



# Strategic Property Development Sub Committee

## - Terms of Reference -

**Endorsed by Council:** 26 October 2020 (0715/2021)  
Amended 27 September 2021 (1098/2021)

**Review Date:** November 2022

### 1. Purpose

- 1.1 To examine and make decisions on strategic property development projects:
  - To consider property development proposals in terms of their overall commercial and community benefit.
  - To assess and consider Council's risk exposure related to the projects.
- 1.2 The Sub-Committee will adopt a risk management focus in its considerations, delivery and recommendations to Council. The advice to Council will reflect both the risk and opportunities of the issue to enable Council to act as an informed and responsible decision maker representing the interests of the community.

### 2. Status and Term of the Sub-Committee

- 2.1 The Sub-Committee is formed under Section 41 of the *Local Government Act 1999* as an advisory sub-committee to the Innovation and Business Development Committee for the purpose of providing advice to Council in regard to the areas listed above.
- 2.2 This Sub-Committee will exist for the term of Council.

### 3. Meeting Details

- 3.1 The Sub-Committee meets every three months or as required on the second Monday of the month.
- 3.2 In the event that Monday is a public holiday, the meeting will convene on the Tuesday of the same week.
- 3.3 Meetings of the Sub-Committee will be held in the Committee Rooms, 34 Church Street, Salisbury.
- 3.4 In accordance with Section 87 of the *Local Government Act*, a minimum of three clear days notice of an ordinary meeting will be provided to members of the Sub-Committee.



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- 3.5 Public notice of meetings will be given through publication of the annual meeting schedule on the City of Salisbury website. A copy of the Notice of Meeting and Committee Agenda will also be displayed on a monthly basis at 34 Church Street, Salisbury.
- 3.6 Members of the public are able to attend all meetings of the Sub Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the *Local Government Act*.

#### **4. Membership**

- 4.1 The membership of the Strategic Property Development Sub Committee comprise six (6) Elected Members as nominated by Council.
- 4.2 The Mayor is, ex officio, a member of this Sub-Committee.
- 4.3 All members must attend meetings and where unable to do so, must provide an apology prior to the meeting. Ward Councillors are invited to attend for projects in their ward but are not voting members.
- 4.4 Proxy membership is not permitted under the Act.
- 4.5 Members of the Sub-Committee must comply with the conduct and conflict of interest provisions of the *Local Government Act*. In particular, Sections 62 (general duties), 63 (code of conduct) and 73-74 (conflict of interest, members to disclose interests) must be adhered to.

#### **5. Chairman and Deputy Chairman**

- 5.1 The appointment of a Chairman will be made by the Council for a term determined by the Council.
- 5.2 The Deputy Chairman will be appointed at the first meeting of the Committee for a term determined by the Sub-Committee.



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#### ***6. Voting Rights***

- 6.1 All members have equal voting rights. A question arising for a decision will be decided by a majority of votes cast by all members present.
- 6.2 Each member must vote on a question arising for a decision.
- 6.3 The Chairman has a deliberative vote, but does not, in the event of an equality of votes have a casting vote.
- 6.4 In the event of an equality of votes, the matter must be referred to the parent committee for decision.

#### ***7. Meeting Procedures, Minutes and Documents***

- 7.1 All meetings of the Sub-Committee will be held in accordance with the *Local Government Act 1999* (and relevant Regulations), the City of Salisbury Code of Practice for Meeting Procedures and the City of Salisbury Code of Practice for Access to Meetings and Documents.
- 7.2 Minutes will be kept of the proceedings at each Sub-Committee meeting. Members of Council will be provided with a copy of all minutes of the proceedings of this Sub-Committee within five days after a meeting.
- 7.3 Members of the public have access to all documents relating to the Sub Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the *Local Government Act*.



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#### **8. Quorum**

- 8.1 A quorum shall be determined by dividing the total number of members of the committee by two (ignoring any fractions) and adding one. For a committee comprising 6 members, the quorum is 4 (that is, 6 divided by 2 = 3 (ignoring any fractions) = 3 + 1).
- 8.2 When the Mayor (as an ex officio member) is in attendance at a Strategic Property Development Sub Committee meeting, the quorum requirement is also 5 (that is 7 divided by 2 = 3.5 (ignoring any fractions) = 3 + 1).
- 8.3 Elected Members who are suspended from office and those granted a leave of absence under Section 55A of the *Local Government Act 1999*, are not to be counted in the total number of Members of the Council when calculating the prescribed number of Elected Members that constitutes a quorum.

#### **9. Reporting Requirements**

- 9.1 This Sub-Committee reports to the Innovation and Business Development Committee.
- 9.2 The Sub-Committee shall make whatever recommendations to the parent committee it deems appropriate on any area within its Terms of Reference where in its view action or improvement is needed.
- 9.3 Recommendations made by the Sub-Committee will be referred to the next meeting of the parent committee, through presentation of minutes, for recommendation to Council for final resolution.