

Cemeteries Advisory Committee

Terms of Reference

1. ESTABLISHMENT OF THE (Alexandrina Council Cemeteries Committee)

The Council has established the Committee in accordance with section 41 of the Act, to be known as the Cemeteries Advisory Committee, to assist the Council:

- 1.1 in preserving and maintaining Alexandrina Council cemeteries under the care and control of Alexandrina Council.
- 1.2 help promote and encourage the enjoyment and appreciation of the Council's cemeteries
- 1.3 In advocating on specific matters relating to cemeteries under the care and control of Alexandrina Council.
- 1.4 in participating (as deemed appropriate) in joint projects, and/or with other Committees, Council and external organisations relating to cemeteries under the care and control of Alexandrina Council.
- 1.5 by in accordance with these Terms of Reference

2. DEFINITIONS

Unless the context indicates otherwise, the following terms have the following meanings in these Terms of Reference:

Act	means the <i>Local Government Act 1999 (SA)</i> .
Chairperson	means the chairperson of the Committee, appointed in accordance with clause 5 of these Terms of Reference.
Committee	means the Cemeteries Advisory Committee established by resolution of the Council, to be governed by these Terms of Reference.
Council	means the Alexandrina Council.
Member	means a member of the Committee.
Terms of Reference	means these terms of reference.

3. ROLE OF THE COMMITTEE

- 3.1 The functions of the Committee are to provide advice, feedback and advocacy to the Council with respect to cemeteries under the care and control of Alexandrina Council having regard to the purposes of the Committee set out in paragraph 1.

- 3.2 The Council has not delegated any powers or functions to the Committee. However, the Council may do so at any time if necessary or convenient to allow the Committee to properly carry out its roles and functions. These Terms of Reference will be amended if any such delegation is made.

4. MEMBERSHIP

- 4.1 Membership of the Committee shall consist of each of the following persons (unless they have ceased to be a Member by virtue of clause 4.4):
- 4.1.1 One Councillor from each Ward.
 - 4.1.2 A minimum of 4 and maximum of 8 members of the community who will be to be appointed through an expression of interest process.
- 4.2 The Council may at any time alter the above membership by adding, subtracting, or substituting any membership positions.
- 4.3 A Member will, subject to the Act, hold office as a member of the Committee until their office becomes vacant by virtue of clause 4.4 of these Terms of Reference or until the conclusion of the current term of Council.
- 4.4 A person ceases to be a Member upon any of the following circumstances occurring:
- 4.4.1 the Member is removed from office by the Council;
 - 4.4.2 the Member resigns from office by written notice to the Council;
 - 4.4.3 the Member ceases to hold the office which entitles them to be a Member (for example they cease to be a Member of Council);
 - 4.4.4 the Member dies or becomes of unsound mind.
- 4.5 The Committee may appoint individuals as advisors to the Committee to assist with specific matters, or invite members of the public, subject matter experts or members of Administration to a Committee meeting if their attendance is deemed relevant to the topics discussed at the meeting.

5. CHAIRPERSON

- 5.1 The presiding member of the Committee will be the Chairperson.
- 5.2 The Chairperson shall be chosen by the Members from among their own number, by whatever method the Members think fit.
- 5.3 If the Chairperson is absent from a meeting of the Committee, another Member chosen from those present will preside at the meeting as the acting Chairperson.
- 5.4 The Chairperson shall be serve a term of a two years in that role; at the conclusion of this time they will revert to being a member of the Committee.
- 5.5 The previous Chairperson is eligible for reappointment by the Committee for a further two year term.

6. ADMINISTRATION

- 6.1 The Committee will be provided with administrative support by the person occupying or acting in the office of Chief Executive Officer of the Council.
- 6.2 The Committee shall act at all times in accordance with the Act and in accordance with these Terms of Reference in the performance of its functions.
- 6.3 Minutes must be kept of the proceedings at every meeting of the Committee. The minutes of the proceeding of a meeting will include:
 - 6.3.1 the names of the Members present at the meeting;
 - 6.3.2 each motion carried at the meeting;
 - 6.3.3 any disclosure of interest made by a Member, with an appropriate note in accordance with section 74 or 75A of the Act (as the case may be);
 - 6.3.4 details of the making of an order under section 90(2) of the Act, in accordance with section 90(7) of the Act; and
- 6.4 The minutes of the proceedings at a meeting of the Committee must be submitted for confirmation at the next meeting of the Committee or, if that is omitted, at a subsequent meeting.

7. MEETINGS

- 7.1 Insofar as the Act, these Terms of Reference, and any procedures adopted by the Council and applicable to the Committee do not specify a procedure to be observed in relation to the conduct of a meeting of the Committee, then the Committee may determine its own procedure.
- 7.2 The first meeting of the Committee after it has been established shall occur at a place and time determined by the Chief Executive Officer.
- 7.3 The Committee shall, at its first meeting after being established, choose a Chairperson in accordance with clause 5.1, and will determine the place, date and time meetings of the Committee will be held, provided that the Committee shall meet at least once per quarter (or with such greater frequency as it deems necessary to carry out its functions in a timely manner).
- 7.4 Notice of meetings of the Committee shall be provided to Members in accordance with section 87 of the Act and to the public in accordance with section 88 of the Act.
- 7.5 A quorum for a meeting of the Committee shall be one half of the total number of Members of the Committee in office (ignoring any fraction) plus one.
- 7.6 No business can be transacted at a meeting of the Committee unless a quorum is present.
- 7.7 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.

- 7.8 Each Member who is present at a meeting of the Committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- 7.9 The Chairperson has a deliberative vote on a question arising for decision at the meeting and, in the event of an equality of votes, does not have a casting vote.
- 7.10 For the purpose of sections 89 and 90(7a) of the Act, the Council determines that the Chairperson, or the Committee, may approve one or more Members (including, to avoid doubt, all Members) participating in a meeting of the Committee by telephone or other electronic means, by way of a telephone, computer or other electronic device used for communication.

8. TENURE

- 8.1 The Committee will continue in existence until wound up by the Council.

9. SUBCOMMITTEES

- 9.1 The Committee may establish subcommittees to assist it in any matter.
- 9.2 Sub-committees are required to comply with these Terms of Reference.

10. REVIEW

- 10.1 The Committee shall review its own performance and Terms of Reference annually to ensure that it is operating at maximum effectiveness. Following this review, it will provide a report to Council on its performance, recommending any changes that are necessary.
- 10.2 These Terms of Reference may be reviewed and amended by the Council at any time.