



KNOX CITY COUNCIL MINUTES

STRATEGIC PLANNING COMMITTEE

Meeting held
at the Civic Centre,
511 Burwood Highway
Wantirna South
on
Monday 10 September 2018

Meeting Opened at 7.00pm**Present**

<i>Cr J Mortimore (Mayor)</i>	<i>Chandler Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr J Taylor</i>	<i>Collier Ward</i>
<i>Cr J Keogh</i>	<i>Dobson Ward</i>
<i>Cr A Gill</i>	<i>Dinsdale Ward</i>
<i>Cr T Holland</i>	<i>Friberg Ward</i>
<i>Cr D Pearce</i>	<i>Taylor Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>
<i>Mr T Doyle</i>	<i>Chief Executive Officer</i>
<i>Dr I Bell</i>	<i>Director – Engineering & Infrastructure</i>
<i>Mr P Gore</i>	<i>Manager – Youth, Leisure and Cultural Services</i>
<i>Ms J Oxley</i>	<i>Director – City Development</i>
<i>Mr M Fromberg</i>	<i>Director – Corporate Services</i>
<i>Mr P McQue</i>	<i>Governance Manager</i>

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Apology from Cr Cooper.

2. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

3. CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

MOVED: CR. PEARCE

SECONDED: CR. HOLLAND

Confirmation of Minutes of Strategic Planning Committee Meeting held on Monday 13 August 2018.

CARRIED

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ALL WARDS**1. AUDIT COMMITTEE ANNUAL REPORT 2017-18**

SUMMARY: Governance Advisor (Rodney McKail)

This report provides for the presentation of the Knox City Council Audit Committee's Annual Report for 2017-18 to Council, in accordance with the adopted Audit Committee Terms of Reference. The Knox City Council Audit Committee Annual Report 2017-18 will be presented by the Committee's Independent Chair, Ms Linda MacRae.

RECOMMENDATION

That Council receive and note the Knox City Council Audit Committee Annual Report 2017-18, attached as Appendix A.

1. INTRODUCTION

In accordance with the Knox City Council Audit Committee (Audit Committee) Terms of Reference endorsed at the Ordinary Meeting of Council on 27 March 2017, an Annual Report is to be provided by the Committee to Council summarising the activities undertaken during the previous year.

The draft Audit Committee Annual Report 2017-18 was presented and discussed at the Audit Committee meeting held on 23 August 2018. The Committee endorsed the report and authorised the Committee Chairperson to present it to Council on the Committee's behalf.

2. DISCUSSION

The Audit Committee Chairperson, Ms Linda MacRae, has been invited to present the report to Council. The two other independent members of the Audit Committee, Dr John Purcell and Ms Lisa Tripodi, have also been invited to attend.

The Audit Committee Annual Report provides an overview of the Committee's activities throughout 2017-18, including an examination of the issues discussed, policies reviewed and independent reports considered. In addition, the report provides an overview of the scope of each report considered as part of the Internal Audit Program and a summary of its findings and the management response.

3. CONSULTATION

To assist in the preparation of this Annual Report, consultation has included the Audit Committee members.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no specific environmental issues arising from this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

This report relates to the performance of the Audit Committee, which is one of Council's mechanisms for providing oversight to the responsible financial management and custodianship of the community's resources.

6. SOCIAL IMPLICATIONS

There are no social implications arising from this report.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

This report and the work of the Audit Committee supports Goal 8: We have confidence in decision making within the Knox Community and Council Plan. More specifically the work of the Audit Committee supports Strategy 8.1 to build, strengthen and promote good governance practices across government and community organisations, by providing independent review and advice to Council on its financial, risk and governance practices.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Michael Fromberg, Director Corporate Services - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Rodney McKail, Governance Advisor - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The Audit Committee's Annual Report provides an overview of the Committee's activities throughout 2017-18 and its presentation to Council is an important part of the transparency and accountability of the work of the Committee.

10. CONFIDENTIALITY

There are no confidential issues associated with this report.

COMMITTEE RESOLUTION

MOVED: CR. PEARCE
SECONDED: CR. KEOGH

That Council receive and note the Knox City Council Audit Committee Annual Report 2017-18, attached as Appendix A.

CARRIED

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Knox City Council Audit Committee

Annual Report 2017-2018

Message from the Chairperson

It is with pleasure that I submit the 2017-18 Annual Report for the Knox City Council Audit Committee, as required by the Committee's Terms of Reference.

The key purposes of this report are to:

- Increase awareness of the purpose, role and objectives of the Audit Committee;
- Act as a communication link between the Internal and External Auditors and Council;
- Outline the key achievements of the Audit Committee; and
- Provide the Council with information on the future objectives of the Committee.

The Councillor membership of the Audit Committee at the commencement of the 2017-18 financial year comprised Councillors Darren Pearce, Jake Keogh and Tony Holland. The membership remained the same following the 2017 Statutory Meeting of Council and appointment of Committee members.

During 2017-18, the City's internal auditors, DFK Kidsons, supported the Audit Committee with a program of separate Internal Audit reviews. Council and the Audit Committee acknowledge the continuation of Crowe Horwath this financial year as external audit agents of the Victorian Auditor General's Office.

