

**Business and Economic Development
Advisory Committee
- TERMS OF REFERENCE -**

1. ESTABLISHMENT

- 1.1. The Council has established the Business and Economic Development Advisory 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. These Terms of Reference were adopted by Council on 25 July 2022.
- 1.3. The Committee is not a "prescribed committee" as defined in the Remuneration Tribunal Determination No. 2 of 2022, *Allowances for Members of Local Government Councils*, as published in the Government Gazette on 7 July 2022.
- 1.4. The Committee may be dissolved at any time following the resolution by Council.

2. OBJECTIVES

- 2.1. The Committee is established to assist Council to relation to providing strategic advice to the City of Unley in relation to the growth and development of the City of Unley economy and the general business environment.
- 2.2. The Committee may also make recommendations to Council into how funds should be spent that support main streets and business precincts across the Unley Council region.
- 2.3. For purposes of the Committee's role, the Committee will focus on issues and opportunities relevant across the entire Council and identify opportunities that position the City of Unley as a leader in the field of business and economic development.

3. FUNCTIONS

To achieve these objectives the Committee will:

- 3.1. The Committee will support the implementation of Councils Economic Development Growth Strategy 2021-2025 with strategic input and connections to leverage opportunities for the City of Unley and position the Council as a leader in delivering economic development outcomes that drives local economic outcomes including employment, business attraction, home based businesses, and new industries to the region.

4. MEMBERSHIP

- 4.1. The Committee will comprise 8 members appointed by Council as follows:
 - 4.1.1 A maximum of six (6) and a minimum of four (4) independent members
 - 4.1.2 Two (2) Elected Members
- 4.2. Independent members of the Committee must have recently and relevant experience in professions such as, but limited to, currently operating a business with the City of Unley, a local resident with specific expertise in a business-related area, or industry leaders who bring specific skills and experience.
- 4.3. Criteria used to select independent members will where possible seek to have a balance in regard to gender, youth, and cultural representation.

Specifically, the Committee will look for independent members who have the following key attributes:

- 4.3.1. Strong business networks and linkages;
 - 4.3.2. An ability to constructively participate in an advisory capacity;
 - 4.3.3. An ability to represent a broad range of views that reflect the diversity of the local City of Unley business community, including home based businesses;
 - 4.3.4. A broad understanding of the influence of business and economics on the local community and its social, environmental, and economic well-being;
 - 4.3.5. A strong understanding of the local and regional economies and the influences that are occurring globally;
 - 4.3.6. Good knowledge and understanding of the local issues that are relevant to business, employment, logistics and economic development;
 - 4.3.7. A willingness to contribute positively to meetings in a fair and unbiased manner;
 - 4.3.8. An ability to look beyond personal interests for the benefit of the business community and residents of the City of Unley;
 - 4.3.9. An ability and willingness to encourage participation from and provide feedback to the business community regarding business and economic development.
- 4.4. It is desirable for Elected Members appointed to the Committee to have a sound understanding of the local business community and general understanding of the South Australian economic environment.
 - 4.5. The term of appointment for Committee Members will be from the date of appointment for a period of two (2) years.
 - 4.6. A Committee Member's position automatically becomes vacant if they are employed by Council.
 - 4.7. Subject to Clause 1.4 of these Terms of Reference, membership of the Committee continues for the term of appointment *unless* a member resigns, is otherwise incapable of continuing as a member, or is removed from office by the Council.

- 4.8. Committee members will be required to attend a minimum of three (3) meetings each year.
- 4.9. The Committee must report to the Council where a Member has failed (without the leave of the Committee) to attend three (3) consecutive meetings of the Committee.
- 4.10. The Committee may, by a vote supported by at least half plus one of the 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.
- 4.11. Members of the Committee are eligible for re-appointment at the expiration of their term in office.
- 4.12. Council will determine the sitting fees for independent members. Sitting fees are payable on attendance at meetings.
- 4.13. Independent members of the Committee are required to complete and submit Primary and Ordinary Returns and comply with Conflict-of-Interest provisions set out in the Act.

5. PRESIDING MEMBER

- 5.1. The Council will appoint an Independent Committee Member as the Presiding Member of the Committee.
- 5.2. The term of appointment for the Presiding Member will be from the date of appointment until the end of the current term of Council.
- 5.3. 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.
- 5.4. 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.
- 5.5. The role of the Presiding Member includes:
 - 5.5.1. overseeing and facilitating the conduct of meetings in accordance with the *Local Government Act 1999*, and *the Local Government (Procedures at Meetings) Regulations 2013*.
 - 5.5.2. ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.
- 5.6. In accordance with clause 8 (b) of the Remuneration Tribunal Determination No. 2 of 2022, the Presiding Member of the Committee is eligible for an allowance per meeting attended up to a determined aggregate amount per annum.

6. OPERATIONAL MATTERS

6.1. Frequency of Meetings

- 6.1.1. The Committee shall meet, at least four (4) times per year (i.e., once each quarter), and when the Committee may otherwise deem necessary. The CEO is authorised to determine the time and date of each meeting of the Committee.
- 6.1.2. The CEO is authorised, after consulting with the Presiding Member of the Committee, to cancel the respective Committee meeting, if 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.
- 6.1.3. Committee members will be required to attend a minimum of three (3) meeting each year.

6.2. Delegation

- 6.2.1. The Council has not delegated any of its powers to the Committee. Accordingly, all decisions of the Committee constitute recommendations to the Council.
- 6.2.2. The Committee has no delegated authority to expend Council funds or contract external parties.

6.3. Notice of Meetings

- 6.3.1. 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: -
 - (a) to members of the Committee by email, or in a form as otherwise agreed by Committee members, at least 3 clear days before the date of the meeting; and
 - (b) 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.
- 6.3.2. 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.

6.4. Reporting

- 6.4.1. For the purposes of section 41(8) of the Act, the Council determines that the Committee will satisfy reporting and other accountability requirements through the presentation of the minutes of each meeting of the Committee at the next ordinary meeting of the Council following each Committee meeting.
- 6.4.2. At the request of the CEO, the Presiding Member (and other Independent Members as required) shall provide a report and/or presentation to the Council relating to business and economic matters that influence the local business environment of the City of Unley.

6.5. Public Access to Meetings

- 6.5.1. The Committee shall meet at the Offices of the Council located at 181 Unley Road, Unley SA 5061.
- 6.5.2. Members of the public can attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.

7. MEETING PROCEDURE

- 7.1. The Council has resolved to apply Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* to this Committee.
- 7.2. 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.
- 7.3. Subject to clause 6.4 of these Terms of Reference, all decisions of the Committee shall be made based on a majority of the members present.
- 7.4. A quorum is ascertained by dividing the total number of Committee members by two, ignoring any fraction resulting from the division, and adding one.
- 7.5. If the Mayor attends a meeting of the Committee as *ex-officio*, the Mayor's attendance will be included in the calculation of quorum.
- 7.6. 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.
- 7.7. 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 and the matter will be referred to Council for decision.
- 7.8. Clause *UNCM Elected Member Non-Committee Member Contribution at Committee Meetings* of the Code of Practice: Procedures at Meetings provides that an Elected Member who is not a member of the Committee may, at the discretion of the presiding member, address members of the committee and provide contribution at any committee in accordance with the specified procedure.
- 7.9. 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.

Responsible Department:	Office of the CEO
Responsible Officer:	Manager Economic Development & Strategic Projects
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ECM Doc set I.D.	