

Strategic Planning & Development Policy Committee

TERMS OF REFERENCE

Adopted by Council 25 July 2017 - Effective from 1 September 2017

1. ESTABLISHMENT

- 1.1 The Strategic Planning & Development Policy Committee (the Committee) of Council is established under Section 41 of the *Local Government Act* 1999 (the Act) and Section 101A of the Development Act 1993.
- 1.2 The Committee does not have executive powers or authority to implement actions in areas which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The overall role of the Committee is to develop strategic planning and development policy, strategic plans and consider matters referred to it by Council's Development Assessment Panel, Council and the Chief Executive Officer and perform the functions delegated to it by Council.

3. SPECIFIC FUNCTIONS

- 3.1 The functions of the Committee are
 - 3.1.1 Provide advice to the Council in relation to proposals of, and the extent to which, the Council's strategic planning and development policies accord with the State Planning Strategy;
 - 3.1.2 To assist the Council in undertaking strategic planning and monitoring directed at achieving:
 - 3.1.2.1 Orderly and efficient development within the area of the council;
 - 3.1.2.2 High levels of integration of transport and land-use planning;
 - 3.1.2.3 Relevant targets set out in the Planning Strategy within the area of the council;
 - 3.1.2.4 The implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and
 - 3.1.3 Oversee the process of initiating and reviewing strategic planning and development policy issues when the Council is preparing:

- 3.1.3.1 Strategic Directions Report, or
- 3.1.3.2 Development Plan Amendment proposal.
- 3.1.4 Initiate Development Plan Amendments, endorse Statements of Intent, respond to submissions and agency comments received on Development Plan Amendments, and adopt final documents for authorisation by the Minister for Planning and Urban Development.
- 3.1.5 Consider and make submissions on Development Plan Amendments and planning policy initiated by adjoining Councils that would affect the Council area.
- 3.1.6 Consider, adopt and make submissions (e.g. to Ministers or State Government Agencies) on proposed strategies and planning policy from relevant Council advisory groups e.g. Rural Land Management Advisory Group.
- 3.1.7 Overview the progress of planning policy work and review priorities and comment on and make recommendations to Council on resource allocation for planning policy work generally.
- 3.1.8 Review relevant State legislative, Strategy, and Policy changes affecting Local Government activity and responsibilities in relation to development, and recommending appropriate course(s) of action.

4. OTHER MATTERS

The Committee shall:

- 4.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's Budget;
- 4.2 Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;
- 4.3 Give due consideration to laws and regulations of the Act; and
- 4.4 At least once in its term, review its own performance and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

5. MEMBERSHIP

- 5.1 The Committee will comprise of up to 13 Council Members.
- 5.2 All members of the Committee will be appointed by the Council.
- 5.3 It is desirable for the Council Members to be appointed to the Committee to have a sound understanding of the role and functions of the Committee.
- 5.4 In considering appointments to the Committee, Council should give consideration to the diversity of the membership.
- 5.5 The term of office for Committee members shall be as determined by Council.

- 5.6 Members of the Committee are eligible for reappointment at the expiration of their term of office.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Committee.

7. PRESIDING MEMBER

- 7.1 The Council will appoint the Presiding Member of the Committee.
- 7.2 The Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.
- 7.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.
- 7.4 The role of the Presiding Member includes:
- 7.4.1 overseeing and facilitating the conduct of meetings in accordance with Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations);and
 - 7.4.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

8. REPORTING RESPONSIBILITIES

- 8.1 For the purposes of Section 41(8) of the Act, the Committee's reporting and accountability requirements are:
- 8.1.1 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council;
 - 8.1.2 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee;
 - 8.1.3 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed; and
 - 8.1.4 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Committee's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.

9. MEETING PROCEDURE

- 9.1 Meeting procedure for the Committee is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 9.2 In accordance with Section 90(7a), one or more Committee members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee members.
- 9.3 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.
- 9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the committee.

10. SECRETARIAL RESOURCES

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

11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at appropriate times and places as determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 If after considering advice from the CEO or delegate, the Presiding Member of the Committee is authorised to cancel the respective Committee meeting, if it is clear that there is no business to transact for that designated meeting.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:
- 12.1.1 To members of the Committee by email or as otherwise agreed by Committee members at least 3 clear days before the date of the meeting; and
- 12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 12.3 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Act.

13. MINUTES OF MEETINGS

- 13.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Regulations.
- 13.2 Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and will (in accordance with legislative requirements) be available to the public.