The external auditors play a key role in providing the Audit Committee with confidence that the annual financial audits fully reflect the financial performance of Council.

In addition to the formal audit program, the Audit Committee provides an active oversight of Council's risk management framework. Quarterly status reports of Council's Risk Register are received to ensure that Knox's exposure to organisational and strategic risks are being managed appropriately.

The Audit Committee receives Council's quarterly finance reports to ensure that any financial risks are being appropriately managed.

As highlighted in the achievements section of this report, I believe the Audit Committee has performed a valuable oversight role for Council during 2017-18, assisting in Council's accountability, internal controls, risk management and statutory obligations. It is a very productive and engaged Committee, adding value through the diverse experience and knowledge of its members.

The Audit Committee is of the view that Council's financial, governance and risk control environment and associated systems are largely strong. Continuous improvement in these areas has been evident in the internal audit reviews and management reports, and our objective is to enhance and build further capacity and capability from a governance perspective during 2018-19.

On behalf of my Audit Committee members, I would like to express sincere thanks to the Victorian Auditor General's appointed external audit agents, Crowe Horwath, Council's internal auditor DFK Kidsons Pty Ltd and all Council officers who have assisted the Audit Committee in a professional manner during the year.

I also wish to thank Council's Chief Executive Officer, Tony Doyle; the Director Corporate Services, Michael Fromberg; and the Manager Business and Financial Services, Dale Monk for their valued support and assistance.

Finally, I thank all my fellow Audit Committee Members for their participation, diligence, professionalism and contribution throughout 2017-18.

I commend the Annual Report to Council.

Ms Linda MacRae
Independent Chairperson
Knox City Council Audit Committee

The Audit Committee

The Terms of Reference set out the purpose of the Audit Committee as follows:

“The Committee’s purpose is to assist the Councillors and Council Management in fulfilling their responsibilities in relation to accounting and reporting practices, management of risk, maintenance of internal controls, operation of good governance practices and facilitation of sound organisational ethics.”

More specifically, the Audit Committee aims to provide independent assurance and assistance to Knox City Council, its Councillors, Chief Executive Officer and Management Team, in fulfilling their responsibilities by undertaking the following:

- To consider matters brought to its attention by Council, Committee members, Management, external auditors, internal auditors and other investigative/regulatory bodies;
- To consider the appropriateness of Council’s accounting policies and procedures, and any changes to them, ensuring they are in accordance with the stated financial reporting framework;
- To review the Council’s draft annual financial and performance statements prior to their approval by the Council;
- To understand the scope of the external audit as outlined to the External Auditor by the Auditor General and the audit plan including proposed audit strategies as they relate to identified risk areas;
- To receive advice from the external auditors as to whether they have had full and open access to all personnel and information required to complete the audit;
- To discuss matters arising from the external audit with the external auditor and to obtain regular reports from Management and auditors concerning the resolution of the matters raised;
- To be represented on the Committee recommending the appointment of the internal auditor;
- To review the scope (nature, timing and extent) of the internal audit program and the effectiveness of the function;
- To ensure that the Internal Audit Program systematically addresses over time, internal controls over significant areas of risk and over revenue, expenditure, assets and liabilities and major contracts; the efficiency, effectiveness and economy of significant Council programs; compliance with legislation;
- To review reports of the Internal Auditor and obtain regular advice concerning the resolution of matters raised;
- To monitor the risk exposure of Council by determining if Management have adequate risk management processes over financial and non-financial risks and to monitor the operation of these processes and controls;
- To ensure that the internal audit program contains projects that consider effective governance of Council’s operations, including the primary good governance characteristics of fairness, discipline, independence, accountability, responsibility, transparency and social responsibility;
- To identify and request any specific projects or investigations or advice deemed necessary through the Chief Executive Officer;

- To obtain and review Management and auditor reports and advice concerning the adequacy of management information systems; currency and effectiveness of business continuity and disaster recovery plans; adequacy and timeliness of financial reports received by Council; compliance with statutory requirements for financial and performance reporting and corporate governance practices; the adequacy of the internal control environment; including significant transactions made outside of Council's normal business hours; compliance with statutory obligations relevant to Council's activities and the implementation status of major Council projects;
- To facilitate the enhancement of the credibility and objectivity of internal and external financial and performance reporting; and
- To report to Council all recommendations determined by the Committee, and any other matter or issue considered appropriate and within the Committee's Terms of Reference.

Meetings and Membership

The Audit Committee met five times during 2017-18.



The Committee comprises six members, three of which are independent members and three Councillors. In addition, the Mayor is an ex-officio member of the Committee. During the Committee's operation for 2017-18, Cr Darren Pearce was Mayor from 1 July 2017 – 30 October 2017 and Cr John Mortimore was Mayor from 1 November 2017 onwards.

