

# NARACOORTE LUCINDALE COUNCIL

## TERMS OF REFERENCE - NARACOORTE REGIONAL LIVESTOCK EXCHANGE BOARD

---

The **Naracoorte Regional Livestock Exchange Board** is established under the provisions of Section 41 of the *Local Government Act, 1999* by resolution of Council at its meeting held on 22 May 2012, having effect on and from 30 May 2012.

### OBJECTIVE

- To implement the Naracoorte Regional Livestock Exchange Strategic Management Plan 2012-22.

### PURPOSE

- To oversee the development, construction and general operations of the Naracoorte Regional Livestock Exchange.
- To monitor the financial performance of the Naracoorte Regional Livestock Exchange.
- To make recommendations to Council regarding the implementation and any recommended revisions to the Naracoorte Regional Livestock Exchange Strategic Plan.
- To develop an annual business plan.

### DELEGATED POWER

The NRLE Board may express a preference to Council on matters relating to the committee's purposes however as Council has not delegated any powers or functions to the Committee all decisions remain the responsibility of Council.

### MEMBERS

Council's policy is that committee membership by Elected Members can be no less than 2 and no more than 5 Elected Members.

In this instance the Committee will comprise:

- Up to 3 x Elected Members nominated by Council
- Up to 3 x Community Representatives nominated by Council. These representatives will have strong business acumen, and a working knowledge of the livestock industry
- CEO, Naracoorte Lucindale Council (non voting)
- Director responsible for the Naracoorte Regional Livestock Exchange (non voting)

Elected Members nominated by Council will be appointed biennially in December or as otherwise determined by Council. Community Representatives will be appointed for a nominal period of two years or as may otherwise be determined by Council.

### EX OFFICIO MEMBER

The Mayor is an ex officio member of the committee with voting rights when in attendance. As stated in Section 41(6) of the Local Government Act the Mayor will not be taken to be included in the membership of the committee unless actually present at a meeting of the committee, that is the Mayor is not included in the quorum unless actually present at the meeting.

## **PRESIDING MEMBER**

The Presiding Member will be appointed biennially by Council in December or as otherwise determined by Council.

## **ADMINISTRATIVE RESOURCES**

The Chief Executive Officer will provide sufficient administrative resources to the Committee to enable it to adequately carry out its functions.

## **MEETINGS**

The Board will meet at least quarterly.

Meetings will be conducted in accordance with Chapter 6, Parts 2, 3 and 4 of the Local Government Act, 1999, Part 3 of the Local Government (Procedures at Meetings) Regulations, 2000, and Council Policy "*Meetings of Council and Council Committees*" and section 92 Code of Practice.

Ordinary meetings of the Committee will be held at times and places determined by the Committee. Special meetings of the Committee may be called in accordance with the Act.

Unless members make a request agendas, attachments and minutes of the Committee will usually be distributed electronically.

## **QUORUM**

A quorum is determined using the Local Government Procedures at Meetings Regulation 26(2) which is:

- the total number of members of the committee divided by 2, ignoring any fraction resulting from the division, and adding one or
- a number determined by the council

In the instance that there are 4 or 5 members a quorum for the NRLE Board is 3 voting members. In the instance that the committee consists of 6 members a quorum is 4 voting members.

## **TRAINING AND DEVELOPMENT FOR COMMITTEE MEMBERS**

Committee Members may request training and development to specifically assist in their role on the Committee. This may be requested as per the *Elected Members Training and Development Policy*.

## **REPORTING REQUIREMENTS**

Minutes, including recommendations, of the Committee Meeting will be presented to the next available Council meeting.

The Board will provide the Audit Committee with a quarterly report including financials, capital and operational expenditure, and other information pertaining to the performance of the Livestock Exchange. The Audit Committee will report to Council.

The annual business plan and budget for the operation of the Livestock Exchange including budgets for capital works must be forwarded to the Audit Committee for review prior to being presented to Council.

Proposed revisions to the Naracoorte Regional Livestock Exchange Strategic Management Plan 2012-22 will be considered by the Audit Committee prior to seeking Council approval.

An annual report in relation to the Naracoorte Regional Livestock Exchange Strategic Plan will be presented to the Audit Committee prior to presentation to Council.

The Committee will inform the Council, by the earliest practical means, of the development of any special risk arising from the performance of its delegated functions (in accordance with the Rules of the LGA Mutual Liability Scheme).

The Committee will inform the Council, by the earliest practical means, of any civil liability claim which has been made, or is likely to be made in relation to the actions of the Committee pursuant to its delegated responsibilities.

## **GENERAL DUTIES**

Members of the Committee shall comply with the general duties contained in Section 62 of the Local Government Act, 1999.

## **ROLE AND RESPONSIBILITIES OF BOARD MEMBERS**

Board members will:

- strictly observe the requirements of the relevant Sections of the Local Government Act, 1999 applicable to them as Members of the Committee
- participate in the deliberations of the Board with regard to the policy and business which is before it;
- be mindful of the objectives and policies of the Council as they relate to the business of the Board;
- be aware of the Council's resources, expenditure and activities, and the need for efficiency and effectiveness in the activities for which the Board has been established.

## **CONFLICT OF INTEREST**

As required by section 75B of the Local Government Act members of the Committee will comply with the conflict of interest provisions contained in Chapter 5, Part 4, Division 3 of the Local Government Act, 1999.

## **STATUS**

The Committee will remain in operation for such time as determined by the Naracoorte Lucindale Council.

## **ADOPTION AND AMENDMENT HISTORY**

| <i><b>Date</b></i> | <i><b>Authorised by</b></i> | <i><b>Minute Reference</b></i> |
|--------------------|-----------------------------|--------------------------------|
| November 2020      |                             | Next review                    |
| November 2018      | Council                     | Resolution 102/19              |
| November 2016      | Council                     | Resolution 106/17              |
| 9 December 2014    | Council                     | Resolution 137/15              |
| 23 July 2013       | Council                     | Revised Resolution 16/14       |
| 12 June 2012       | Council                     | Revised Resolution 516/12      |
| 27 May 2012        | Council                     | Revised Resolution 479/12      |
| 22 May 2012        | Council                     | Adopted Resolution             |