Former Hospital Redevelopment Sub-Committee

TERMS OF REFERENCE

A Sub-Committee of Council Established pursuant to the provisions of Section 41 of the Local Government Act 1999.

Terms of Reference for the conduct of the business of the Council Sub-Committee were approved and adopted by the City of Mount Gambier at its meeting held on 18th September, 2012.
Former Hospital Redevelopment Sub-Committee

The Former Hospital Redevelopment Sub-Committee has been established to:

- Oversee the development of the concept plan for the site redevelopment of the former hospital grounds

- Oversee consultation of the concept plan, which will be subject to the Operational Services Committee approval prior to any public release, and make recommendations to Council on any desired amendment to the concept released for public consultation.

- Oversee the development of the final vision for the Former Hospital grounds property.

- Oversee the construction of the Former Hospital property having regard to environmental, heritage and financial aspects of the development and in accordance with the final agreed vision.

- Review and make recommendations to the Operational Services Committee on any public feedback received or directed towards the Former Hospital Redevelopment project, which may include approaches from or to adjoining property owners.

- Provide advice and recommendations to the Operational Services Committee on any design and/or construction related issue (which may involve an amendment to the agreed vision) that may arise during the implementation of the agreed vision.
Former Hospital Redevelopment Sub-Committee

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1. **NAME**

The name of the Council Sub-Committee shall be the Former Hospital Redevelopment Sub-Committee (in these Terms of Reference referred to as “the Sub-Committee”).

2. **INTERPRETATION**

For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context: -

2.1 **Definition**

2.1.1 “Act” means the Local Government Act 1999 and includes all Regulations and Schedules.

2.1.2 “Sub-Committee” means the Sub-Committee of Council established pursuant to 3.0.

2.1.3 “Sub-Committee Member” means the person appointed by the Standing Committee.

2.1.4 “Commencement Date” means the date on which the Sub-Committee is established and becomes operative pursuant to 3.2.

2.1.5 “Council” means the City of Mount Gambier.

2.1.6 “Presiding Member of the Sub-Committee of Council” means the person appointed to that position pursuant to 5.3.

2.1.7 “Observers” means those persons attending any meeting of the Sub-Committee of Council, but not having a vote on any matter to be determined by the Sub-Committee and not having been appointed as Members.

2.1.8 “Singular” includes a reference to the “plural”.

2.1.9 Standing Committee means the Committee that established the Sub-Committee and to which the Sub-Committee reports.

2.2 **Defined Terms**

Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.

2.3 **Local Government Act**

These Terms of Reference shall be interpreted in line with the provisions of the Act.
2.4 Notices

All communication to be given to the Sub-Committee shall be addressed to:

Former Hospital Redevelopment Sub-Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

3. ESTABLISHMENT

3.1 The Sub-Committee is established under Section 41 of the Local Government Act 1999.

3.2 The Sub-Committee will be established and become operative from the time a resolution of the Standing Committee is passed.

3.3 The Sub-Committee is established by the Standing Committee to assist in the co-ordination and administration of the development of the former hospital site on Lake Terrace West.

4. OBJECTIVES

4.1 The Sub-Committee is created for the express purpose of assisting the Standing Committee to develop and implement a range of Former Hospital Redevelopment initiatives and programs (LGAct S41(7)).

5. MEMBERSHIP

5.1 Membership of the Sub-Committee will comprise Elected Members and Community Members. The Mayor has Ex-Officio membership on this Sub-Committee.

5.2 The Standing Committee reserves the right from time to time to remove any Member of the Sub-Committee and appoint another Member in their stead. All Members hold office at the pleasure of the Standing Committee.

5.3 The Sub-Committee will appoint a Presiding Member.

6 CASUAL VACANCIES AND REPLACEMENT REPRESENTATIVES

6.1 The Standing Committee may replace any Member on the Sub-Committee or fill any casual vacancies, by notifying the Sub-Committee the identity of the person proposed to replace the representative or fill the casual vacancy.
7 **NO PROXY**

7.1 The appointment of a person as proxy for any Member on the Sub-Committee is not permissible.

8 **RESIGNATION OF REPRESENTATIVES**

8.1 Any Sub-Committee Member may resign from the Sub-Committee, but such resignation shall not be effective until the Presiding Member has received written notice to that effect.

9 **QUORUM**

9.1 At all Meetings of the Sub-Committee a quorum must be present.

9.2 A quorum will be determined by dividing by 2 the number of Members formally appointed to the Sub-Committee ignoring any fraction and adding 1 (excluding Mayor as ex-officio).

10 **MEETINGS OF THE SUB-COMMITTEE**

10.1 The Sub-Committee shall meet as and when determined by the Presiding Member.

10.2 The CEO or his appointee shall give notice to each Sub-Committee Member at least five clear days prior to any meeting.

10.3 The CEO or his appointee shall send a copy of the notice of a meeting and minutes of the Sub-Committee to the Standing Committee.

10.4 The CEO or his appointee must, at the request of the Presiding Member or three other Members, call a special meeting of the Sub-Committee.

10.5 All notices of meetings shall be issued under the hand of the CEO or his appointee.

10.6 No business shall be transacted at any meeting of the Sub-Committee unless a quorum of Members is present.

10.7 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.

10.8 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee shall have one deliberate vote only.
11 PROCEDURES AT MEETINGS

The procedure to be observed in relation to the conduct of meetings of the Sub-Committee is in accordance with Local Government (Procedures at Meetings) Regulations 2000.

12 LIABILITY OF THE SUB-COMMITTEE

12.1 A liability incurred by the Sub-Committee rests against Council.

12.2 No liability attaches to a Member of the Sub-Committee for an honest act or omission by that Member of the Sub-Committee in the performance or discharge, or purported performance or discharge, of the Member’s or the Sub-Committee’s functions or duties.

13 MINUTES OF THE SUB-COMMITTEE

13.1 Administration

13.1.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Sub-Committee.

13.1.2 Minutes of the Sub-Committee shall be available to all Members of the Sub-Committee, Standing Committee, Council and the public.

13.1.3 The Minutes of the proceedings of a meeting must include:

13.1.3.1 the names of the Members present and the time at which they entered or left the meeting;

13.1.3.2 the names of observers or visitors to any meetings;

13.1.3.3 every motion or amendment and the names of the mover and seconder;

13.1.3.4 any disclosure of interest declared by a Member;

13.1.3.5 whether the motion or amendment is carried, lost or lapsed;

13.1.3.6 Minutes of the Sub-Committee Meeting shall be distributed within 5 days of the meeting;

13.1.3.7 Minutes of the Sub-Committee Meeting shall be submitted for confirmation at the next meeting of the Sub-Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.
14 AMENDMENTS TO THESE TERMS OF REFERENCE

14.1 It will be lawful for the Standing Committee by resolution of the Standing Committee to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Local Government Act and other relevant legislation.

14.2 Notwithstanding 14.1 hereof before the Standing Committee resolves to revoke, vary or add to any of the provisions of these Terms of Reference the opinion of the Sub-Committee shall be obtained.

15 INTERPRETATION OF THESE TERMS OF REFERENCE

15.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever, then the Standing Committee shall determine the dispute and the decision of the Standing Committee shall be final and binding.

16 WINDING UP

16.1 The Standing Committee may cease the operation of the Sub-Committee and the Sub-Committee may make such recommendation to the Standing Committee on the completion of its function.

4th September 2012
Ref: AF11/1570
SW