The following is a table of attendance for each of the Committee Members:

TERM	24 Aug 2017	12 Oct 2017	7 Dec 2017	1 Mar 2018	7 June 2018	
Councillors						
Cr Tony Holland	✓	✓	✓	✗	✓	4 (of 5)
Cr Darren Pearce	✓	✓	✓	✓	✓	5 (of 5)
Cr Jake Keogh	✓	✗	✓	✓	✗	3 (of 5)
Independent Members						
Linda MacRae (Chair)	✓	✓	✓	✓	✓	5 (of 5)
John Purcell	✓	✓	✓	✓	✓	5 (of 5)
Lisa Tripodi	✓	✓	✓	✗	✓	4 (of 5)

✓ = Attended ✗ = Apology

Audit Committee Outcomes 2017-18

The following are the highlights and key achievements for the Audit Committee during 2017-18:

Internal Audit

DFK Kidsons Pty Ltd are in their final year of their third year internal audit program. The Internal Auditors developed an annual Internal Audit Plan which was presented to the June 2017 Audit Committee for endorsement. The agreed areas of Internal Audit for 2017-18 were:

- Data Transaction Analysis Review
- Contract Management
- Essential Safety Measures, Building Maintenance
- Privacy and Data Protection
- Asset Management

A total of five Internal Audits were completed by DFK Kidsons Pty Ltd and reported to the Audit Committee during the financial year. A Fleet Management Internal Audit was scheduled but was not conducted during the year, due to a pending restructure of the unit. It was replaced by the 'Privacy and Data Protection' Audit.

Data Transaction Analysis

The Internal Audit Report Number 14 Data Transaction Analysis was presented to the Audit Committee on 12 October 2017.

The objective of the audit was to review the financial transaction data within the purchasing, accounts payable and general ledger system of Council. In particular, it was to identify exceptions and any unusual transactions and improve the internal control systems of Council. The period under review for accounts payable and general ledger transactions was 1 July 2015 to 13 June 2017.

A total of three recommendations were made, two being identified as low risk and one as medium risk. Management agreed with and actioned all three recommendations within the stated timeframes.

Contract Management

The Internal Audit Report Number 15 Contract Management was presented to the Audit Committee on 7 December 2017.

The objectives of the audit was to:

- Determine that the process for monitoring of contracts is adequate during each stage of contract completion.
- Ensure that contract files contain all appropriate documentation.
- Provide comment and guidance where applicable in respect to any potential operational efficiency or breach of probity.

A total of three recommendations were made, two being identified as medium risk and one as low risk. Management agreed with and actioned all three recommendations.

Essential Safety Measures, Building Maintenance

The Internal Audit Report Number 16 Essential Safety Measures Buildings was presented to the Audit Committee on 1 March 2018.

The objectives of this audit was to:

- Review the Essential Safety Measures of Council building maintenance processes to assess whether controls and practices are operating satisfactorily; and
- Attest to the implementation and monitoring of risk treatments in the risk register and the reported actions of risk owners.

A total of five recommendations were made, four being identified as medium risk and one as low risk. All recommendations are in the process of being actioned by their respective due dates.

Privacy and Data Protection

The Internal Audit Report for Privacy and Data Protection was presented to the Audit Committee on 1 March 2018.

The objective of this audit was to ensure that the policies and procedures are appropriate to manage Knox City Council's obligations and risks under the *Privacy and Data Protection Act 2014*.

A total of five recommendations were made, three being medium risk and two low risk, and all are in the process of being actioned by their respective due dates.

Asset Management

The Internal Audit Report for Asset Management was presented to the Audit Committee on 7 June 2018.

The objectives of this audit were to:

- Review and comment on the quality and depth of asset management at the Council;
- Establish and report on the status of asset management targets as set out in various asset management plans; and
- Provide assurance on the accuracy and completeness of asset management reporting to the Council (and Audit Committee).

A total of four recommendations, all medium risk, were agreed to by Management and will be progressed for completion by their respective due dates.

External Audit

Ongoing liaison continued with the Victorian Auditor General's Office external auditor agents, Crowe Horwath in respect of the 2016-17 Financial Statements and Performance Statement, culminating in the Audit Committee endorsing the draft statements to Council.

The Audit Committee noted that there were no actions identified in the 2016-17 Management letter. The Audit Committee has met with the Crowe Horwath and reviewed the scope of the proposed audit for the 2016-17 financial year.

General

The Audit Committee considered the following items during the year under review:

- Procurement Policy
- Related Party Disclosures
- Fraud Control Framework
- Sale of Land and Building Policies
- Loan Borrowing Policy
- Payment Assistance Policy
- Rates and Charges Hardship Policy
- ICT/Digital Strategy (Risk Assessment)
- Disaster Recovery Testing
- Network Security Penetration Testing
- Cash Handling at Customer Service
- Community Arts Centre Booking System
- Draft Audit Strategy for the year ending 30 June 2018
- Changes to the Australian Accounting Standards, the accounting policies, judgements, estimates and assumptions
- Quarterly management financial reports, providing an overview of Council's financial performance

The Audit Committee continues to take a strong interest in Council's approach to risk management and considered quarterly reviews of Council's risk register, as well as Council's strategic risks.

The Audit Committee initiated a new standing item during 2017/18 meetings, requesting that a presentation be received from a Director on their current work priorities, risks, challenges and opportunities being experience in their particular Directorate. Presentations were subsequently heard from the Director Community Services, Director City Development, Director Engineering and Infrastructure and Director Corporate Services during the year under review.

