

Local Government Transport Advisory Panel Terms of Reference

**Adopted by the LGA Board of
Directors on 18 January 2024**

Local Government Association of South Australia
Local Government Transport Advisory Panel
Terms of Reference

Adopted by the LGA Board of Directors on 18 January 2024

1. Establishment

To support the governance and operations of the Special Local Roads Program (SLRP), the Board of Directors (the Board) of the Local Government Association of South Australia (LGA) has resolved to establish a committee to operate as an independent and objective advisory committee to the Board, and to discharge the functions as determined by the Board.

2. Terms of Reference

- 2.1. These Terms of Reference set out the functions to be discharged by LGTAP.
- 2.2. The operation of the Terms of Reference may be altered by the Board either generally or in respect of specific circumstances by resolution. A resolution for the purposes of this clause 2.2 will be reported to all members of LGTAP within 7 business days of the meeting of the Board at which the resolution was passed.

3. Status

- 3.1. LGTAP is a committee of the LGA and is responsible to the Board for the discharge of its functions.

4. Objectives

- 4.1. LGTAP is responsible for providing oversight of the governance and operations of the SLRP. This includes providing strategic oversight of grant rounds, assessing applications for SLRP funding and providing recommendations to the Board regarding strategic local road projects suitable for funding in accordance with SLRP policy. LGTAP is also responsible for overseeing the management and reporting of active projects funded from the SLRP.
- 4.2. LGTAP provides advice and recommendation to the LGA Board who in turn provides advice and recommendations to the SA Local Government Grants Commission in accordance with the SLRP policies.

5. Membership

- 5.1. The membership of the LGTAP will comprise of:
 - 5.1.1. One Director from the LGA Board (**Director Member**) appointed by the Board, who shall be the Chair
 - 5.1.2. One senior representative of the LGA to provide an holistic whole of local government sector perspective as appointed by the LGA CEO

- 5.1.3. At least two and no more than four representatives of South Australian councils with requisite skills and experience in infrastructure planning and delivery, and/or grant management, and who are appointed by the Board (**Sector Members**). At least one sector member should come from a Greater Adelaide council and at least one sector member should come from a Regional council.
- 5.1.4. The Executive Officer of the SA Local Government Grants Commission as the representative of the Minister for Planning and Local Government
- 5.1.5. One representative of Minister for Infrastructure and Transport
- 5.2. Each member of LGTAP, with the exception of the Sector Members, will have a proxy member to attend meetings in their absence.
- 5.3. The term of office for members of LGTAP will be:
 - 5.3.1. Two years for the Director Member and will align with the bi-annual LGA elections of the Board. The Board may implement transitional arrangement to achieve this term, in the first instance, following the adoption of these Terms of Reference.
 - 5.3.2. Four years for the Sector Members, with appointments occurring every two years. The Board may implement transitional arrangements to achieve this term, in the first instance, following the adoption of these Terms of Reference.
 - 5.3.3. There is no term limit for the members nominated by the Minister for Planning and Local Government, Minister for Infrastructure and Transport and LGA CEO.
- 5.4. Director Member and proxy
 - 5.4.1. Appointment of the Director Member and proxy to LGTAP will be made by the LGA Board, as resolved from time to time.
 - 5.4.2. A casual vacancy in the position of a Director Member or proxy will occur if that member is no longer a Director on the LGA Board.
 - 5.4.3. The Board may resolve to re-appoint a Director Member or proxy on this Committee for up to two consecutive terms.
 - 5.4.4. The Director Member should ideally have knowledge, skills and experience in infrastructure planning and delivery, project management, local government, and governance.
 - 5.4.5. If required, training and development will be sourced and provided to the Director Member on matters/subjects within the LGTAP Terms of Reference.
- 5.5. Appointment and removal of the Sector Members will be managed by the LGA's Nominations Committee, who will facilitate an Expression of Interest (EOI) process and make recommendations to the LGA Board. The Board may appoint a Sector Member for up to two consecutive terms.
- 5.6. Members Skills and qualification
 - 5.6.1. All members will collectively bring the following knowledge, skills and experience to LGTAP:
 - sound project management, financial management and governance skills.
 - knowledge in infrastructure planning and delivery, and grant management.

