	<b>Terms of Reference</b>	Version:	8
	<b>Greenrise Lake Advisory Committee</b>	Date Adopted:	29 Nov 2022
		Next Review Due:	29 Nov 2026

## 1. NAME

The name of the Committee shall be the Greenrise Lake Advisory Committee (hereinafter called 'the Committee').

## 2. ESTABLISHMENT

1. The Greenrise Lake Advisory Committee is a committee established by the Wattle Range Council (hereinafter called 'the Council') pursuant to section 199 of the *Local Government Act, 1934*.
2. The Committee was reviewed by the Council pursuant to section 41 of the *Local Government Act 1999* (hereinafter referred to as 'the Act') on:
  - a) 8 November 2005 (refer to Folio 3566; Item 1.22)
  - b) 7 November 2006 (refer to Folio 3759; Item 11.1.5.2)
  - c) 10 August 2010 (refer to Folio 4421; Item 11.1.6)
3. The Committee was reviewed and dissolved by the Council pursuant to section 41 of the Act on 21 January 2014 (refer to Folio 5257-5258; Item 12.2.3)
4. The Committee was re-established by Council pursuant to section 41 of the Act on 10 June 2014 (refer to Folios 5297-5298; Item 12.2.3)
5. The Committee was reviewed by the Council pursuant to section 41 of the Act on:
  - a) 25th November 2014 (refer to Folio 5641; Item 3)
  - b) 10th February 2015 (refer to Folio 5665; Item 11.2.6)
  - c) 29 November 2022 (refer to Folio 10380; Item 15.1.2).

## 3. PURPOSE FOR WHICH THE COMMITTEE IS ESTABLISHED

The Greenrise Lake Advisory Committee is a committee charged with the responsibility to advise Council on the use and development of the Greenrise Lake Recreation Area<sup>1</sup> in accordance with the Penola Commonage Management Plan (hereinafter called "the purpose").


<sup>1</sup> The Greenrise Lake Recreation Area is the area outlined in the *Layout of Penola Commonage Area Map* provided in Appendix 1 and marked "Commonage Area" in the legend.

## 4. FUNCTIONS

The functions of the Committee shall be to undertake actions, as appropriate, in pursuance of the above purposes. Such actions may include, but not be limited to, the following:

- a) To actively promote the use of the Greenrise Lake Recreation Area;
- b) To liaise and consult with persons, groups and organisations in relation to the operation of the Greenrise Lake Recreation Area;
- c) To promote the rules, regulations or By-Laws applicable within the Greenrise Lake Recreation Area;
- d) To liaise with Council administration:

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- a. to coordinate volunteer working bees at the Greenrise Lake Recreation Area and ensure that all volunteers have completed a Council Induction for Volunteers;
- b. to report compliance issues;
- e) To make recommendations or advise Council in relation to:
  - a. the requirements of all users of the Greenrise Lake Recreation Area;
- f) To report to, and consult with, the Council on the progress and performance of the Committee and its purposes;
- g) To carry out such other tasks as directed by Council.


## 5. MEMBERSHIP

1. Council determines that the Committee shall comprise the following members:

Membership Position	Number of Positions	Conditions of Appointment
Community Representative	7	Preferred to be a person from the Penola Community or with significant interest in the purposes or functions of the Committee (determined by resolution of the Council).
Council Members	2	Must be Council Members of the Wattle Range Council (determined by resolution of the Council).

2. The Council has appointed the Mayor as an ex-officio member of the Committee (29 November 2022, Folio 10379-10380, Item 15.1.2) The Mayor will not be taken to be included in the membership of the Committee unless present at a meeting of the Committee.
3. At the Council meeting on 29 November 2022, Council also increased Council representation on the Committee from one (1) Council Member to two (2) Members.
4. Any person appointed pursuant to sub clause (1) hereof shall be appointed for a term coincident with the four (4) year term of the Council.
5. A vacancy may arise when any person appointed pursuant to sub clause 1 hereof ceases to hold office or resigns. A further person may be nominated, for appointment by the Council, to fill the casual vacancy for the balance of the term of the person so ceasing to hold office.
6. Members are required to act in accordance with the general duty requirements of section 62 of the Act and the Volunteer Code of Conduct.
7. Following appointment, each member of the Committee will be required to complete an induction.

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## 6. PRESIDING MEMBER

1. The role of the Presiding Member is to –
  - a) Call meetings of the Committee in accordance with the Act, these Terms of Reference and as determined by the Committee.
  - b) Preside at meetings of the Committee at which he or she is present and preserve order (including use of powers in accordance with regulations 28 & 29 of the *Local Government (Procedures at Meetings) Regulations*), so that the business may be conducted in due form and with propriety.
  - c) Be an official spokesperson for the Committee, to Council.
2. The Committee shall, by decision, appoint a Presiding Member to be chosen from the Committee Membership who shall hold office for such term as may be determined by the Committee (not exceeding the length of the member's term).

