



Fleurieu Region Community Services Advisory Committee

Terms of Reference

1. ESTABLISHMENT

- 1.1 The Fleurieu Region Community Services Advisory Committee (the Committee) of Council 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 improve the quality of life, independence, and well being of communities by supporting a regional approach between the City of Victor Harbor, and District Council of Yankalilla (the Councils) to the planning, development, and co-ordination of community services that respond to current and emerging regional community service needs, and local needs of regional significance. Specifically, the role of the Committee is to:
 - 2.1.1 Advise on planning, development and implementation of regional community service programs.
 - 2.1.2 Regularly monitor and review the operations of regional community service programs and make recommendations on the development of the programs.
 - 2.1.3 Identify current and emerging regional community service needs and make recommendations on priorities for future planning and service development.
 - 2.1.4 Facilitate regional advocacy and support for responses to local community services issues, and in particular local initiatives with regional significance.
- 2.2 Specific roles and responsibilities of partner Councils in relation to the operation of the Committee will be included in a memorandum of understanding.
- 2.3 Memorandum of understanding between partner Councils will be prepared in relation to the shared services arrangements for regional community service programs.

3. MEMBERSHIP

- 3.1 The membership of the Committee shall consist of:
 - 3.1.1 up to one (1) staff member from each of the Councils; and
 - 3.1.2 two (2) elected members (or a community member as an alternative to a second elected member) from each of the Councils; and

3.1.3 up to two (2) nominees from key health and community service organizations, City of Victor Harbor Mayor (ex-officio).

3.2 Persons appointed under this section are referred to as “Member/Members” throughout this Charter.

3.3 Current Committee Membership is as per Schedule 1 to the Charter.

4. ELECTION AND 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.

4.2 Vacancies

4.2.1 The filling of any vacancy occurring by resignation or removal of a member shall be approved by the Council. Nominations and appointment to 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 3 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
- 5.1.7 Observe confidentiality when it is required.

6. MEETINGS

6.1 Ordinary Meetings

- 6.1.1 Ordinary Meetings of the Committee shall generally be held monthly.

6.2 Special Meetings

- 6.2.1 Special Meetings may be called by the Chairperson, or at least two (2) members of the Committee at any time.

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 Committee shall resolve by majority the date, time and place of meetings.
- 6.3.3 The agenda for Ordinary Meetings of the Committee shall be forwarded to members of the Committee at least three (3) clear days prior to meetings.
- 6.3.4 A minimum of four (4) hours notice shall be given for any Special Meetings of the Committee.
- 6.3.5 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.
- 6.4.2 Each Committee member shall receive a copy of the minutes within five (5) days of the meeting of the Committee.

6.4.3 A copy of the minutes shall be placed on public exhibition at the Council Office within five (5) days of the meeting of the Committee.

6.4.4 The minutes will be available on Council's website as soon as practicable after the minutes are given to members of the Committee.

6.4.5 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 (Elected Member) to preside at all meetings of the committee at which he/she is present and in his/her absence, the appointed Deputy Chair shall preside.

6.6 Quorum

6.6.1 A quorum for the Committee shall constitute half the membership, ignoring any fraction from the division, plus one (1) and shall include at least one Elected Member from the City of Victor Harbor and at least one member (being a staff member or elected member) of one of the other Councils.

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 this Terms of Reference

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. APPOINTMENT OF OFFICE BEARERS

8.1 Current Office Bearers are listed per Schedule 1 to this Terms of Reference

9. VOTING

9.1 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.

- 9.2 Each member of the Committee present at any meeting shall have one vote on any matter.
- 9.3 The Chair or acting Chair shall have a deliberative vote only.
- 9.4 Each member present at a meeting of the Committee must vote on all questions arising for a decision at that meeting.

10. CONFLICT OF INTEREST

- 10.1 Sections 73 – 75 of the *Local Government Act 1999* (inclusive) 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.

11. STAFF

- 11.1 The Committee will be supported by Community Services staff of the Council, with the Manager Community Services providing executive support to the Committee.

