

# Adelaide Coastal Councils Network

## Terms of Reference



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## About the Adelaide Coastal Councils Network

The Adelaide Coastal Councils Network (ACCN) was formerly known as the Metropolitan Seaside Councils Committee (MSCC). The purpose of the ACCN is to deliver improved outcomes for coastal communities in metropolitan Adelaide.

The MSCC has been operational for more than 50 years as a body of local government representatives responsible for metropolitan coastal boundaries. The MSCC has been responsible for driving strategic outcomes such as the formation of the Coast Protection Act (SA) 1972, the Coast Protection Board and supporting local government in managing coastal issues.

In response to the changing coastal context and needs of the Members, a desire to address historical administrative issues and maximise opportunities of the metropolitan coast, a new Memorandum of Understanding (MOU) was entered into in 2022 to rename the MSCC to the Adelaide Coastal Councils Network (ACCN) and support a new structured governance model.

The ACCN comprises metropolitan coastal councils:

- The City of Charles Sturt
- The City of Holdfast Bay
- The City of Marion
- The City of Onkaparinga
- The City of Port Adelaide Enfield
- The City of Salisbury
- The City of West Torrens

as well as the Local Government Association of South Australia, and together these organisations comprise The Members of the ACCN.

These Terms of Reference support the MOU which seeks to give effect to those changes and to the commitment of the Members to continue their collaborative and strategic work regarding metropolitan coastal issues.

# Terms of Reference

## Preliminary

### 1. Name

The name of this local government network is the Adelaide Coastal Councils Network known as the ACCN.

### 2. Interpretation

In these Terms of Reference unless the contrary is apparent:

- 2.1 "Act" means the Local Government Act 1999 (SA).
- 2.2 "Council" means a council constituted under the Act and any other authority of a local government nature constituted or established under South Australian legislation.
- 2.3 "Delegate" means a delegate appointed by a Member for the purposes of these Terms of Reference to represent a Member at meetings of ACCN.
- 2.4 "Elected Member" means any councillor of a Council.
- 2.5 "Member Council" means a Council which is a signatory to the ACCN MOU.
- 2.6 "The Members" means the Member Councils and the LGA which are signatories to the ACCN MOU.
- 2.7 "ACCN" means the Adelaide Coastal Councils Network.
- 2.8 Memorandum of Understanding means the ACCN MOU entered into by The Members in 2022.

## Aims and Objectives

### 3. Aims

The aims of the ACCN are to:

- facilitate a strong and effective ACCN;
- support collaboration between Member Councils and the LGA;
- enable partnerships with State and Federal Government;
- seek external grants and other assistance;
- deliver shared projects;
- reduce duplication of effort; and
- deliver improved outcomes for coastal communities.

## 4. Objectives

The objectives of the ACCN are to:

- Promote cooperation between The Members and stakeholders, and coordinate actions on issues of regional significance regarding the sustainability of the urban coastal environment;
- Facilitate the co-operation and co-ordination of The Members and stakeholders to take any action necessary for the improvement and betterment of facilities, amenities and conveniences in order to provide enjoyment and recreation to the public;
- Represent The Members and advocate on issues relating to the sustainability of coastal and estuarine environments to regional, state and federal bodies;
- Facilitate the sustainable and integrated planning and management of natural and built coastal and estuarine assets;
- Identify and address emerging issues affecting metropolitan coasts and estuaries, including any human impacts upon St Vincent's Gulf, through research and project development;
- Facilitate knowledge and tools development and exchange to enhance community awareness and engagement on sustainability of coasts and estuaries; and
- Develop strategic partnerships with other appropriate organisations to devise, prioritise and implement protection strategies and address emerging issues which affect the metropolitan coast.

## Powers

### 5. Powers

The powers of the ACCN are:

- to associate with other organisations with similar objectives to those of the ACCN;
- to seek funding through The Members for suitable coastal management projects;
- to publish materials related to the Objectives such as reports and papers;
- to undertake activities to further the objectives of these Terms of Reference and to further the interests of the ACCN;
- to apply for grants or other funding as required to carry out the aims and objectives of the ACCN; and
- to utilise the funds of the ACCN held by the LGA as necessary to carry out the aims and objectives of the ACCN.

