

Terms of Reference – 2016-2019 Triennium

Property Subcommittee Terms of Reference

Membership

The Property Subcommittee shall be comprised of three (3) councillors as follows:

Chairperson:	Penny Smart
Members:	David Sinclair John Bain
Ex-officio:	Bill Shepherd (full voting rights)

Standing orders apply.

Quorum

The quorum for meetings of the subcommittee shall be three (ex-officio counts towards a quorum).

Objectives

The objectives of the subcommittee are to:

- Provide oversight and assistance to the council's Chief Executive to negotiate property sale and purchase agreements; and
- Make recommendations to council on property investment matters,

Role and responsibilities

The subcommittee is directly responsible and accountable to the council for the exercise of its responsibilities. In carrying out its responsibilities, the subcommittee must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the subcommittee not be able to perform their functions, the council will assume their role and responsibilities.

Working Groups

The subcommittee is further authorised to fulfil its role and responsibilities through the establishment or disestablishment of other working groups as the subcommittee sees fit. Working groups can include councillors, independent members, and advisors whose skills and experience are appropriate to the work being done. The staff member responsible to provide support to the working groups shall be the Chief Executive, who may delegate the role.

Delegated Authority and functions

The council authorises the subcommittee, within the scope of its Terms of Reference, role and responsibilities, to:

1. General

- Make decisions in accordance with the Terms of Reference
- Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;

- Subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;
- Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- Appoint working groups to make recommendations to the subcommittee on any matters of responsibility within the subcommittee's Terms of Reference, and act in accordance with resolutions of the subcommittee (in line with specific limitations) where there is urgency or special circumstance;
- To regularly report progress on its functions to the council; and
- Undertake such other functions as may be delegated by council from time to time.

2. Funding, Financial and Other Policies

In relation to the purpose of this subcommittee:

- a. Contribute to the review of any changes required to council's funding and financial policies (including those required under Section 102 of the Local Government Act (LGA) 2002) specifically the:
 - i) Revenue and Financing Policy; and
 - ii) Treasury Management Policy (incorporating Liability Management Policy and Investment Policy)

3. Property Investment Functions

The subcommittee's responsibilities are to:

- a. To work with the CEO to negotiate sale and purchase agreements for properties (within +/- 5% of their valuation) and provide appropriate sale and purchase recommendations to council for consideration.
- b. Undertake the property investment functions referred to in the Treasury Management Policy adopted within the current LTP. These functions include:
 - i) To review performance and compliance against council's Treasury Management Policy (and its objectives);
 - ii) To make recommendations to council on any changes to the subcommittee's delegations, the objectives and policies in the Treasury Management Policy;
 - iii) To recommend to the council targets, policies and strategies for undertaking its property activities.
 - iv) To oversee the administration and review of the council's property investment opportunities within the subcommittees delegated authority and make recommendations to council as appropriate.

4. No Delegated Authority – Power to Act

In Accordance Clause 32 (1) (c) of Schedule 7 of the Local Government Act 2002, the subcommittee does not have the powers of council to borrow money or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan.