As part of the Audit Committee Terms of Reference, an annual self-assessment is to be completed by Audit Committee members on the performance and operation of the Committee. Due to the change of membership in June 2017, the Audit Committee determined to defer this self-assessment to June 2018, with a report to be presented to the Committee in August 2018.

In summary, the 2017-18 year has been a productive year for the Audit Committee, adding value to the overall management of Council's financial, risk and governance responsibilities.

Outlook for 2018-19

The Audit Committee will conclude its business for the 2017-18 financial year by working with the external auditor in relation to the 2017-18 year-end Financial and Performance Statements and make recommendations to Council in respect to approving the draft Financial Statements and Performance Statement.

The Internal Services Audit Contract will be the subject of a tender in August 2018, and Council will award a contract for the 2018-2021 period. The Chairperson of the Audit Committee (or Chairperson Nominee) will be a member of the Tender Assessment Panel.

I will be retiring as an Independent Audit Committee Member and Chairperson in December 2018. A new Member will be appointed in accordance with the requirements of the Committee's Terms of Reference.

ALL WARDS**2. KNOX COMMUNITY SAFETY, HEALTH AND WELLBEING ADVISORY COMMITTEE**

SUMMARY: *Coordinator Community Access, Equity and Safety (Lisette Pine)*

This report presents the new Terms of Reference for the Knox Community Safety, Health and Wellbeing Advisory Committee for approval by Council. The report also contains an outline of the proposed Expression of Interest process to recruit new members. The Terms of Reference reflects the new Committees Policy approved by Council on 28 May 2018.

This Committee constitutes an amalgamation of two Committees, namely:

- Knox Community Safety Advisory Committee which was established in February 2015 to assist Council with the development of policy, planning and advocacy related to community safety issues; and
- Knox Community Health and Wellbeing Advisory Committee which was established to assist Council with the development of policy, planning and advocacy related to community health and wellbeing issues.

Council determined to combine these two Committees at the Council meeting in October 2017.

RECOMMENDATION

That Council:

1. Endorse the Knox Community Safety, Health and Wellbeing Advisory Committee Terms of Reference as attached at Appendix A; and
2. Note the proposed Expression of Interest process to recruit new members.

1. INTRODUCTION

The purpose of this Advisory Committee is to support primary prevention and response approaches to community safety, health and wellbeing issues, opportunities and outcomes.

The Terms of Reference for the Knox Community Safety, Health and Wellbeing Advisory Committee are in line with the revised Committees Structure adopted in late 2017 and the Committees Policy adopted on 28 May 2018.

This Committee is within the Sustainable Development Group of Council's Advisory Committee structure and will require new members to be recruited in accordance with the proposed Terms of Reference (refer Appendix A).

2. DISCUSSION

The Community Safety Health and Wellbeing Advisory Committee constitutes an amalgamation of two Committees, namely:

- *Knox Community Safety Advisory Committee* which was established in February 2015 to assist Council with the development of policy, planning and advocacy related to community safety issues; and
- *Knox Community Health and Wellbeing Advisory Committee* which was established to assist Council with the development of policy, planning and advocacy related to community health and wellbeing issues.

This Committee constitutes an amalgamation of two Committees, namely:

- Knox Community Safety Advisory Committee which was established in February 2015 to assist Council with the development of policy, planning and advocacy related to community safety issues; and
- Knox Community Health and Wellbeing Advisory Committee which was established to assist Council with the development of policy, planning and advocacy related to community health and wellbeing issues.

Council determined to combine these two Committees at the Council meeting in October 2017.

At the Ordinary Council in May 2018, Council resolved that matters pertaining to the above committees are to be concluded and incorporated into the objectives of the Knox Community Safety, Health and Wellbeing Advisory Committee. Following Council approval of the Terms of Reference, a recruitment process to form the new committee will commence.

The selection and recruitment of new members for the Knox Community Safety, Health and Wellbeing Advisory Committee will be conducted in line with the process outlined in Section 3.1 of the Terms of Reference. The process to recruit community members will be advertised in local newspapers, on Council's internet site and through local networks. Applicants must make application via an expression of interest process. This will occur over a period of at least three weeks. A selection panel for the Committee, comprising one Councillor and two Council Officers, will assess the Expressions of Interest applications and recommend preferred candidates for the approval of Council.

The Advisory Committee will be made up of Councillors, community representatives and representatives of government departments, and industry. Relevant government departments and industry associations will be invited to nominate members. Professional/industry representatives unable to attend a committee meeting are able to nominate a proxy or alternate member from the organisation they represent. The Committee may invite observers to meetings from time to time. This is at the discretion of the committee. Guests may also be invited to attend and participate at meetings, however this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the committee.

At the Council Meeting held on 27 August 2018, new requirements were introduced into the Terms of Reference for Council Committees in Section 7 – Agenda and Minutes (Appendix A) as follows:

- The Agenda must be provided to members of the Committee not less than seven (7) days before the time fixed for the holding of the meeting.
- Officer reports that fail to meet the timelines as detailed above, will then be considered supplementary reports and will only be permitted to be included in the relevant agenda with the approvals of the Chair of the Committee.