- an understanding of local government and the operations of councils, and/or relationship with the local government sector.

5.7. Each member of LGTAP must:

- 5.7.1. Undertake their role as a committee member honestly and act with reasonable care and diligence in the performance and discharge of functions and duties.
- 5.7.2. Not make improper use of information acquired by virtue of their position as a committee member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA or any of its controlled entities.
- 5.7.3. Not make improper use of their position as a committee member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA or any of its controlled entities.
- 5.7.4. Not act in any matter where the committee member has a conflict of interest.

6. Basis of Operation

- 6.1. The LGTAP is responsible to the Board. It does not have any delegations or authority to implement actions in areas over which the Chief Executive Officer has responsibility.
- 6.2. The Committee does not have any management functions and is therefore independent of management.

7. Responsibilities

7.1. Board

- 7.1.1. The Board will receive, consider and respond to any report or recommendation provided to the Board by the LGTAP.

7.2. LGTAP

- 7.2.1. LGTAP will report the outcomes from LGTAP meetings to the Board.
- 7.2.2. LGTAP will make recommendations to the Board regarding any matter considered by the Committee.
- 7.2.3. LGTAP will fulfil its functions under these Terms of Reference in a timely, objective and professional manner.
- 7.2.4. Individual Committee members will bring their respective skills, expertise, and regulatory knowledge to assist the Committee to achieve its objectives.

7.3. Director Member

- 7.3.1. The Director Member will act as a conduit between LGTAP and the Board, and raise matters (within the scope of the LGTAP Terms of Reference) with the LGTAP, on behalf of the Board.
- 7.3.2. The Director Member will provide context for any recommendation of LGTAP.

- 7.3.3. The Director Member will provide a verbal report to the Board on key matters being considered by LGTAP at each Board meeting at which the minutes of the LGTAP are to be considered by the Board.

7.4. LGA Chief Executive

- 7.4.1. The LGA Chief Executive will make available to the LGTAP information of the LGA which is relevant to the functions of the SLRP.
- 7.4.2. The LGA Chief Executive will ensure that administrative, executive and program management support, as well as other resources are made available to LGTAP to enable the Committee to discharge its obligations under these Terms of Reference.

8. Functions of the LGTAP

- 8.1. LGTAP will assist the LGA in its role managing the SLRP for the benefit of South Australian councils and local government entities.
- 8.2. LGTAP will submit reports on the status of the SLRP to the LGA Board following each Committee Meeting.
- 8.3. LGTAP will review the SLRP policies every two years and submit any proposed changes to the LGA Board.
- 8.4. LGTAP will facilitate an annual grant round of the SLRP in accordance with the SLRP policies. As part of this role, LGTAP will assess and evaluate all applications for SLRP funding and provide recommendations to the Board regarding strategic local road projects suitable for SLRP funding.
- 8.5. LGTAP will receive and evaluate regular progress reports from grant recipients in relation to funded projects, and report on the status of projects to the Board.
- 8.6. LGTAP may provide advice regarding the project management of funded projects, including extension requests, in accordance with SLRP policy.
- 8.7. The chairperson of the LGTAP will meet with the Audit and Risk Committee of the LGA or the LGA's external auditor on request.
- 8.8. LGTAP will ensure that the SLRP is being delivered in accordance with the LGA's policies and procedures, including the LGA's Grant Management Framework.
- 8.9. LGTAP will consider and respond to any other matter relating to the SLRP referred to the Committee by the President of the LGA or the relevant State Government Ministers.
- 8.10. The LGTAP will:
 - 8.10.1. ensure that the Board is informed of:
 - 8.10.1.1. any actual or potential breaches of the SLRP Policies and Procedures that it is aware of; and
 - 8.10.1.2. any SLRP funded project that it is aware of that has or is anticipated to materially exceed the approved project budget or time frame, or where there has been or anticipated to be a failure by a grant recipient, a breach of legislative, or any other item materially impacting the project.