## Membership and Voting

### 6. Membership of ACCN

- A Council shall be eligible for membership of the ACCN if the Council has signed the ACCN MOU and paid its subscription as per the terms of the MOU.
- The Member Councils will each be represented by two delegates, being one elected member and one officer of each Member Council.
- The LGA will be represented by a member of the LGA Board of Directors or his or her nominated representative, and the Executive Officer of the ACCN.
- The LGA is a Member of the ACCN but does not contribute subscription.

### 7. Appointment of Delegates

- The recording of the names and contact details of each delegate, the date of appointment and The Member they represent shall be the responsibility of the Executive Officer.
- The office of a delegate shall become vacant if:
  - The delegate resigns by letter addressed to the Council which appointed them;
  - The delegate is replaced by their Council at any time; or
  - The Representative ceases to remain an Elected Member or staff member of that Council.
- Where the office of a Representative becomes vacant, The Member concerned may appoint another Representative.

### 8. Voting

- Each Member Council will have one vote per delegate; and
- The Chair shall have a deliberative vote only.

### 9. Opportunity and respect

- All Members of the ACCN will be provided with equal opportunity in an atmosphere of equal respect in discussions and voting.

# Indemnity and Insurance

## 10. Indemnity and insurance

- The delegates of each of The Members will be protected by the general protections for Council members and employees as provided for in the Act.

# Role of the LGA

## 11. Role of the LGA

The LGA is a membership organisation that provides service and leadership relevant to the needs of its member councils, to which all the Member Councils are members.

The LGA will:

- be responsible for the employment of the Executive Officer;
- provide the Member Councils with an annual report on the ACCN activities or otherwise as requested;
- be responsible for the expenditure of the funds held for and on behalf of the ACCN;
- facilitate communication about the activities of the ACCN through its regular communication channels; and
- support and manage the Executive Officer, supply the necessary IT, human resources and administrative support, as well as office space and access to meeting rooms.

# Governance

## 12. Appointment of Chair

- The delegates shall appoint a Chair and Deputy Chair from the delegates who are elected members to form an Executive Committee.
- The Chair or in their absence, the Deputy Chair shall preside at all meetings of the ACCN.
- The Chair and Deputy Chair shall hold office for a period of 2 years.
- The Chair and Deputy Chair may be removed from office at any time by a resolution carried by two thirds of the ACCN delegates.
- If at any stage, the office of Chair or Deputy Chair becomes vacant, a replacement Chairperson may be appointed by the delegates of the ACCN.

## 13. Executive Committee

- The Executive Committee will comprise the elected positions of Chair and Deputy Chair as well as an Ordinary Member.
- The Executive Officer will administer the Executive Committee.
- Council officers are not eligible to be appointed to the Executive Committee.
- The Ordinary Member will be the LGA delegate who is a member of the LGA Board of Directors or their representative.
- The Executive Committee will be responsible for signing off on the Executive Officer's annual work plan, all public communications, determining meeting dates and making any important decisions as per the Terms of Reference.

## Meetings

### 14. Meetings

- Meetings of the ACCN shall be held on an as-needs basis intervals as determined by the Executive Officer in consultation with the Executive Committee.
- Meetings of the ACCN will be held at LG House, 147 Frome Street, Adelaide, or at other locations as agreed by the ACCN.
- Meetings may be attended online or in person.
- 14 days' notice of a meeting will be given to The Members. The notice shall set out where and when the meeting will be held, and provide an agenda.
- The quorum of any meeting of the ACCN shall be the attendance of at least one delegate from a minimum of half of The Members plus one.
- If there are insufficient Members present to constitute a quorum, the meeting shall take place but no decisions will be made.
- An ordinary resolution is a resolution passed by a simple majority at a meeting.

## Minutes

### 15. Minutes

- Minutes of all proceedings of meetings of the ACCN shall be prepared by the Executive Officer and distributed to The Members within one month after the relevant meeting.
- The minutes kept pursuant to this rule must be confirmed by the delegates at a subsequent meeting.



## Reporting

### 16. Reporting

- The Executive Committee shall ensure that an annual report is prepared and distributed to The Members.
- The Executive Committee shall ensure that a strategic plan is prepared within the first 12 months following execution of the MOU setting key performance indicators and outcomes.

## Amending the Terms of Reference

### 17. Terms of Reference

- These Terms of Reference may be amended by a resolution of two thirds of all The Members.

## Dissolution

### 18. Dissolution of the ACCN

- The ACCN may be dissolved or wound up by resolution of two thirds of all of The Members. If after the winding up of the ACCN there remains 'surplus funds', these funds are to be distributed amongst the Member Councils in an equal proportion.



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