The Knox Community Safety, Health and Wellbeing Advisory Committee shall comprise the following:

- A maximum of 13 positions are available for community safety, health and wellbeing organisation representatives with a role and/or focus on the Knox community;
- A maximum of one representative from the Victorian Department of Health and Human Services;
- A maximum of one representative from the Victoria Police; and
- A maximum of two Councillors appointed annually by Council.

3. CONSULTATION

The Terms of Reference for the Knox Community Safety, Health and Wellbeing Advisory Committee was informed by feedback from the Councillors appointed to the committee along with relevant Council Officers. Consultation also occurred with members/ stakeholders during respective recent Committee Meetings.

4. ENVIRONMENTAL/AMENITY ISSUES

In providing advice to Council, this Committee will have regard to environmental and amenity issues.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The resources required to service this Committee are included within the Community Wellbeing Department's operational budget.

6. SOCIAL IMPLICATIONS

The Knox Community Safety, Health and Wellbeing Advisory Committee will provide input and advice to Council on matters relating to safety, health and wellbeing and social justice issues relevant to the Community and Council Plan and other relevant Council and Government implementation plans.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The establishment and operation of Council committees is a key enabler for the achievement of the goals and objectives contained in the *Knox Community and Council Plan 2017-2021*. Whilst maintaining an awareness and attention to all the goals, the Knox Community Health and Wellbeing Advisory Committee will particularly focus on Goals 4 and 6, with the Committee providing input across all eight goals as required:

- Goal 1 – We value our natural and built environment;
- Goal 2 – We have housing to meet our changing needs;
- Goal 3 – We can move;
- Goal 4 – We are safe and secure;
- Goal 5– We have a strong regional economy, local employment and learning opportunities;
- Goal 6 – We are healthy, happy and well;
- Goal 7 – We are inclusive, feel a sense of belonging and value our identity; and
- Goal 8 – We have confidence in decision making.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Kathy Parton, Manager Community Wellbeing - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Lisette Pine, Coordinator Community Access, Equity and Safety - In providing this advice as the Author, I have no disclosable interests in this report.

Author – Rosie Tuck, Coordinator Municipal Strategic Social Planning - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The Terms of Reference for the Knox Community Safety, Health and Wellbeing Advisory Committee have been updated to reflect the new Committees Policy adopted by Council on 28 May 2018 and the combined objectives of the previous Community Health and Wellbeing and Community Safety Committees. The recruitment of new members to the committee will be in accordance with the Terms of Reference as attached in Appendix A.

10. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COMMITTEE RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. SEYMOUR

That Council receive and note the Knox City Council Audit Committee Annual Report 2017-18, attached as Appendix A.

CARRIED

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Appendix A

Terms of Reference

Knox Community Safety, Health and Wellbeing Advisory Committee

Policy Number:	Issued by ?	Directorate:	Community Services
Approval by:	Council	Responsible Officer:	Coordinators – Municipal Strategic Social Planning and Community Access, Equity and Safety
Approval Date:	10 September 2018	Version Number:	1
Review Date:	October 2022		

1. Purpose

The purpose of this Advisory Committee is to support primary prevention and response approaches to community safety, health and wellbeing issues, opportunities and outcomes.

The Advisory Committee will facilitate stakeholder engagement which supports quality decision making and in turn, the achievements of Council's goals and strategies under the Community and Council Plan 2017-2021.

2. Objectives

- To provide overall strategic direction for the implementation, monitoring and development of the Community and Council Plan and relevant Implementation Plans
- To inform Council policy and strategic direction in line with social, economic natural and build environments for health;
- To identify and provide advice regarding emerging health, safety and wellbeing priorities and evidence-based strategies for action with the Knox community
- To support implementation of Council and community strategies in response to identified priorities;
- To provide feedback and advice on issues referred by Council or Council officers;
- To inform and assist Council's advocacy program;
- To facilitate partnership development;
- To identify internal and external funding sources and opportunities; and
- To consider local and regional responses to community safety, health and wellbeing issues.

This Committee will be aligned to the Sustainable Development Group of Council Advisory Committees, as outlined in the Council Committees Policy. The other groups are the Inclusive, Active and Creative Community Group, the Grants Evaluation Group and the Life Stages Group.

Whilst the individual Committee will meet at the designated times within its terms of reference each “group” will meet once annually, this will generally be between October to December each year. A designated Directorate will be responsible for coordinating group meetings. The purpose of these meetings will be to:

- Provide feedback to group on priorities for individual committees;
- Update group of progress of key issues; and
- Identify synergies between groups and links to progressing the Community and Council Plan.

In addition to group meetings, all committees will be provided with an opportunity to meet together annually. The ‘annual Advisory Committee’ sessions will generally be held between April and May each year and will be co-ordinated by the Governance team. The purpose of these meetings will be to:

- Report on progress by Council against Community and Council Plan;
- Provide overview of industry trends and Council priorities for the upcoming year;
- Consider synergies and opportunities for sharing information and collaboration; and
- Deliver training to support to committees.

3. Membership, Period of Membership and Method of Appointment

The Knox Community Safety, Health and Wellbeing Advisory Committee shall comprise the following:

- A maximum of 13 positions are available for community safety, health and wellbeing organisation representatives with a role and/or focus on the Knox community;
- A maximum of one representative from the Department of Health and Human Services;
- A maximum of one representative from the Victoria Police; and
- A maximum of two Councillors appointed annually by Council.