- 8.10.2. make recommendations to the Board on any matter relevant to these Terms of Reference.
- 8.10.3. review these terms of reference bi-annually and make recommendations to the Board for any changes.

9. Sub-Committees

LGTAP may establish sub-committees consisting of any person with relevant experience, skill or expertise for any purpose and determine the terms of reference for such sub-committees.

10. Meetings

10.1. Resolution of the Board

Requirements under this clause 10 may be altered, supplemented or replaced by resolution of the Board.

10.2. Frequency of meetings and venue

- 10.2.1. LGTAP will meet at least three times per year at a venue and time determined by the Committee Chair;
- 10.2.2. LGTAP may meet remotely using video conferencing technology; and
- 10.2.3. The Chair of LGTAP or the Board may convene additional meetings of the LGTAP.

10.3. Chairperson

- 10.3.1. The chairperson of the LGTAP will be the Director Member, appointed by the Board; and
- 10.3.2. The representative of the LGA appointed by the LGA CEO shall act as the chairperson for the LGTAP meetings in the absence of the Chairperson.

10.4. Meeting procedure

LGTAP will adopt the LGA's meeting procedures. This includes the ability for LGTAP to discuss items in confidence in accordance with these procedures.

10.5. Attendance

- 10.5.1. Meetings of LGTAP will be closed to the public.
- 10.5.2. Relevant LGA staff may attend meetings of LGTAP on an ex officio basis; and
- 10.5.3. LGTAP may invite any person to attend its meetings.

10.6. Minutes

- 10.6.1. Minutes will be kept of all LGTAP meetings including a record of the actions of the Committee; and
- 10.6.2. Within five business days of a LGTAP meeting, the chairperson will review and confirm the draft minutes. The draft minutes will then be circulated to the LGTAP members for comment and if necessary, amendment before being certified as correct by the chairperson at the next meeting of LGTAP.

10.7. Quorum

A quorum for a LGTAP meeting is 4 members.

10.8. Out of session resolutions

10.8.1. The Committee may be asked to consider an item of business out of session.

10.8.2. When an out of session resolution is sought, Committee members will be provided with a written report and recommendation and will be given five business days to respond in writing.

10.8.3. Out of session reports may or may not be accompanied with an out-of-session meeting to discuss the item.

10.8.4. Out of session resolutions will be formally noted in the minutes of the next LGTAP meeting.

11. Other

11.1. Performance assessment

The LGTAP will assess its performance against the delivery of the SLRP Policy Manual and these Terms of Reference annually.

11.2. Induction

11.2.1. There will be a program for inducting new members to the LGTAP.

11.3. Reporting

11.3.1. LGTAP will provide an annual report to the Board of Directors summarising:

- (a) the discharge of the LGTAP responsibilities and function under these Terms of Reference;
- (b) the activities of the SLRP during the previous year;
- (c) any other relevant information.

11.3.2 LGTAP will report annually to the LGA Annual General Meeting as part of the LGA's annual update.

12. Access to information

12.1 LGTAP is entitled, acting through the Chief Executive, to access any information or discuss matters with staff of the LGA secretariat.

12.2 The Committee is authorised, at the LGA's expense, to obtain outside legal or other professional advice on any matter within its Terms of Reference.

12.3 Subject to confidentiality requirements as determined by the Board or the LGTAP, a copy of the Committee agenda, reports and minutes will be published on the LGA website for public viewing.

13. Remuneration and Expenses

13.1. No remuneration is payable to LGTAP members.



- 13.2. Expenses reasonably incurred in carrying out the role of a member of the LGTAP will be reimbursed by the LGA in accordance with the LGA's Board and Committee Member Allowances and Expenses Policy.

148 Frome St
Adelaide SA 5000

GPO Box 2693
Adelaide SA 5001

T (08) 8224 2000

F (08) 8232 6336

E lgasa@lga.sa.gov.au

www.lga.sa.gov.au