

UNLEY BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1. The Council has established the Unley Business & Economic Development Committee (referred to in these Terms of Reference as "the Committee") pursuant to Section 41 of the *Local Government Act 1999* ("the Act").
- 1.2. The Committee may be wound up at any time by resolution of the Council.
- 1.3. This Terms of Reference was;
 - adopted by Council on 27 January 2015 (C43/2015)
 - amended 23 March 2015 (C93/2015)
 - amended 27 February 2017 (C788/17).

2. OBJECTIVES

- 2.1. The Committee is established to fulfil the following functions:
 - 2.1.1 provide advice to Council on:
 - (a) initiatives that support and improve the economic viability of the commercial and retail precincts across the City of Unley.
 - (b) the important role Mainstreet precincts play in providing spaces for our residents and ratepayers to meet and building healthy, sustainable communities.
 - (c) the establishment, implementation and coordination of strategic management actions regarding main streets.
 - (d) the collaborative promotional, marketing and event activities across the main streets.
 - (e) the possible opportunities to influence an appropriate tenancy mix on main streets to provide goods and services that businesses and residents require.
 - (f) the undertaking of activities that ensure ongoing participation and commitment from businesses, investors, property owners and the Council.

- (g) raising the profile of and proactively promoting the Unley Mainstreet Associations.
- (h) supporting and promoting business, industry and tourism growth within a sustainable environment whilst encouraging the social and cultural values of the City of Unley community.

2.1.2 to do anything necessary, expedient or incidental to performing or discharging the functions of the Committee as listed herein or to achieving its objectives.

3. MEMBERSHIP

3.1. The Committee will comprise 13 members as follows:

- (a) 5 independent members appointed by the Council;
- (b) 4 trader representatives appointed by the Council;
- (c) 4 Elected Member(s) nominated by the Council;
- (d) The Mayor *ex officio*.

3.2. The five (5) independent members should demonstrate relevant business and/or economic knowledge to represent the business community in the Council area, in:

3.2.1 Information Technology

3.2.2 Place activation

3.2.3 Public Relations/Media

3.2.4 Planning Policy

3.2.5 Leasing

3.3. The four (4) Trader representatives must be a property owner, business owner or employee based on the respective Road and one member must each be from the:

3.3.1 Unley Road Association Inc.

3.3.2 Goodwood Road Business Association Inc.

3.3.3 King William Road Traders Association Inc.

3.3.4 Fullarton Road South Traders Association Inc.

3.4. Criteria used to select independent representatives and group representatives will have regard to gender balance, youth and cultural representations and seek to maintain and build upon a group voice that is broadly representative of the community.

The current members of the Committee are listed at Schedule 1 to these Terms of Reference.

- 3.5. Subject to clause 1.2 of these Terms of Reference, membership of the Committee is as listed on Schedule 1 *unless* a member resigns or is otherwise incapable of continuing as a member or is removed from office by the Council.
- 3.6. The Committee may, by a vote supported by at least 7 members of the Committee, make a recommendation to the Council to remove a member of the Committee from office where a member has failed (without the leave of the Committee) to attend three consecutive meetings of the Committee.
- 3.7. Members of the Committee are eligible for re-appointment at the expiration of their term of office.
- 3.8. The Committee may be re-established by the Council after each Council periodic election.
- 3.9. Council will determine the sitting fees for independent members for meetings attended.
- 3.10. In accordance with Division 2 of Part 4 of Chapter 5 of the “Act”, all independent members of this section 41 Committee will be required to complete and submit primary and/or ordinary returns.

4. **PRESIDING MEMBER**

- 4.1. The Council will appoint the Presiding Member of the Committee.
- 4.2. 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.
- 4.3. 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.
- 4.4. The role of the Presiding Member includes:
 - 4.4.1 overseeing and facilitating the conduct of meetings in accordance with the *Local Government Act 1999, the Local Government (Procedures at Meetings) Regulations 2013*.
 - 4.4.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner; and
 - 4.4.3 where a matter has been debated significantly and no new information is being discussed to call the meeting to order and ask for the debate to be finalised and the motion to be put.

5. OPERATIONAL MATTERS

- 5.1. The Council has not delegated any of its powers to the Committee. Accordingly, all decisions of the Committee constitute recommendations to the Council.
- 5.2. For the purposes of s.41(8) of the Act, the Council's reporting and other accountability requirements are satisfied by the delivery of a copy of the minutes of each meeting of the Committee to each Elected Member of the Council and the inclusion of those minutes in the agenda papers for the next ordinary meeting of the Council.
- 5.3. The Committee shall meet on a quarterly basis unless otherwise required.
- 5.4. 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. Members are to be advised at least 3 clear days before the scheduled meeting. Advice of the same will also be posted on Council's website.
- 5.5. Notwithstanding paragraph 5.1 above, if the Committee so resolves, it may seek input from other Section 41 Committees of Council to assist the Committee in reaching a position to recommend to Council.
- 5.6. Notwithstanding paragraph 5.1 above, if the Committee so resolves, it may provide input to other Section 41 Committees of Council on relevant subject matter.

6. NOTICE OF MEETINGS

- 6.1. 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:-
 - 6.1.1 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
 - 6.1.2 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.

7. PUBLIC ACCESS TO MEETINGS

- 7.1. The Committee shall meet at the Offices of the Council located at 181 Unley Road, Unley SA 5061.
- 7.2. 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.

8. MEETING PROCEDURE

- 8.1. The Council has resolved to apply Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* to this Committee.
- 8.2. Insofar as the Act, the Regulations, the Code of Practice - Meeting Procedures 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.
- 8.3. Subject to clause 8.4 of these Terms of Reference, all decisions of the Committee shall be made on the basis of a majority of the members present.
- 8.4. A quorum is ascertained by dividing the total number of Committee members by two, ignoring any fraction resulting from the division, and adding one.
- 8.5. If the Mayor attends a meeting of the Committee as ex-officio, the Mayor's attendance will be included in the calculation of quorum.
- 8.6. Any Elected Member who is not a member of the Committee is able to address members of the Committee and provide contribution at any Committee meeting of which they are not a member in accordance with the Code of Practice - Meeting Procedures, Clause 44.
- 8.7. All members of the Committee must (subject to a provision of the Act or Regulations to the contrary) vote on any matter arising for decision at a meeting of the Committee.
- 8.8. Every member of the Committee has a deliberative vote only. In the event of a tied vote the person presiding at the meeting does not have a second or casting vote.
- 8.9. The format of the agenda for all meetings of the Committee is as set out at Schedule 2 to these Terms of Reference.
- 8.10. The agenda and reports for all meetings of the Committee must be delivered to members of the Committee at least 3 clear days before the meeting.
- 8.11. Any decision of the Committee which does not arise from a recommendation of a Council officer must be supported in the minutes of the meeting by clear reasons for the decision.
- 8.12. The Council will provide a support officer for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.

Responsible Officer: Chief Executive Officer

Attendance by: Chief Executive Officer and Executive (as required)

MEMBERSHIP

1. Presiding Member: Anthony Lapidge
2. Members of the Committee:
 - 2.1. Elected Members
 - Cr Cr John Koumi
 - Cr Don Palmer
 - Cr Luke Smolucha
 - 2.2. Independent Members
 - 1) Ms Anne Young
 - 2) Mr Houssam Abiad
 - 3) Ms Alison Snel
 - 4) Mr Doug Strain
 - 5) to be confirmed
 - 2.3. Trader Representatives
 - 1) Mr Matthew Hassan, King William Road Trader Association Inc.
 - 2) Mr James Morris, Unley Road Association Inc.
 - 3) Ms Susan Straschko, Fullarton Road South Traders Association Inc.
 - 4) Ms Paula Stacey-Thomas, Goodwood Road Business Association Inc.
3. Term: 2 years from date of appointment (unless such appointment is revoked by the Council).

Councillors' term; from 01/02/2017 to end of current term of Council unless revoked by the Council. (C704/16)

Independent Members; from 25 March 2017 until the end of current term of Council unless revoked by the Council. (C788/17)
4. Sitting fees for independent members per meeting attended: \$300.
5. Trader Representatives do not receive a sitting fee.

NAME OF COMMITTEE

A G E N D A

**Meeting to be held
(Date and Time)
Civic Centre
181 Unley Road, Unley SA 5061**

MEMBERS:

Presiding Member
Committee Members

REPORT TO COUNCIL:

ACKNOWLEDGEMENT: (Optional)

We acknowledge that the land we meet on today is the traditional land of the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge that the Kurna people are the custodians of the Adelaide region and that their cultural and heritage beliefs are still important to the living Kurna people today.

APOLOGIES:

CONFIRMATION OF COMMITTEE MINUTES:

CONFLICT OF INTEREST:

DEPUTATIONS:

REPORTS OF OFFICERS:

ITEM NO.

PAGE NO:

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NEXT MEETING: