

NARACOORTE LUCINDALE COUNCIL

TERMS OF REFERENCE - STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

The **Strategic Planning and Development Policy Committee** is established under the provisions of Section 41 of the *Local Government Act, 1999*, and pursuant to the provisions contained in Section 101A of the *Development Act 1993* by resolution of Council at its meeting held on 22nd March 2011, having effect on and from 1st April 2011.

Even though this committee is established under the Development Act 1993, the Local Government Act 1999 will apply as if this committee was established under the Local Government Act 1999 (section 101A(3) Development Act 1993).

PURPOSE

In accordance with the Development Act 1993, council must establish a strategic planning and development policy committee. The Development Act provides for planning and regulates development in the State; regulates the use and management of land and buildings, and the design and construction of buildings; makes provision for the maintenance and conservation of land and buildings where appropriate; and for other purposes. The purposes of the committee in relation to planning and development and as legislated by the Development Act are:

- To provide advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the *Planning Strategy*;
- To assist the Council in undertaking strategic planning and monitoring directed at achieving:
 - orderly and efficient development within the Council area;
 - high levels of integration of transport and land-use planning;
 - relevant targets set out in the *Planning Strategy* within the Council area;
 - the implementation of affordable housing policies set out in the *Planning Strategy* within the Council area.
- To provide advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when the Council is preparing:
 - a *Strategic Directions Report*; or
 - a *Development Plan Amendment* proposal.

Other functions assigned to the committee by Council are:

- To provide advice and recommendations to Council to support the implementation of the Open Space Strategy considering the needs and aspirations of the community while ensuring Open Space does not become a liability to Council.

The Committee's purpose aligns with themes 4 and 5 of Council's Strategic Plan:

- Theme 4 – Liveable Neighbourhoods, a range of well-planned neighbourhoods and public space, designed with a strong sense of identity and place.
 - Outcome - A well-planned district that meets the current and future needs of the community

- Theme 5 – Progressive Leadership, a well led and managed district supported by a professional approach to managing infrastructure, and the delivery of projects and services to the community.
 - Outcome - Sustainable community finances and assets

DELEGATED POWER

The Strategic Planning and Development Policy Committee may express a preference to Council on matters relating to the committee's purposes however as Council has not delegated any powers or functions to the Committee all decisions remain the responsibility of Council.

MEMBERS

Council's policy is that committee membership by Elected Members can be no less than 2 and no more than 5 Elected Members. An exception is in the instance that all Elected Members are appointed Members of a committee.

In this instance the Committee will comprise:

- all 11 elected members of the Naracoorte Lucindale Council

Elected Members nominated by Council will be appointed biennially in December or as otherwise determined by Council. Other members will be appointed for a nominal period of four (4) years or as may otherwise be determined by Council.

PRESIDING MEMBER

The Presiding Member will be appointed biennially in December or as otherwise determined by Council.

ADMINISTRATIVE RESOURCES

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

MEETINGS

Ordinary meetings of the Committee will be held at times and places determined by the Committee.

Meetings will be conducted in accordance with Chapter 6, Parts 2, 3 and 4 of the Local Government Act, 1999, Part 3 of the Local Government (Procedures at Meetings) Regulations, 2000, and Council Policy "Meetings of Council and Council Committees" and section 92 Code of Practice.

Ordinary meetings of the Committee will be held at times and places determined by the Committee. Special meetings of the Committee may be called in accordance with the Act.

Unless members make a request, agendas, attachments and minutes of the Committee will usually be distributed electronically.

QUORUM

A quorum is determined using the Local Government Procedures at Meetings Regulation 26(2) which is:

- the total number of members of the committee divided by 2, ignoring any fraction resulting from the division, and adding one or,
- a number determined by the council

A quorum for the Strategic Planning and Development Policy Committee is 6 members.

TRAINING AND DEVELOPMENT FOR COMMITTEE MEMBERS

Committee Members may request training and development to specifically assist in their role on the Committee. This may be requested as per the *Elected Members Training and Development Policy*.

REPORTING REQUIREMENTS

Minutes, including recommendations, of the Committee Meeting will be presented to the next available Council meeting.

The Committee will inform the Council, by the earliest practical means, of the development of any special risk arising from the performance of its delegated functions (in accordance with the Rules of the LGA Mutual Liability Scheme).

The Committee will inform the Council, by the earliest practical means, of any civil liability claim which has been made, or is likely to be made in relation to the actions of the Committee pursuant to its delegated responsibilities.

GENERAL DUTIES

Members of the Committee shall comply with the general duties contained in Section 62 of the Local Government Act, 1999.

ROLE AND RESPONSIBILITIES OF COMMITTEE MEMBERS

Committee members will:

- strictly observe the requirements of the relevant Sections of the Local Government Act, 1999 applicable to them as Members of the Committee
- participate in the deliberations of the Committee with regard to the policy and business which is before it;
- be mindful of the objectives and policies of the Council as they relate to the business of the Committee; and
- be aware of the Council's resources, expenditure and activities, and the need for efficiency and effectiveness in the activities for which the Committee has been established.

CONFLICT OF INTEREST

As required by section 75B of the Local Government Act members of the Committee will comply with the conflict of interest provisions contained in Chapter 5, Part 4, Division 3 within Sections 73 and 74 of the Local Government Act, 1999.

STATUS

The Committee will remain in operation for such time as determined by Section 101A of the *Development Act 1993*.

ADOPTION AND AMENDMENT HISTORY

<i>Date</i>	<i>Authorised by</i>	<i>Minute Reference</i>
25 August 2020	Council	Committee Discontinued - Adopted Resolution 24/21
27 November 2018	Council	Resolution 100/19
23 May 2017	Council	Revised Resolution 266/17
November 2016	Council	Revised Resolution 106/17
9 December 2014	Council	Revised Resolution 137/15
23 July 2013	Council	Revised Resolution 16/14
22 January 2013	Council	Revised Resolution 270/13
22 March 2011	Council	Adopted Resolution 432/11