3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community members will be advertised in local newspapers, on Council’s internet site and through local networks. Applicants must make application via an expression of interest process.

Eligible community members will have an interest in and good working knowledge of community safety, health and wellbeing.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising a Councillor and 2 Council Officers from the relevant service unit;
- The method of appointment will be via an expression of interest process;
- Members will be appointed for a two year term;
- All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered;
- Council will be responsible for appointing all Councillor, community and professional/industry representative members; and

- Casual vacancies which occur due to community members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the Committee for the remainder of the previous incumbent's term.

Professional/industry representatives unable to attend a Committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/industry representative will provide an appropriate briefing of the Committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

The Committee may invite observers to meetings from time to time. This is at the discretion of the Committee.

Guests may also be invited to attend and participate at meetings, this would generally for a specific purpose and/or specified period of time. This is at the discretion of the Committee.

3.2 Councillors

Council will appoint Councillor representation annually.

Unless otherwise appointed to the Committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

3.3 Council Officers

Council officers will be nominated to support the Committee by the CEO as required to provide advice and administrative support to the Committee.

4. Delegated Authority and Decision Making

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

5. Meeting Procedures

The Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the Committee in each year. The Committee will also participate in the six monthly Group Meetings and the annual Advisory Committee Forum.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

At the commencement of each financial year the Committee will develop a work plan for the upcoming year. This will generally be aligned with the Community and Council Plan. The Committee may also highlight any emerging issues which will also be documented. For efficiency purposes the business of the Committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

6. Chair

The position of Chairperson shall be held by a Councillor and shall be reviewed annually immediately following Councillor appointments to committees. The position of Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member appointed by the relevant Director may Chair the meeting.

7. Agendas and Minutes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the Committee not less than seven (7) days before the time fixed for the holding of the meeting.

Officer reports that fail to meet the timelines as detailed above, will then be considered supplementary reports and will only be permitted to be included in the relevant agenda with the approval of the Chair of the Committee.

The Chairperson must arrange for meeting notes of each meeting of the Committee to be kept.

The meeting notes of a Council Committee must:

- (a) Contain details of the proceedings and recommendations made;
- (b) Be clearly expressed;
- (c) Be self-explanatory; and
- (d) Incorporate relevant reports or a summary of the relevant reports considered by the Committee.

Draft meeting notes must be:

- (a) Submitted to the Committee Chairperson for confirmation within seven days of the meeting;
- (b) Distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) Submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

8. Voting

As this is an Advisory Committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed the differing opinions should be clearly expressed in the notes of the meeting.

9. Conflict and Interest Provisions

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of the Advisory Committee may potentially form an Assembly of Councillors. Councillors and officers are required to comply with the conflict of interest provisions as set down in the Act.

Where a meeting is identified as an Assembly of Councillors, staff must follow the designated procedure.

Where a community member has a Conflict of Interest or perceived conflict of interest in relation to a matter before the Committee, the community member must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the community member remains or leaves the room whilst the matter is discussed, and this must also be recorded in the notes of the meeting.

All members of the Advisory Committee shall participate in training on the Conduct and Interest provisions which will be run a minimum of annually by the Governance team.

10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives. The report must be adopted by the Committee and should directly reflect the objectives and the performance measures of the Committee as set out in the Terms of Reference. Once adopted by the Committee the report will be presented to Council.

11. Administration Support

Administration support will be provided by the Community Services Directorate.

12. Contact with the Media

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Committee.

13. Review Date

The Committee will sunset after four years. If the Committee continues to have a relevant function, a report must be presented to Council prior to this date that includes a review of the Committee's Terms of Reference and seeking endorsement from Council to continue act in an advisory capacity.

15. Meals

The provision of refreshments during the course of a Committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

Official Minutes

ALL WARDS**3. ENVIRONMENT ADVISORY & CITY FUTURES ADVISORY COMMITTEES – APPOINTMENT OF COMMITTEE MEMBERS**

SUMMARY: Manager - City Futures (Tanya Clark)

Following an Expression of Interest and selection process during July and August 2018, this report seeks to appoint representatives for both the Environment Advisory Committee and the City Futures Advisory Committee for a two year term.

RECOMMENDATION

That Council

1. Appoint the following applicants to the Environment Advisory Committee from September 2018 to December 2020;

Name	Category
1.Nick Alsop	Community Representative
2.Antoni Pisa	Community Representative
3.Seraphina Cutler	Community Representative
4.Janelle Thomas	Community Representative
5.Nicole Strickland	Community Representative
6.Claudine Evans	Community Representative
7.Catherine Balaz	Community Representative
8.Katherine Rainbow	Community Representative
9.Linda Black	Community Representative
10.Zoe Peletkis	Community Representative
11.Andrew McKernan	Industry Representative
12.Rose Narvaez Rambert	Industry Representative
13.Richard Faragher	Industry Representative

2. Appoint the following applicants to the City Futures Advisory Committee from September 2018 to December 2020; and

Name	Category
1. Brian Kindilien	Government department representative
2. Evelyn Legare	Government department representative
3. Andrew Newman	Government department representative
4. Gabriella Butler	Business representative
5. David Coltman	Industry representative
6. Shane Infanti	Industry representative
7. Adrian Boden	Industry representative
8. Zoltan Kokai	Industry representative
9. Danielle Storey	Business Guest
10. Trish Chapallaz	Business Guest

3. Advise all nominees of Council's decision, as detailed in Confidential Appendix A and B of this Report.

1. INTRODUCTION

The purpose of the Environment Advisory Committee is to inform and advise Council on environmental and sustainability related issues and Council's role in improving the natural and built environment.

