consider in confidence any information or matter listed in Section 90, subsection (3) of the *Local Government Act 1999*.

15.3 Minutes, Agendas for the Committee available on Councils website.

## **16. LIABILITY OF MEMBERS**

16.1 In accordance with Section 41 (12) of the *Local Government Act 1999*, no civil liability attaches to a member of the Committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or Committee's powers, functions or duties. However, protection under these provisions may not apply for a breach of the Council's Election Caretaker Policy.

## **17. DISSOLUTION**

17.1 The Council may at any time abolish the Committee.

## **18. INTERPRETATION**

18.1 Any ambiguity or difficulty in interpretation of these terms of reference shall be referred to the Council for direction.

## **19. ALTERATION OF THE TERMS OF REFERENCE**

19.1 The Council may at any time, either on its own initiative or at the request of the Committee, alter, delete, or add to any provisions of these terms of reference.

## **20. ADOPTION BY COUNCILS**

20.1 These are the functions and rules of the Southern Communities Transport Scheme Advisory Committee as approved by the Councils, by resolutions passed on 6 November 2006 (City of Victor Harbor) and 5 March 2007 (Alexandrina Council) and amended by the City of Victor Harbor on 11 March 2008, 10 November 2008, 18 October 2010, 29 November 2010, 28 March 2011 and 15 December 2014.

20.2 Administrative amendment: Change to Clause 6.7 to Local Government (Procedures at Meetings) Regulations 2013 - 16 May 2014.

20.3 Amended to reflect resolution of Council on 26 March 2018

20.4 Amended to reflect resolution of Alexandrina Council on 19 November 2018

20.5 Amended to reflect resolution of Council on 26 November 2018

20.6 Amended to reflect resolution (OC64520185) of Council on 22 July 2019

20.7 Amended to reflect resolution (OC6002019) of Council 26 August 2019

20.8 Amended to reflect resolution (OC7452019) of Council on 28 October 2019 and typographical errors in the number sequence from 9 – 21

- 20.9 Amended to reflect resolution (OC5552020) of Council on 26 October 2020
- 20.10 Amended to reflect resolution (OC1352021) of Council on 22 March 2021
- 20.11 Amended to reflect resolution (OC3672021) of Council on 23 August 2021
- 20.12 Amended to reflect resolution (OC4912022) of Council on 12 December 2022 and ACM221726 Alexandrina Council on 28 November 2022
- 20.13 Amended to reflect resolution (OC902023) of council on 27 March 2023

## SCHEDULE 1

### Southern Communities Transport Scheme Advisory Committee

#### Committee Membership

Member	Representative	Appointed	Expires
Alexandrina Council	Cr Lou Nicholson	28 Nov 22	Nov 2026
Alexandrina Council (Proxy)	Cr Margaret Gardner	28 Nov 22	Nov 2026
Alexandrina Council – community Member			
City of Victor Harbor	Cr Marilyn Henderson		
Department of Human Services	As advised		
Volunteers from Southern Communities Transport Scheme	Robert McFarland		March 2027
Volunteers from Southern Communities Transport Scheme	Robert Hall		March 2027
Service Users/Community Members	Colin Howard		March 2027
Service Users/Community Members			
City of Victor Harbor – Mayor – Ex-officio	Dr Moira Jenkins		
<b>Staff</b>			
Alexandrina Council	Community Development Team Leader	28 Nov 22	Nov 2026
City of Victor Harbor	Manager Community Wellbeing	12 Dec 22	Nov 2026

<b>Office Bearers</b>	
Chairperson	Cr Marilyn Henderson
Deputy Chairperson	Cr Lou Nicholson