



**BYRON SHIRE COUNCIL**

**STRATEGIC BUSINESS PANEL**

**CONSTITUTION**

## INFORMATION ABOUT THIS DOCUMENT

(INTERNAL USE ONLY)

<b>Date Adopted by Council</b>		<b>Resolution No.</b>	
<b>Responsibility</b>	Economy and Sustainability Coordinator		
<b>Review Timeframe</b>			
<b>Last Review Date:</b>		<b>Next Scheduled Review Date</b>	

### *Document History*

<b>Doc No.</b>	<b>Date Amended</b>	<b>Details Comments eg Resolution No.</b>
E2018/2442	November 2017	Draft following Resolution 17-547

### *Further Document Information and Relationships*

<b>Related Legislation</b>	Section 355, Local Government Act (1993)
<b>Related Policies</b>	Code of Conduct 2016 Work Health Safety Policy Code of Meeting Practice
<b>Related Procedures/ Protocols, Statements, documents</b>	

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## **1. Preamble**

The Strategic Business Panel is a Panel of the Council and does not have executive power or authority to implement actions.

The role of the Panel is to provide appropriate specialist advice and recommendations to Council on matters relevant to this Constitution.

## **2. Purpose**

The purpose of the Strategic Business Panel is to discuss various themes or strategic topics relevant to the business community in the Byron Shire to generate and sustain employment and business investment that will strengthen the local economy in a sustainable manner. Four key areas are:

1. Emerging industries
2. Public Private Partnerships
3. Enabling infrastructure
4. Planning and Design.

To achieve this, different formats for each meeting will be used such as field days and workshops with guest speakers and industry leaders.

The Panel Councillors and staff set the theme and invite the leading business people, relevant speakers, experts and attendees for each meeting.

## **3. Timeframe for Panel**

The lifespan of the Strategic Business Panel is for the term of Council 2016-2020.

## **4. Responsible Directorate**

This Panel is administered by the Sustainable Environment and Economy Directorate. The Director or their delegate will attend these meetings and minutes will be taken by a member of their staff.

## **5. Membership**

Council must appoint all Panel members. Appointment must take place prior to a member being conferred the responsibilities and rights as set out in this document.

Council may release individual members from the Panel at any time by a resolution of council. Council may also appoint any new members to a Panel at any time by a resolution of council.

Membership is to include:

- 3 Councillors
  - Cr Simon Richardsn
  - Cr Paul Spooner
  - Cr Alan Hunter

- General Manager (or staff member delegate)

*Note: Staff members participating on the Panel do not have any voting entitlements.*

Councillors and Council staff set the theme of each meeting and invite the relevant leading business people, speakers, experts and attendees for each meeting.

## **6. Induction**

All members will be required to participate in an induction process at the establishment of a new Panel, and at any time a replacement voting member joins a Panel. The induction will be scheduled prior to the first meeting of the Panel and will cover topics such as this Constitution, the Code of Meeting Practice, Conflicts of Interest and Code of Conduct.

Replacement voting members will be inducted by experienced Panel members at, or prior to, their first meeting.

## **7. Quorum**

A quorum is to constitute at least half the number of members, two of which are to be Councillors. The General Manager or delegate, who must be a member of staff, is to attend the Panel meeting and is not counted in the quorum for the meeting.

## **8. Confidentiality**

Members of the Panel will, in those circumstances where confidential matters are subject to deliberation, maintain confidentiality.

## **9. Election of Chairperson**

The position of Chairperson is to be elected from Councillors comprising the Panel but only in circumstances where the Mayor elects not to assume the position of Chairperson.

## **10. Voting**

- a) Each member of the Panel (with the exception of staff members) is to have one vote, with the Chairperson to have a casting vote in addition to a deliberative vote.
- b) Members of the Panel who are not Councillors may abstain from voting in any circumstances without such abstention being recorded in the negative.

## **11. Majority Decision**

A majority decision of the Panel requires a majority of elected members to be present and voting on any item subject to the requirements of a quorum being met at the meeting.

## **12. Convening Meetings**

Meetings will be held as required, generally every quarter. An annual timetable of meetings will be prepared in advance, and adopted by Council every October/November for the following 12 months.

A meeting of the Panel may be convened in response to either the direction of the Mayor (or in the Mayor's absence the Deputy Mayor) in written form to the General Manager; or two Councillors in written form to the General Manager, or by resolution of the Council.

## **13. Agenda Preparation**

It is the responsibility of the chairperson to prepare the agenda in consultation with the relevant Director, setting out the terms of business to be considered.

The agenda is an organised list of the business, in order, that will be transacted at the meeting. An agenda for each meeting, containing a brief report on each item, is to be provided to Panel members and available on Council's website at least 7 days prior to the meeting being held.

Each item of business to discuss at the meeting is required to be listed on the agenda and in written form. Verbal reports at the meeting are not an acceptable practice.

For some matters, it will be necessary to attach other relevant information to the agenda to inform and direct discussion. Such information is to be circulated with the agenda.

Panel members may request items for inclusion in future agendas, through the Chair.

## **14. Conduct of Business**

Each item of business is discussed in the order in which it appears on the agenda. No new matters will be introduced at the meeting. New items of business may be included in a future agenda as noted in clause 13 above.

## **15. Records of meetings**

- a) The minutes of meetings are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- b) Any recommendation of a Panel that requires a resolution of Council will be reported to Council through a staff report to Council from the responsible Directorate for the Panel, and the staff report will include as an attachment, a copy of the minutes of the Panel meeting at which the recommendation was made.

## **16. Absence from Panel Meetings**

All Panel members are required to advise the chair when they are unable to attend Panel meetings. The absence of Panel members from the meeting is to be recorded in the minutes. A Panel member (other than the Mayor) ceases to be a member of a Panel if the member:

- a) Has been absent from three consecutive meetings of the Panel without having given reasons acceptable to the Panel for the member's absence, or

- b) Has been absent from at least half of the meetings of the Panel held during the immediately preceding year without having given to the Panel acceptable reasons for the member's absences.

## 17. Section 377 Delegation

The Panel does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff.

## 18. Meeting Practice

Meetings are to be conducted in accordance with this Constitution and, where required, reference to Council's Code of Meeting Practice.

## 19. Miscellaneous

- a) **Insurance:** All group members are covered by the public liability policy of Council. This insurance does not preclude the Panel from due diligence and all Council policies must be adhered to.
- b) **Code of Conduct:** All group members to abide by Council's adopted Code of Conduct at all times.
- c) **Pecuniary Interest:** Pecuniary Interest may be defined as an interest that a person has in a matter, as a group member or employee of a company or other body, because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person, or another person with whom the person is associated. Such other person includes the spouse or de-facto partner or relative of the group member.

Section 446 of the Local Government Act states that "a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests..."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.

- d) **Work Health Safety:** All group members are required to comply with the "Worker Responsibilities" as prescribed in the Work Health Safety Policy.