The purpose of the City Futures Advisory Committee is to advise Council on issues related to attracting investment, jobs creation and prosperity of the local economy that will result in positive social outcomes for the local community, consistent with Council's Vision 2035 and in line with the Community and Council Plan 2017-2021.

Council adopted the Terms of Reference for both committees on 9 July 2018.

2. DISCUSSION

Environment Advisory Committee

The selection and recruitment of new members for the Environment Advisory Committee followed the process outlined in Section 3.1 of the Terms of Reference. The Expression of Interest promotion occurred through Council's

social media, electronic mail and in the Knox Leader during August and September 2018. The Facebook post was viewed nearly 19,000 times reaching just over 6,800 individuals. The LinkedIn post was viewed 1,400 times, resulting in 44 clicks to the application form. Council received 33 Expressions of Interest, with 23 applications fully or largely completed.

A selection panel for the Environment Advisory Committee, comprising one Councillor and two Council Officers, evaluated the Expression of Interest applications, based on the following selection criteria consistent with the Terms of Reference:

1. Being a Knox resident, a Knox focused organisation, agency or business or have a specific set of professional skills and background that will help achieve the purpose and objectives of the Environment Advisory Committee as articulated in the Terms of Reference;
2. Demonstration of involvement with efforts to achieve environmental sustainability within the Knox community;
3. Experience as a member of a Committee or other leadership role in a community organisation;
4. Understand the role of Local Government in environmental management and strategic transport issues;
5. Capacity to communicate effectively with a wide range of individuals, organisations and professionals as well as review and critique documentation;
6. Motivation for joining the Environment Advisory Committee; and
7. Demonstrating an understanding of major issues facing Knox's built and natural environment.

Confidential Appendix A lists the applicants recommended for appointment to the Environment Advisory Committee

City Futures Advisory Committee

As per the City Futures Advisory Committee Terms of Reference, membership will consist of Councillors, government department, industry and business representatives and relevant officers.

Council officers invited government departments, industry associations and businesses relevant to the purpose of the Committee to nominate suitable representatives to participate in the City Futures Advisory Committee.

Confidential Appendix B lists the nominations recommended for appointment to the City Futures Advisory Committee.

3. CONSULTATION

The Environment Advisory Committee selection panel consisted of officers from Traffic and Transport and Sustainable Futures along with the Chair of the Environment Advisory Committee.

The City Futures Advisory Committee representatives were identified through internal consultation with Council officers in relation to key stakeholders and the Councillor representatives on the committee.

4. ENVIRONMENTAL/AMENITY ISSUES

Both the Environment Advisory Committee and the City Futures Advisory Committee will respectively provide input and advice to Council on matters relating to environmental and sustainability related issues, Community and Council Plan and strategic planning initiatives.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The resources required to service both committees are included within the City Futures department operational budget.

6. SOCIAL IMPLICATIONS

Both committees will consider social implications in providing advice to Council and the strong connection with the Community and Council Plan. These implications will be noted in the annual report to Council against the objectives of the respective committees.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The establishment and operation of Council committees is a key enabler for the achievement of the goals and objectives contained in the Knox Community and Council Plan 2017-2021. While the goals are interlinked, the Environment Advisory Committee will particularly focus on the first four goals, with the City Futures Advisory Committee providing input across all eight goals.

- Goal 1 - We value our natural and built environment
- Goal 2 - We have housing to meet our changing needs
- Goal 3 - We can move around easily
- Goal 4 - We are safe and secure
- Goal 5 - We have a strong regional economy, local employment and learning opportunities
- Goal 6 - We are healthy, happy and well
- Goal 7 - We are inclusive, feel a sense of belonging and value our identity
- Goal 8 - We have confidence in decision making

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – (Julia Oxley, Director City Development) - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – (Tanya Clark, Manager City Futures) - In providing this advice as the Author, I have no disclosable interests in this report.

Author – (Sam Sampanthar, Senior Program Lead - Sustainability) - In providing this advice as the Author, I have no disclosable interests in this report.

Author – (Pip Smith, City Strategy Program Lead) - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The recruitment and selection processes for the two Advisory Committees have been completed and presented in this report for Council's consideration.

10. CONFIDENTIALITY

The details of the applications are confidential and are included within Confidential Appendix C. The selection panel's recommendation for appointment are listed in Confidential Appendix A and B.

COMMITTEE RESOLUTION**MOVED: CR. PEARCE****SECONDED: CR. LOCKWOOD****That Council**

1. **Appoint the following applicants to the Environment Advisory Committee from September 2018 to December 2020;**

Name	Category
1. Nick Alsop	Community Representative
2. Antoni Pisa	Community Representative
3. Seraphina Cutler	Community Representative
4. Janelle Thomas	Community Representative
5. Nicole Strickland	Community Representative
6. Claudine Evans	Community Representative
7. Catherine Balaz	Community Representative
8. Katherine Rainbow	Community Representative
9. Linda Black	Community Representative
10. Zoe Peletkis	Community Representative
11. Andrew McKernan	Industry Representative
12. Rose Narvaez Rambert	Industry Representative
13. Richard Faragher	Industry Representative

2. Appoint the following applicants to the City Futures Advisory Committee from September 2018 to December 2020; and

Name	Category
1. Brian Kindilien	Government Department Representative
2. Evelyn Legare	Government Department Representative
3. Andrew Newman	Government Department Representative
4. Gabriella Butler	Business Representative
5. David Coltman	Industry Representative
6. Shane Infanti	Industry Representative
7. Adrian Boden	Industry Representative
8. Zoltan Kokai	Industry Representative
9. Danielle Storey	Business Guest
10 Trish Chapallaz	Business Guest

3. Advise all nominees of Council's decision, as detailed in Confidential Appendix A and B of this Report.

CARRIED

3. ENVIRONMENT ADVISORY & CITY FUTURES ADVISORY COMMITTEES – APPOINTMENT OF COMMITTEE MEMBERS

Confidential Appendices A-C circulated under separate cover

Official Minutes

4. **CONTRACT NO.2109 – RECEIPT OF RECYCLABLES**

SUMMARY: *Coordinator – Waste Management (Geoff McMeeken)*

This report considers a proposed variation to Contract No.2109 – Receipt of Recyclables, as a result of the collapse of the recycling commodities market and recommends acceptance of the variation for the contract extension period from 1 July 2018 to 30 June 2021.

RECOMMENDATION

That Council

1. Agree to enter into a deed of variation with SKM Recycling for Contract No.2109 – Receipt of Recyclables for the period from 1 July 2018 to 30 June 2021 in line with terms presented in the attached confidential report;
2. Delegate to the CEO the responsibility to finalise and execute the deed of variation.

1. INTRODUCTION

A confidential report was presented to the 14 May 2018 Strategic Planning Committee meeting of Council to consider proposed variations to Contract No.2109 – Receipt of Recyclables, as a result of the collapse of the recycling commodities market.

In considering the report Council resolved in part:

From 1 July 2018 to 30 June 2021

- *Enter into negotiations with SKM to develop a pricing model comprising a fixed price or gate fee component to cover operating costs and a variable or income sharing component based on commodity sales achieved.*
- *This model is to be developed and ratified by Council prior to 30 September 2018 and will apply retrospectively from 1 July 2018.*

This report provides Council with advice on the negotiations with SKM on development of a pricing model for the receipt of recyclables from 1 July 2018 to 30 June 2021.

Adoption of a pricing model by 30 September 2018 is a requirement of the relief package provided by the Department of Environment, Land, Water and Planning to fund the cost for receipt of recyclables between March 2018 to June 2018 inclusive.

2. DISCUSSION

2.1 Pricing Options Presented

In May 2018, SKM presented three pricing options to Council. The options are for the receipt and processing of recyclables at an SKM facility.

Option 1 – No Risk

- Council pays a fixed rate that is subject to a charge for contamination costs and annual CPI changes.

Option 2 – Balanced

- Council pays a variable rate (or receives a rebate) which is linked to a paper price benchmark so a higher benchmark rate would result in a reduced rate paid by Council. This option is subject to a charge for contamination and annual CPI changes and is capped.

Option 3 – Floating Price

- This is same as Option 2 but the rate paid (or rebate received) is not capped.

Specific details and officer comment on the pricing options is presented in the separate Confidential report.

2.3 Independent Assessment of SKM Pricing Options

The local government peak body, Municipal Association of Victoria (MAV), have also been a party to the negotiations with SKM on development of a pricing model. SKM has consented to providing information to MAV's accounting representative, Ernst & Young, in order to provide independent verification of the pricing scale. This has been limited due to commercial sensitivities.

This will not influence the recommendation contained in this report.

2.4 Ministerial Approval to Enter into Contract Variation

Ministerial approval has been obtained through Local Government Victoria for Council's to vary their receipt of recycling services contracts without re-tendering as would normally be required under Section 186(5) of the Local Government Act 1989. This applies to the period from 1 July 2018 to 30 June 2020.

Advice from Local Government Victoria is that Knox will need to make individual application for exemption to cover the period from 1 July 2020 to 30 June 2021, and this was submitted in August 2018.

2.5 Contamination

Each of the options presented by SKM Recycling now include a charge for the management of contaminated product in the material received at the processing facility. This is a new charge as a contamination charge was previously only applied when the contamination level was above 15% by weight of the material delivered, and to date had not been pursued by SKM Recycling under the terms of the existing contract.

The contamination percentage to be applied will be based on an annual audit of the product by an independent company. This percentage will be applied to the quantity of material delivered and will be multiplied by a combination of:

- Landfill Cost
- