



DISTRICT COUNCIL OF LOXTON WAIKERIE

Loxton Retirement Village Committee – Terms of Reference

<i>Adoption Date:</i>	Committee established 31 May 2000
<i>Last Review:</i>	14 December 2018
<i>Next Review Date:</i>	
<i>Responsible Officer(s):</i>	Loxton Retirement Village – Administration Officer
<i>Council File GDS Reference:</i>	
<i>Relevant Legislation:</i>	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013, Part 2
<i>File Path:</i>	

1. Name

Pursuant to section 41(1) of the Local Government Act 1999, the District Council of Loxton Waikerie resolved on 21 March 2014 to establish a committee to be known as the

Loxton Retirement Village Committee

2. Committee objectives

That the purpose of the committee be:

1. to retain and attract population through the provision of quality, affordable accommodation to those approaching their senior years and also importantly as recognition of their input into the community throughout their working lives.
2. to ensure that the Loxton Retirement Village provides a positive financial return to Council that is comparable to its market segment and is an increasing economic stimulus to the wider community.

3. Committee activities/ key deliverables

The Loxton Retirement Village Committee is established to fulfil the following functions:-

- that the services provided meet the reasonable expectation of residents and their families;
- preparation of an annual business plan and budget including review of same no less than once per quarter;
- preparation of a strategic plan, long term financial plan and refurbishment plan;
- review of the financial capacity and benchmark the operations of the Village at least once in every 4 year term of council;
- development and review of required policy;
- that the Village is operating consistent with legislative requirement, including but not limited to the Retirement Villages Act and the Local Government Act;

- promotion of the Village as a place of desirable community living.
- the provision of facilities and services to the Village is undertaken in a manner that avoids unnecessary duplication;
- develop and formalize effective communication processes with residents of the Village and the Residents Committee.

The committee will consider the core values of council in all of its operations:-

We are Genuine | Caring | United
We will Listen *We will be* Innovative
We will aim for Excellence

4. Membership

The members of the committee shall be appointed or removed by resolution of Council and may consist of no less than five and no more than eight persons as follows:

- No more than two elected members of council
- One person with skills and experience in accounting or financial management
- One person with skills and experience in business administration
- One person with skills and experience in housing construction or management
- One person with skills and experience in aged care, accommodation or services
- One person with skills and experience in the provision of services to the community; and
- An independent chair, being a person with skills and experience in legal practice, local government or other relevant field

and that membership be on a voluntary basis.

Members of the committee shall hold office for a period up to four (4) years, or until the end of the term of Council. Appointees may be reappointed by Council.

The Presiding Member of the committee shall be appointed by Council.

5. Meeting procedures

5.1 Proceedings of the committee meetings

The committee shall be subject to the provisions of the Local Government (Procedures at Meetings) Regulations 2013, Part 2.

The committee shall meet no less than once per quarter.

Special Meetings may be held at any time, at the request of the Presiding Member of the Committee or at least three members of the committee.

All resolutions of the committee shall act as recommendations to Council.

5.2 Voting

Unless otherwise required by the Local Government Act 1999 not to vote, each member must vote on every matter that is before the committee for decision. 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.

The Presiding Member shall have a deliberative vote but does not in the event of equality of votes have a casting vote.

5.3 Quorum

A quorum shall consist of half the appointed members plus one. If the Mayor attends a meeting of the committee as ex-officio the Mayor's attendance will be included in the calculation of the quorum.

8. Members Liability

No civil liability shall attach 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 functions or duties.

9. Reporting and accountability

9.1 Conduct and conflict of interest of committee members

Elected Members of the committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the Local Government Act 1999 and Section 68 of the Local Government Act 1999 related to the Register of Interests.

As a member of the committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker. As a committee member if you have an interest in any matter before the committee you will have to declare that interest.

The provisions of sections 73,74, 75 and 75A of the Local Government Act 1999 will apply to all members of the committee, in relation to meetings and any business or proposed business of the committee.

9.2 Confidentiality

In accordance with the principles of open, transparent and informed decision making, committee meetings must be conducted in a place open to the public. On occasion it may be deemed necessary for matters to be discussed in confidence, ie that members of the public are excluded from this portion of the meeting. Approval

of the Chief Executive Officer or Director is required prior to preparation of the agenda.

Sections 90 and 91 of the Local Government Act 1999 govern the use of the confidentiality provisions. The provisions apply to all members of the committee, which means that those matters deemed to be confidential must remain confidential and are not to be discussed outside the forum of the committee meeting until the matter is discussed and determined by council.

The agenda and minutes of the committee meetings, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act, are also required to be made available to the public.

The committee is accountable to the District Council of Loxton Waikerie in all things.

10. Casual Vacancies

The position of member on the committee becomes vacant if the member –

- a) resigns by notice in writing to the Chairman of the committee; or
- b) is removed from office by the Council on the grounds that he or she has been absent without leave of the Committee from three or more consecutive meetings, the first of which having been held three months or more before the last; or
- c) is removed by the Council at its sole discretion; or
- d) is declared a bankrupt or applies for the benefit of the law for the relief of insolvent debtors; or
- e) is convicted of an indictable offence punishable by imprisonment; or fails to meet the qualification criteria for membership contained in the membership clause above.

In respect of disqualification by reason of absence for three months or more, the member forfeiting their seat under these circumstances shall however be eligible for re-election to the committee of which they were a member.

11. Administrative support

Administration support will be provided by the Council, the Responsible Officer is the Loxton Retirement Village Administration Officer, the Administration Officer reports directly to the Chief Executive Officer.

12. Review and amendment to terms of reference

Council may at any time amend or alter these terms of reference by resolution of the Council.

Signed:

Committee Presiding Officer

Signed:

Chief Executive Officer

Date:

Date:

Approved at the meeting of Council held on: 20 May 2016

Next Review Date:

(Please refer to the Committee Register for current membership)

13. Document history and version control

Date	Version	Authorised by council, committee	Amendments
31/05/2000	1.0	Council at the meeting of 31 May 2000	Establishment of the Loxton Retirement Village Management Committee
21/03/2014	2.0	Council at the meeting of 21 March 2014	Terms of Reference altered and change of name of the committee to that of Loxton Retirement Village Committee
20/05/2016	3.0	Council at the meeting of 20 May 2016	Major changes noted to the structure of the committee to meet the requirement of the conflict of interest provisions within the Local Government Act 1999 and to articulate the changed aims and activities of the committee.
14/12/2018	4.0	Council at the meeting of 14 December 2018	Council determined that elected members would be appointed for the period to November 2019