## 7. SECRETARY

1. The role of the Secretary is to:
  - a) Prepare the agenda and take the minutes of all meetings of the Committee (templates in Appendix 2 & 3);
  - b) Forward a copy of each agenda and minutes to each member of the Committee and Council ([council@wattlerange.sa.gov.au](mailto:council@wattlerange.sa.gov.au));
  - c) Attend to all correspondence and deal with it as instructed by the Committee;
  - d) Deal with the business referred by the Presiding Member of the Committee;
  - e) Keep such records as instructed by the Committee from time to time.
2. The Committee shall, by decision, appoint a Secretary to be chosen from the Committee Membership. The secretary shall hold office for such term as the Committee decides (not exceeding the length of the member's term).

## 8. CALLING OF MEETINGS


Procedures to be observed in relation to the conduct of Committee meetings will be (in priority order):

- a) As prescribed by the Act and *Local Government (Meeting Procedures) Regulations*; then
- b) As determined by Wattle Range Council (e.g., these Terms of Reference and any Council policy or procedure); then
- c) As determined by the Committee.

### 8.1 CALLING OF MEETINGS

1. Ordinary Meetings - The Members of the Committee shall meet at least four times per year at a time and place decided by the Committee (taking into account the availability and convenience of the members and purpose of the Committee). The decision expires at the next general election.

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2. Special Meetings – The Chief Executive Officer must call a special meeting of the Committee at the request of:

- a. The Presiding Member of the Committee; or
- b. At least two members of the Committee.

A special meeting of the Committee may be held at any time.

## 8.2 NOTICE OF MEETING

1. Ordinary meetings of the Committee have a set agenda (refer Appendix 2).
2. Notice of Ordinary meetings shall be given in writing (by email) to every member and Council (council@wattlerange.sa.gov.au) at least three clear days prior to such meeting. The notice shall contain the date, time and place of the meeting and the business to be transacted thereat.
3. Notice of Special meetings will be provided at least four hours before the commencement of the meeting.

## 8.3 QUORUM

1. No business shall be transacted at a meeting of the Committee unless a quorum is present.
2. A quorum is the total number of members (ignoring any vacancy) of the Committee divided by 2 (ignoring any fraction resulting from the division) and adding 1.


<i>EXAMPLE</i>	<i>Total number of members</i>	<i>= 9</i>
	<i>Quorum</i>	<i>= (9 ÷ 2) + 1</i>
		<i>= 5</i>

3. If there is not a quorum present within 30 minutes after the time appointed for a meeting or if, at any time after the meeting has commenced and before any business to be transacted is completed, there is not a quorum present, the meeting shall be adjourned to a future meeting to be advised in the usual manner.

## 8.4 PROCEEDINGS OF MEETINGS

- a) The Presiding Member shall preside at all meetings of the Committee.
- b) In the event of the Presiding Member being absent from a meeting, the members present shall appoint (by motion) a member who shall preside for that meeting or until the Presiding Member is present.
- c) In the event of the Secretary being absent from a meeting, the members present shall appoint (by motion) a member who shall act as Secretary for that meeting or until the Secretary is present.

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- d) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
- e) Every meeting of the Committee shall be open to the public, except for point (f) below.
- f) Items may only be considered in confidence if the Committee considers it necessary and appropriate to receive, discuss or consider any information or matter that meets the criteria set out in section 90 of the *Local Government Act 1999*.

Guidance from Council's CEO must be sought in relation to any items proposed to be considered in confidence. The Committee may order (through a motion) that the public be excluded from attendance at a meeting for the consideration of items in confidence.

## 8.5 VOTING

- 1. Only persons appointed as members of the Committee (refer to clause 5) are entitled to vote.
- 2. All questions arising at a meeting of the Committee shall be decided by the majority of votes cast by the members present and entitled to vote at such meeting.
- 3. Council Members must vote on a question arising for decision at a meeting, subject to a provision in the Act to the contrary.
- 4. The Presiding Member of the Committee has a deliberate vote on a question arising for decision at a meeting but does not in the equality of votes have a casting vote.

## 8.6 CONFLICT OF INTEREST

- 1. Committee Members are required to declare conflicts of interest in accordance with Chapter 5, Part 4, Division 3 of the Act.

## 8.7 ADJOURNMENTS

- 1. The Committee Members present at any meeting may from time to time adjourn such a meeting to a specified date, time and location.


## 8.8 MEETING MINUTES

Minutes of the meeting should be documented on the template provided in Appendix 3 and must include:

- a) the names of the Committee members present at the meeting; and
- b) each motion carried at the meeting; and
- c) any disclosure of interest made by a member; and
- d) details of the making of a confidentiality order; and
- e) a note of the making of an order to keep information confidential (including the duration or circumstances that the order will cease (thereby releasing the information), reason for making it.

Minutes must be emailed to [council@wattlerange.sa.gov.au](mailto:council@wattlerange.sa.gov.au) within 5 clear days after a committee meeting.

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## 9. DIRECTION BY COUNCIL

The Committee is subject to the direction and control of the Council. A direction given by the Council (or its delegate) must be in writing. Nothing prevents Council from acting in a matter.

## 10. RISK MANAGEMENT & WHS

The Committee shall operate in accordance with and adhere to Council's policies, procedures and other relevant documents.

Council may undertake a risk assessment of a committee event to ensure that all risks are accounted for and reduced to as low as reasonably practicable.

Committee Members shall notify Council in all instances where –

- A Committee Member or Volunteer is involved in an incident where they suffer an injury or a near miss while undertaking a volunteer task; or
- A member of the public is involved in an incident where they suffer an injury or near miss in the vicinity of the Greenrise Lake Recreation Area.

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. Such a liability that would attach to a member of a committee attaches instead to Council. [refer s41(12) & (13) LG Act]

## 11. OTHER LEGISLATIVE CONSIDERATIONS

The provisions of Chapter 5; Part 4; Division 2 of the Act regarding Register of Interests do not apply to members of the Committee.

The Committee is not subject to the operation of Part 2 of the Local Government (Procedures at Meetings) Regulations 2013.

## 12. REVIEW

These Terms of Reference will be reviewed at least once every four years, preferably following a general election.


These Terms of Reference may be amended, altered or added to by resolution of Council.

## 13. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the Committee's terms of reference.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	7 November 2006	Council	Adopted	
2	10 August 2010	Council	Adopted Amendment	Folio 4421; Item 11.1.6
3	21 January 2014	Council	Reviewed	Folio 5257-5258; Item 12.2.3

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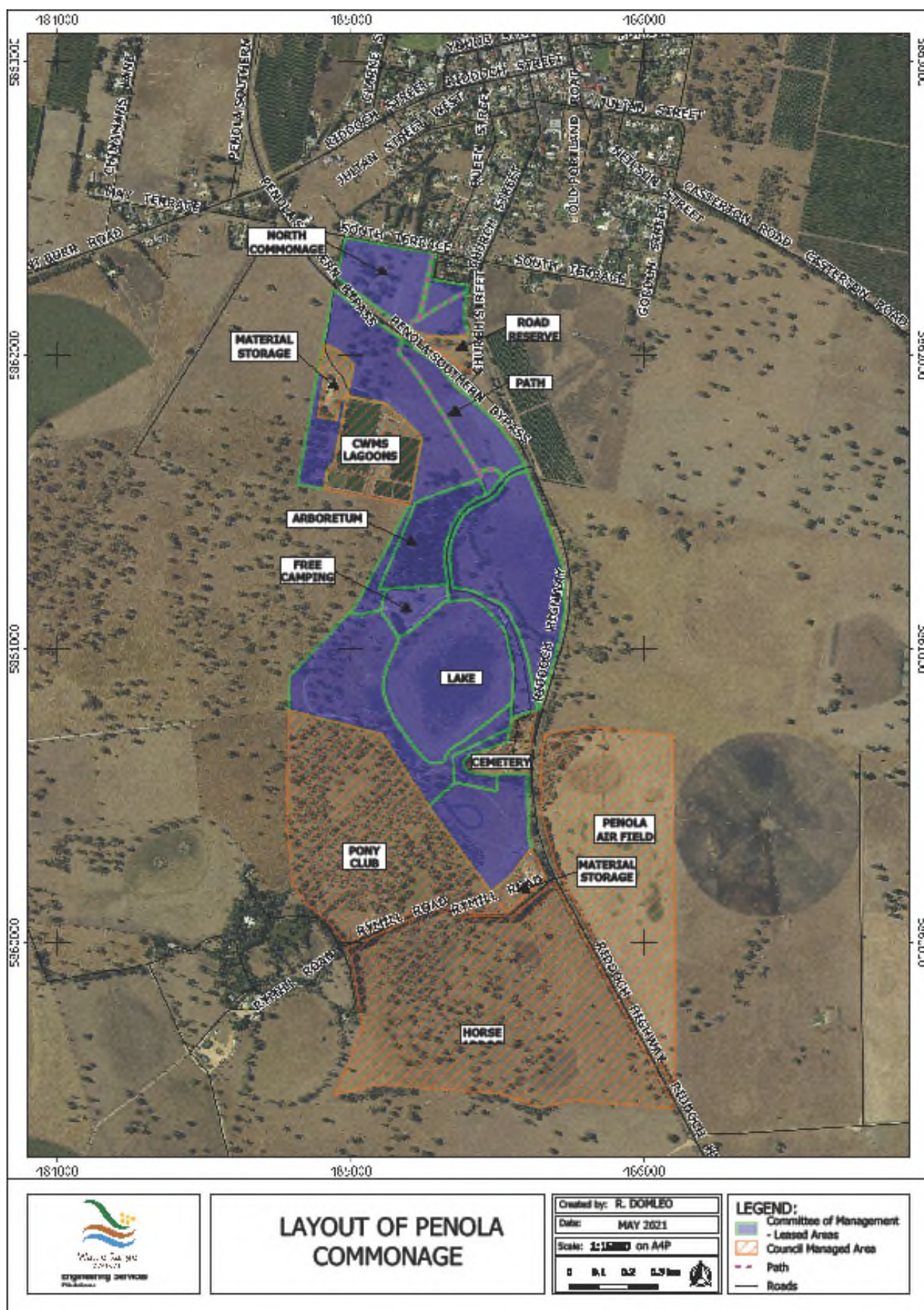
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4	10 June 2014	Council	Adopted	Folio 5297-5298; Item 12.2.3
5	25 November 2014	Council	Adopted Amendment	Folio 5641; Item 14.1
6	10 February 2015	Council	Amended	Folio 5665; Item 11.2.6
7	10 August 2021	Council	Updates to processes to be consistent with Act and Regs. Changes to area of commonage that Committee provides advice on.	Folio 9715; Item 14.1
8	29 November 2022	Council	Council increased the number of Council members on the Committee from 1 to 2.	Folio 10380; Item 15.1.2

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# APPENDIX 1 – LAYOUT OF PENOLA COMMONAGE AREA MAP





## APPENDIX 2 – NOTICE OF MEETING AND SET AGENDA TEMPLATE



**Wattle Range**  
COUNCIL

GF 16.14.1/10

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### **GREENRISE LAKE ADVISORY COMMITTEE**

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#### **NOTICE OF MEETING:**

A Meeting of the Greenrise Lake Advisory Committee will be held at <Name of Building and Full Street Address of Meeting Location>, on <Day> <Date> at <Time>.

.....  
**PRESIDING MEMBER / SECRETARY**

#### **DISTRIBUTION LIST:**

1. Committee Members
2. Wattle Range Council - [council@wattlerange.sa.gov.au](mailto:council@wattlerange.sa.gov.au)
3. Wattle Range Council Director of Engineering Services

# AGENDA

1. PRESENT:
2. APOLOGIES:
3. CONFLICT OF INTEREST DISCLOSURE – General & Material Conflicts
4. CONFIRMATION OF THE MINUTES:
  - 3.1 Greenrise Lake Advisory Committee Meeting: <Date of meeting>  
RECOMMENDATION: That the minutes be taken as presented and confirmed.
5. MATTERS ARISING FROM THE MINUTES:
6. CORRESPONDANCE:
  - 6.1 <Correspondence Title>  
<general description of correspondence>.
7. GENERAL BUSINESS:
  - 7.1 <General Business Title>  
<general description of general business>
8. NEXT MEETING:

The next meeting of the Greenrise Lake Advisory Committee will be held on <Day>, <Date> at the <Name of Building and Full Street Address of Meeting Location> at <Time>.

## APPENDIX 3 – MINUTES TEMPLATE

GF 16.14.1/10

### **GREENRISE LAKE ADVISORY COMMITTEE**

Minutes of the Greenrise Lake Advisory Committee Meeting held at <Name of Building and Street Address> on <Day> <Date> at <Time>.

1. PRESENT: <Committee Members Names>  
<Councillors>  
<Wattle Range Council Staff>
2. APOLOGIES: <Names>
3. CONFLICT OF INTEREST DISCLOSURE – General & Material Conflicts  
<List Committee members' names and reason for conflict of interest>
4. CONFIRMATION OF THE MINUTES:
  - 3.1 Greenrise Lake Advisory Committee Meeting; <date of meeting>  
<Name> moved that the minutes be taken as presented and confirmed.  
<Name> seconded. CARRIED / LOST
5. MATTERS ARISING FROM THE MINUTES:
6. CORRESPONDANCE:
  - 6.1 <Correspondence Title>  
<General description of correspondence>.
7. GENERAL BUSINESS:
  - 7.1 <General Business Title>  
<General description of general business>.
8. NEXT MEETING:

The next meeting of the Greenrise Lake Advisory Committee will be held on <Day>, <Date> at the <Name of Building and Full Street Address of Meeting Location> at <Time>.

Meeting Closed at <Time>.