



# Executive, Finance and Property Committee

## Terms of Reference

The terms of reference for the Executive Finance and Property Committee of the Western Australian Planning Commission.

*Adoption Date: 01/05/2024*

<b>Committee Title</b>	<b>Executive Finance and Property Committee</b>
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<b>Effective Date</b>	<b>1/07/2024</b>
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The Western Australian Planning Commission (WAPC) is established under the *Planning and Development Act 2005* to provide independent advice to the Government on integrated land use planning and development, and to facilitate the preparation, implementation and delivery of state planning policies, strategies and plans through its functions and statutory decisions. Schedule 2 of the Act provides for the WAPC to establish committees to support it in delivering its functions and prescribes the establishment of an Executive, Finance and Property Committee.

## 1. PURPOSE

As a board, the WAPC has a number of significant executive and financial responsibilities which require ongoing attention to ensure effective and efficient operation.

In addition to its core land use planning activities, the WAPC has also significant responsibilities in relation to its property functions. These primarily relate to its role:

- Administering the Metropolitan Region Improvement Fund;
- Acquiring and maintaining property required to give effect to region schemes, the Swan Valley Planning Scheme, regional interim development orders, planning control areas, improvement plans and improvement schemes; and
- The payment of compensation in relation to the adverse effect that these instruments may have.

The Executive Finance and Property Committee (EFPC) combines these responsibilities and has been established to support the WAPC in undertaking its executive, financial and property functions including exercising powers the WAPC may delegate to the Committee. Its purpose is to manage resourcing and delivery of the WAPC's strategic priorities and responsibilities and to provide oversight and management of financial, compliance, property and governance activities.

## 2. OBJECTIVES, SCOPE & FUNCTIONS

The key objectives of the EFPC are to:

1. Support the WAPC to undertake its executive, financial and property functions including but not limited to:
  - 1.1. Developing programs, projects and budgets to deliver the WAPC's strategic priorities and responsibilities.
  - 1.2. Monitoring WAPC programs, projects and budget and approving amendments which arise in relation to these.
  - 1.3. Nominating a representative to the joint Audit and Risk Management Committee and monitoring risk management activities undertaken on behalf of the WAPC.
  - 1.4. Performing the financial functions of the WAPC including but not limited to the approval of:
    - WAPC expenditure, budget adjustments and borrowing;
    - the annual WAPC financial statements and annual report;
    - the appointment of internal auditors;
    - reports prepared by the internal and external auditors;
    - contracts, contract variations, Memoranda of Understanding between the WAPC and other parties;
    - Department of Planning Lands and Heritage positions incurring WAPC expenditure.
  - 1.5. Performing the property functions of the WAPC including but not limited to the approval of:

- 1.5.1. land dealings such as acquisitions, disposals and leasing of property;
- 1.5.2. claims for compensation and injurious affection;
- 1.5.3. the development, maintenance and management of WAPC land;

2. Recommending to the WAPC the adoption of:

- 2.1. The annual budget
- 2.2. The Strategic Asset Management Plan

3. Performing other executive and administrative functions of the WAPC including but not limited to:
- 3.1. Maintenance and monitoring of the WAPC-Department of Planning Lands and Heritage Service Charter and other such service delivery agreements.

### 3. DURATION

The EFPC is a prescribed standing committee of the WAPC and is established indefinitely.

### 4. AUTHORITY, ACCOUNTABILITY & DECISION-MAKING

The EFPC has been established under Schedule 2 of the *Planning and Development Act 2005* and is accountable to the WAPC. Minutes of EFPC meetings will be referred to the WAPC.

The Committee is established to support the WAPC in undertaking its executive, financial and property functions. The Committee is authorised to provide advice, make recommendations and make decisions in accordance with the authority delegated to it under section 16 of the *Planning and Development Act 2005*.

The Committee must operate in accordance with the *Western Australian Planning Commission Regulations 2024* and the Commission's Governance Manual which contains its Policies, Procedures and Code of Conduct (including its Conflict of Interest and Confidentiality requirements).

### 5. MEMBERSHIP & ATTENDANCE

The EFPC is prescribed in the *Planning and Development 2005* and shall comprise of:

- The Chairperson of the WAPC or another member of the WAPC nominated by the WAPC to act as chairperson of the EFPC.
- At least two additional members of the WAPC appointed by the WAPC.
- A person who is not a member of the WAPC who is approved by the Minister and appointed by the WAPC with knowledge, expertise and experience in financial management.
- Other such person or persons as the WAPC, after obtaining the approval of the Minister, appoints from time to time, subject to ensuring that the number of external members of the EFPC do not exceed the number of WAPC members on the EFPC.

Appointments shall be for a term of up to 5 years, more usually 2-4 years corresponding with the terms of WAPC board members.

Members shall have a clear understanding of their authority, responsibility and accountability and have the appropriate skills necessary to fulfil their role on the Committee.

When relevant, specialist consultants or other stakeholders who are not members of the EFPC may be invited to attend on behalf of, or in addition to members. Prior agreement must first be obtained from the Chairperson of the Committee.

### 6. MEETING, OPERATION & SUPPORT

Meetings will be:

- Held as required - generally one meeting per calendar month.
- Held at a venue approved by the Chairperson - generally within the offices of the Department of Planning Lands and Heritage, with the option to attend virtually unless otherwise specified by the Chairperson of the Committee.
- Conducted in accordance with the WAPC's Meeting Procedures.
- Supported by a staff member/s of the Department of Planning Lands and Heritage via a secretariate which will:
  - Provide at least 5 business days notice of meetings.
  - Circulate agendas and papers at least 5 business days prior to a meeting.
  - Circulate minutes endorsed by the Chairperson of the EFPC within 5 business days of a meeting and refer a copy of these to the WAPC.
  - Undertake record keeping in accordance with the Department's policies and procedures.
  - Respond to queries from members.

A quorum for the EFPC shall be in accordance with the WAPC Meeting Procedures and consist of half the number of members of the committee rounded up to the nearest whole number.

All effort should be made by members to attend all meetings. Where a member/s is unable to attend or participate in a meeting and the EFPC Chairperson considers it desirable:

- the WAPC Chairperson may nominate another member/s of the WAPC to act as alternate for any WAPC member of the EFPC.
- The EFPC Chairperson may approve a proxy approved by the Minister to act as alternate for any non-WAPC member.

## 7. ENDORSEMENT & REVIEW

These Terms of Reference were established by resolution of the WAPC on 1 May 2024 and updated as outlined below. They will be subject to review every 5 years or earlier if so resolved by the WAPC.

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