

STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE TERMS OF REFERENCE



1. NAME

The name of the Committee is the Strategic Planning and Development Policy Committee (**Committee**).

2. ESTABLISHMENT OF STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

Pursuant to Section 41 Local Government Act 1999, the Council establishes an Advisory Committee to be known as the Strategic Planning and Development Committee ("Committee").

2.1 The Committee has been established to:

2.1.1 Assist the Council in the performance of its functions;

2.1.2 Inquire into and report to the Council on those matters outlined in the role and functions of the Committee;

2.1.3 Provide advice to the Council.

3. INTERPRETATION

In these Terms of Reference:

Act means the *Local Government Act 1999*

Code means the Planning and Design Code which applies under the PDI Act

Committee means that Strategic Planning and Development Policy Committee

Designated instrument means:

- (a) A state planning policy;
- (b) A regional plan;
- (c) The Planning and Design Code; or
- (d) A design standard,

established under the PDI Act and applicable to the area of the Council.

Member of the Council has the same meaning as in the Act

Independent Member means a Committee member who is not a member of the Council

Meeting Regulations means the *Local Government (Procedures at Meetings) Regulations 2013*

PDI Act means the *Planning, Development and Infrastructure Act 2016*

4. ROLE AND FUNCTIONS OF COMMITTEE

- 4.1 To provide advice to the Council in relation to the extent to which the Council's strategic planning and development policies accord with the relevant designated instruments.
- 4.2 To assist the Council in undertaking strategic planning and monitoring directed at achieving:
 - 4.2.1 Orderly and efficient development within the area of the Council;
 - 4.2.2 High levels of integration of transport and land-use planning;
 - 4.2.3 Relevant targets set out in a designated instrument within the area of the Council; and
 - 4.2.4 The implementation of affordable housing policies set out in the designated instruments within the area of the Council.
- 4.3 To provide advice to the Council, in relation to strategic planning and development policy issues when the Council is:
 - 4.3.1 initiating or considering initiating a proposal to amend a designated instrument;
 - 4.3.2 preparing a report or response of any nature in relation to a proposal by another body to initiate, prepare or amend a designated instrument;
 - 4.3.3 initiating or considering initiating an infrastructure scheme under Part 13 of the PDI Act;
 - 4.3.4 preparing a report or response to consultation (direct or otherwise) under Part 13 of the PDI Act in relation to an infrastructure scheme initiated by another body;
 - 4.3.5 establishing or considering the establishment of an offset scheme under Part 15, Division 2 of the PDI Act; or
 - 4.3.6 preparing a report or response to an agency or body which relates to a proposal to create or amend, or the contents of, a practice direction or practice guideline.
- 4.4 To provide advice to the Council in relation to such other issues or matters as requested by the Council.

5. DELEGATIONS

The Council has chosen not to delegate any functions and / or powers to the Committee.

6. MEMBERSHIP OF COMMITTEE

- 6.1 The Committee will be constituted of six (6) members, to be appointed by the Council.
- 6.2 The members of the Committee will include both Members of the Council, and Independent Members.

- 6.3 Three (3) members of the Committee will be Elected Members and three (3) will be Independent Members.
- 6.4 Independent Members will be appointed on the basis of their skills, knowledge and experience relevant to the roles and functions of the Committee.
- 6.5 The Presiding Member of the Committee may be either an Independent Member or an Elected Member.
- 6.6 Subject to Clause 6.7, a Committee member will be appointed for a term of two years from the date of the appointment; or
- for a term as determined and specified by the Council at the time of appointing the Committee member and if no term is so specified, for a terms of 2 years.
- 6.7 The office of a Committee member becomes vacant if:
- 6.7.1 In the case of a Committee member who is a Member of the Council, immediately upon that Committee member ceasing to be a Member of the Council the Council terminates the Committee member's appointment as a Committee member as permitted by the Act;
- 6.7.2 The Member resigns by written notice addressed to the Council;
- 6.7.3 The Member dies;
- 6.7.4 The Member has been found guilty of corruption, misconduct or maladministration to such an extent that the Council determines the person should cease to be a Member of the Committee;
- 6.7.5 There is a failure to carry out satisfactorily the duties of his or her office;
- 6.7.6 inability to carry out satisfactorily the duties of his or her office;
- 6.7.7 A failure without reasonable excuse to attend three consecutive SPDPC meetings without the SPDPC previously having resolved to grant a leave of absence to the Member; or
- 6.7.8 for any other reason the Council considers appropriate (and / or in consideration of the Code of Conduct for S41 Independent Members).
- 6.8 Should a vacancy in the Committee's membership arise, the Council will, subject to any recruitment process, appoint a person to fill the vacancy for such term as determined by the Council.
- 6.9 All Committee members are eligible for reappointment upon the expiry of their current term.
- 6.10 The Council will appoint the presiding member of the Committee.
- 6.11 The Committee may appoint a deputy presiding member to act in the office of the presiding member for any period the presiding member is unable to act as presiding member.

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- 6.12 Independent Members shall receive remuneration on a per meeting basis as set by the Council. Elected Members shall not receive payment for their participation in the Committee.
- 6.13 Notwithstanding any provision of these terms of reference to the contrary a Committee member holds office at the pleasure of the Council.

7. MEETINGS

- 7.1 Ordinary meetings will be called on an "as needs" basis by the Manager Development & Regulation / Assessment Manager in conjunction with the presiding member of the Committee. The Committee should endeavour to meet at least bi monthly (i.e. six (6) times per annum) unless there is no business to consider.
- 7.2 Where a meeting is called it will normally be held on a Wednesday evening commencing at 6:00 pm at the Local Government Centre at 2 Seventh Street, Murray Bridge.
- 7.3 Special meetings of the Committee may be called and held in accordance with Section 87(5) and (6) of the Act.
- 7.4 Attendance in person at meetings is preferred, however the SPDPC (or individual members of the SPDPC) has the ability to meet via telephone or other electronic means that are made available by the Council. Committee members should attend at least 50% of formal meetings in person (where such meetings are held in person).
- 7.5 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee no later than 3 clear business days before the date of the meeting. Supporting papers shall be sent to Committee members (and to other attendees as appropriate) at the same time. Agenda's and supporting documents will be sent electronically unless a specific request for a hard copy is made.

8. VOTING

- 8.1 Each member of the Strategic Planning and Development Policy Committee shall have one vote.
- 8.2 The Presiding Member shall have a deliberative vote but does not in the event of an equality of votes have a casting votes.
- 8.3 In the event of a tied vote the matter will be referred to the next meeting of Council for deliberation.

9. MINUTES OF MEETINGS

- 9.1 The Chief Executive Officer or their nominee 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 Local Government (Procedures at Meetings) Regulations 2013.
- 9.2 The minutes of the Committee meeting will be presented to Council for endorsement at its next available meeting.

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9.3 Minutes of the Committee meetings shall be circulated within five business days after a meeting to all members of the Committee and will (as appropriate) be available to the public via Councils website.

10. QUORUM

10.1 A quorum of the Committee is achieved by having four (4) members in attendance.

11. REPORTING

11.1 The Committee will report directly to the Council.

11.2 The Committee will make recommendations to the Council, as it considers necessary and appropriate, in accordance with its role and functions.

11.3 Recommendations of the Committee will be provided to the Council at the next appropriate meeting through the minutes of the Committee for consideration and may include further explanation by an Officer.

11.4 The Committee shall as and when required by the Council or on its own initiative provide a report to the Council on the performance of its role and functions and / or such other matters as may be required. This report shall be furnished to the Council as part of the provision of the minutes of the Committee to the Council (as per clause 9.3).

12. SUPPORT

12.1 The Committee shall be provided with sufficient administrative resources through the Manager Development & Regulation to enable the Committee to adequately carry out its functions.