

# DISTRICT COUNCIL OF ORROROO CARRIETON

## Orroroo Lifestyle Units Advisory Committee

### TERMS OF REFERENCE

#### 1. ESTABLISHMENT

- 1.1. The Council has established the Orroroo Lifestyle Units Advisory Committee (referred to in these Terms of Reference as "the Committee") pursuant to Section 41 of the *Local Government Act 1999* ("the Act").
- 1.2. The Committee will be known as the Orroroo Lifestyle Units Advisory.
- 1.3. The Committee may be wound up at any time by resolution of the Council.
- 1.4. This Terms of Reference was adopted by Council on **21<sup>st</sup> November 2018**.

#### 2. OBJECTIVES

- 2.1. The Committee is established to fulfil the following functions:
  - 2.1.1 The Committee will be responsible for the operations of the lifestyle units, compliance with the Retirement Villages Act and Regulations, liaison with the residents, and establishing and monitoring annual budgets.
  - 2.1.2 to do anything necessary, expedient or incidental to performing or discharging the functions of the Committee as listed herein or to achieving its objectives.

#### 3. MEMBERSHIP

- 3.1. The Committee will comprise of members as follows:
  - (a) Three (3) Elected Member(s) nominated by the Council;
- 3.2. The current members of the Committee are listed at Schedule 1 to these Terms of Reference.
- 3.3. Subject to clause 1.3 of these Terms of Reference, membership of the Committee is for the current term of the Council *unless* a member resigns or is otherwise incapable of continuing as a member or is removed from office by the Council.
- 3.4. The Committee may, by a vote supported by at least 2 (two) members of the Committee, make a recommendation to the Council to remove a member of the Committee from office where a member has failed (without the leave of the Committee) to attend three consecutive meetings of the Committee.
- 3.5. Members of the Committee are eligible for re-appointment at the expiration of their term of office.
- 3.6. The Committee may be re-established by the Council after each Council periodic election.

#### **4. PRESIDING MEMBER**

- 4.1. The Council will appoint the Presiding Member (to be known as the Chairperson) of the Committee.
- 4.2. The Council authorises the Committee to determine if there will be a Deputy Presiding Member (to be known as the Deputy Chairperson) of the Committee and, if so, authorises, the Committee to make the appointment to that position for a term determined by the Committee.
- 4.3. If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or 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 will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.
- 4.4. The role of the Presiding Member includes:
  - 4.4.1 overseeing and facilitating the conduct of meetings in accordance with the *Local Government Act* and the *Local Government (Procedures at Meetings) Regulations 2013*.
  - 4.4.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
  - 4.4.3 where a matter has been debated significantly and no new information is being discussed to call the meeting to order and ask for the debate to be finalised and the motion to be put.

#### **5. OPERATIONAL MATTERS**

- 5.1. The Council has not delegated any of its powers to the Committee. Accordingly, all decisions of the Committee 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 Elected Member of the Council and the inclusion of those minutes in the agenda papers for the next ordinary meeting of the Council.
- 5.3. The Committee shall meet at least 3 (three) times per year on such dates and at such times as the Committee determines.

#### **6. NOTICE OF MEETINGS**

- 6.1. Notice of the meetings of the Committee will be given in accordance with sections 87 and 88 of the Act. Accordingly, notice will be given:-
  - 6.1.1 to members of the Committee by email or as otherwise agreed by Committee members at least three clear days before the date of the meeting; and
  - 6.1.2 to the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

## 7. PUBLIC ACCESS TO MEETINGS

- 7.1. The Committee shall meet at the Offices of the Council located at 17 Second Street, Orroroo.
- 7.2. Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.

## 8. MEETING PROCEDURE

- 8.1. The Council has resolved that Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* does not apply in respect of the Committee. Accordingly, subject to these Terms of Reference, the Committee shall at all times observe the District Council of Orroroo Carrieton *Section 41 Committees Meeting Procedures Protocol*, which is attached as Schedule 3.
- 8.2. Insofar as the Act, the Regulations, the [insert Council] Section 41 Committees Meeting Procedures Protocol or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 8.3. Subject to clause 3.4 of these Terms of Reference, all decisions of the Committee shall be made on the basis of a majority of the members present.
- 8.4. A quorum for a meeting of the Committee is 2 (Two) members.
- 8.5. All members of the Committee must (subject to a provision of the Act or Regulations to the contrary) vote on any matter arising for decision at a meeting of the Committee.
- 8.6. Every member of the Committee has a deliberative vote only. In the event of a tied vote the person presiding at the meeting does not have a second or casting vote.

***[Note – where Council intends for the District Council of Orroroo Carrieton Section 41 Committees Meeting Procedures Protocol' to apply to the Committee, clauses 8.3-8.6 (inclusive) above can be deleted.]***

- 8.7. The format of the agenda for all meetings of the Committee is as set out at Schedule 4 to these Terms of Reference.
- 8.8. Any decision of the Committee which does not arise from a recommendation of a Council officer must be supported in the minutes of the meeting by clear reasons for the decision.
- 8.9. The Council will provide a support officer for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.

## **SCHEDULE 1**

### **Elected Members of the Committee:**

Chairperson – Cr Kathie Bowman

Members - Cr Ford and Cr Parkyn

### **Officers in attendance at Committee Meetings**

Chief Executive Officer

Manager of Corporate & Community Services

(Note: Officers are non voting members of the Committee and other officers may attend meetings as required to provide supporting roles)