
PLANNING AGREEMENT MANAGEMENT COMMITTEE TERMS OF REFERENCE

1. Council Portfolio

Environment and Development Services

2. Establishment

The committee is established under section 355 of the *Local Government Act 1993* (NSW):

A function of a council may, subject to this Chapter, be exercised: (b) by a committee of the council

3. Purpose

The committee has as its primary purpose responsibility to assist Council manage the Planning Agreement Development Contributions provided by the renewable energy generation projects located in the LGA.

Core duties of the committee are to:

- seek input from Developers to assist the Committee in decision making;
- identify the selection criteria for 'Public Purpose' projects as defined by the EP&A Act and Regulation;
- extend invitations to the public to seek project funding; assess the merits of bids; determine the successful applications; follow up on progress and the performance of the funded projects and prepare annual reports;
- allocate a minimum of 65% of Development contributions to 'Public Purpose' projects and 5% to administration. Any road maintenance allocations shall be determined by Council; and
- make recommendations to Council on expenditure of funds, with Council being the final determining body.

'Public Purpose' projects will provide public benefits that address the broad, tangible environmental, social and economic costs arising from the REZ developments, including some that may occur beyond the 'Affected Communities'.

'Affected Communities' refers to Coolah, Dunedoo, Uarbry, Leadville, Mendooran, Binnaway and Cobbora and surrounding districts.

It should be noted that employees of the Council are not subject to the direction of the Committee or any of its members.

4. Term

The committee will dissolve at the next Council Ordinary Election. Council may by resolution dissolve the committee at any time.

5. Membership

Committee representation will be comprised of the following:

- Chairperson is to be the Mayor
- Two Councillor representatives
- Four (4) community representatives from 'Affected Communities' (see above for defined area). The Community members shall serve on the Committee in a voluntary capacity.

6. Quorum

A quorum is present if a majority of the committee members appointed to the Committee are present at the meeting. Members can attend meetings via conference call or video conferencing if unable to attend in person.

A quorum for the Committee is four (4) members, one of whom must be a Councillor.

No business will be transacted by the Committee unless a quorum is present. If, within half an hour of the appointed start time of the meeting a quorum is not present, the meeting is to stand adjourned to a time, date and place fixed:

- a) by the Chairperson, or
- b) in his or her absence – by the majority of the members present, or
- c) failing that, by the Executive Officer of the Committee.

Observers may attend the meeting. The number of observers permitted at each meeting will be at the discretion of the Chair. Request for observers must be submitted to the Chair at least 3 days prior to the meeting, and admittance will be at the discretion of the Chair. Observers may not contribute to meeting, and are bound by confidentiality.

Representatives of interest groups may be invited to address the meeting at the discretion of the Chair.

7. Voting

Each member of the committee is entitled to one vote only. In the equality of votes, the matter is to be referred to Council for determination.

8. Meeting Schedule

Meetings will be held at least four (4) times per annum. The Committee may from time to time call special meetings to address relevant issues.

9. Executive Officer

The Executive Officer will be the Director Environment and Development Services who will be directly responsible for the organisational function of the committee.

The Executive Officer:

- provides executive support to the committee;
- is responsible for preparing the meeting agenda and minutes;
- is responsible for preparing a report to Council containing the minutes and, if applicable, providing staff comment of the recommendations of the committee; and
- provides to the committee the outcome and resolutions of Council regarding each recommendation.

10. Agenda

Agendas will be determined by the Chairperson. As a minimum, agendas will include the following standard items:

- apologies;
- confirmation of previous minutes and matters arising;
- review of outstanding actions; and
- reports;

The Executive Officer will circulate the agenda and supporting material at least three business days before a meeting. Any supporting material or papers that are confidential will be clearly marked as such and remain confidential to members.

The Executive Officer will also send meeting reminders and minutes to members.

11. Reporting

Directly to Council by recommendation recorded in meeting minutes.

12. Code of Conduct

Council's Code of Conduct applies to members of the committee.

13. Code of Meeting Practice

Council's Code of Meeting Practice will guide the meeting procedures of the committee.

14. Delegations

The committee has no Council delegations.

15. Financial Arrangements

Unless expressly resolved by Council the committee has no powers to commit or expend any Council funds.

16. Media Liaison

The Mayor is the designated media spokesperson for Council.

17. Vacancies

Vacancies may arise during the term of the committee. If a vacancy does occur, the Council will seek expressions of interest to fill the vacancy.

18. Relevant Policies/Documents

Local Government Act 1993 (NSW)

Warrumbungle Shire Council Code of Conduct

Warrumbungle Shire Council Code of Meeting Practice

Warrumbungle Shire Community Strategic

Plan Delivery/Operational Plan

Copies of these and other documents are available on Council's website at www.warrumbungle.nsw.gov.au or from the committee clerk.