12. FINANCE

- 12.1 A record of the financial transactions of the Committee and regional projects supported by the Committee shall be maintained by Council finance department and reported to the Committee on a regular basis.
- 12.2 The Committee must present an annual draft budget to Council for consideration within the context of Council's overall budget strategies.
- 12.3 The Committee may recommend expenditure of funds within the Council's approved budget limitations, and the business/ operational/marketing plans of the Committee.
- 12.4 Any variations to the budget shall require Council's prior approval.
- 12.5 The Committee shall not operate any separate Bank accounts unless authorised by the Council.

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

14.1 The Auditor appointed by the Council from time to time shall be the auditor of the Committee finances and administrative procedures.

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

15. GOODS, SERVICES AND CHARGES

15.1 The Committee may request the Council Administration to issue purchase orders for the supply of goods and services which conform with the approved budget.

15.2 The Committee may recommend that Council fix and recover such fees, rents and other charges as may lawfully be fixed by the Council.

15.3 Receipting, purchasing and tendering shall be conducted in accordance with Council's internal control procedures.

16. PUBLIC ACCESS

16.1 Meetings of the Committee shall be open to the Public.

16.2 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*.

16.3 Minutes, Agendas, Reports and Documents produced by the Committee may be inspected at the Council Office at any time. Copies of Minutes, Agendas, Reports and Documents may be purchased from the Council Office at a fee prescribed by Council

16.4 Matters subject to a resolution in terms of clause 15.2 will be excluded from inspection or purchase for a period as determined by the Committee.

17. LIABILITY OF MEMBERS

17.1 In accordance with Section 39 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.

18. DISSOLUTION

18.1 The Council may at any time abolish the Committee.

19. INTERPRETATION

19.1 Any ambiguity or difficulty in interpretation of this constitution shall be referred to the Council for direction.

20. ALTERATION OF THE TERMS OF REFERENCE

20.1 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 this charter.

21. ADOPTION BY COUNCILS

21.1 These are the functions and rules of the Fleurieu Region Community Services Advisory Committee as approved by the Council, by resolution passed on 26 June 2006 and varied on 9 July 2007. Amended the incumbent membership – City of Victor Harbor on 10 November 2008. Amendments to various clauses – City of Victor Harbor 21 September 2009, 18 October 2010 and 29 November 2010, 11 February 2011, 28 March 2011 and 15 December 2014.

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

21.3 Administrative amendment; Change to Clause 6.6 to clarify term “member” – 19 December 2016.

21.4 Administrative amendment: Change to Clause 6.6, Quorum. Changes to committee membership – nominee from key health organization and elected member nominee from City of Victor Harbor – July 2017.

21.5 Amended to reflect resolution of Council on 23 March 2018

21.6 Amended to reflect resolution of City of Victor Harbor on 26 November 2018 and Alexandrina Council on 19 November 2018 and District Council of Yankalilla on 20 November 2018.

21.7 Amended to reflect resolution of Council (OC6452018) on 22 July 2019.

21.8 Amended to reflect resolution of Council (OC4372020) on 24 August 2020.

21.9 Amended to reflect resolution of Council (OC5502020) on 26 October 2020

SCHEDULE 1

Fleurieu Region Community Services Advisory Committee

Committee Membership

Member	Representative	Appointed	Expires
City of Victor Harbor	Cr Marilyn Henderson	24 Nov 2020	Nov 2022
City of Victor Harbor	Cr Carol Schofield	24 Nov 2020	Nov 2022
District Council of Yankalilla	Cr Davina Quirke	20 Nov 2018	Nov 2022
District Council of Yankalilla	Cr Leon Zarins	20 Nov 2018	Nov 2022
Country SA Primary Health Network	Representative	24 Mar 2018	Nov 2022
City of Victor Harbor - Mayor (ex-officio)	Dr Moira Jenkins	22 July 2019	Nov 2022
Staff			
City of Victor Harbor	Manager Community Services	26 Nov 2018	Nov 2022
District Council of Yankalilla	Claire Taylor		Nov 2022

Office Bearers	
Chairperson	Cr Marilyn Henderson
Deputy Chairperson	Cr Carol Schofield