



Strategic Planning and Development Policy Committee

Terms of Reference

PREAMBLE

A committee of council may be established by resolution of the council. A committee can assist the council in the performance of its functions, to inquire into and report to the council on matters, provide advice to the council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the *Local Government Act 1999* the establishment of a committee does not derogate from the power of the council to act in a matter.

1. Establishment of the Strategic Planning and Development Policy Committee

Pursuant to Section 41 of the *Local Government Act 1999* the Council establishes a committee to be known as the Strategic Planning and Development Policy Committee (referred to in these terms of reference as 'the Committee'). This committee also fulfils the requirement of Section 101A of the *Development Act 1993*.

2. Committee Objectives

The functions of the committee are:

- 2.1 to provide advice to council in relation to the extent to which council's strategic planning and development policies accord with the Planning Strategy; and
- 2.2 to assist the council in undertake strategic planning and monitoring directed at achieving –
 - 2.2.1 orderly and efficient development within the area of the council; and
 - 2.2.2 high levels of integration of transport and land-use planning; and
 - 2.2.3 relevant targets set out in the Planning Strategy within the area of the council; and
 - 2.2.4 the implementation of affordable housing policies set out in the Planning Strategy within the area of the council; and
 - 2.2.5 other outcomes of a prescribed kind (if any) and;
- 2.3 to provide advice to the council (or to act as its delegate) in relation to strategic planning and development policy issues when the council is preparing –
 - 2.3.1 a Strategic Directions Report; or
 - 2.3.2 a Development Plan Amendment Proposal; and
- 2.4 other functions assigned to the committee by the council.

3. Membership:

Membership of the committee shall comprise of all elected members of council.

4. Presiding Member of the Committee

The Chairperson shall be a member, elected by the committee at the first meeting of the committee, for a 12 month term.

5. Term of Office

The term of office of the members of the committee will be for the term of the council.

6. Reporting Arrangements

The committee reports and makes recommendations to the council on any item on the agenda.

Officers will forward reports to the committee for consideration on matters that relate to the strategic planning and development policy and other strategic planning processes.

7. Confidentiality

The confidential provisions of the *Local Government Act 1999* shall apply to all members of the committee. This in short means that those matters that are deemed to be 'confidential' (which includes the report discussions and any resulting decision) **must remain confidential**, and is not to be discussed outside the forum of the committee meeting, until the matter is discussed and determined by the council. There are substantial penalties for breaches of confidentiality.

8. Delegated Authority

Not applicable.

9. Conduct and Conflict of Interest of Committee Members

All members of the committee must comply with the Code of Conduct for Elected Members as per Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

Member of the committee must not make improper use of their position to gain (directly or indirectly) an advantage for themselves or another person closely associated with them.

Committee members must declare an interest in any matter before the committee.

10. Meeting Times & Place

Committee meetings will be held on an as needs basis.

11. Quorum & Voting by Members

The quorum shall be 50% of the number of voting members plus one (1). Each member of the Committee present at a meeting must vote on any motion put at that meeting.

12. Meeting Procedures

Meetings of the Strategic Planning and Development Policy Committee will be held in accordance with:

- i) *Local Government Act 1999*
- ii) *Local Government (Procedures at Meetings) Regulations 2013*
- iii) *Council Policy - Code of Practice for Access to Council and Committee Meetings and Documents*
- iv) *Code of Conduct for Council Members*

13. Access and Documents

Pursuant to Section 87 of the *Local Government Act 1999* a minimum of three clear days' notice of the meeting, accompanied by the agenda, will be provided to members of the committee and the public. Hardcopy agendas will be provided in the council office for access by members of the public in attendance.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the *Local Government Act 1999* and will be provided to all members of the committee and placed on council's website and a hardcopy placed in the council office, 29 Holland Street, Kingston SE.

Members of the public are able to attend all meetings of the committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the *Local Government Act 1999*.

*NOTE: For the purposes of the calculation of **clear days** in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.*

14. Responsible Officer

Chief Executive Officer

15. Liability and Insurance

Pursuant to Section 80 of the *Local Government Act 1999*, council must take out a policy of insurance insuring every member of the council, and a spouse, domestic partner or another person who may be accompanying a member of the council, against risks associated with the performance or discharge of official functions or duties by members.

16. Administrative Support

The Chief Executive Officer will ensure that appropriate administrative support is provided to the committee.

18. Sitting Fees

Not applicable – member allowances apply as determined by the Remuneration Tribunal.

19. Adoption by Council

This terms of reference was adopted by Council at its meeting on 18 December 2018.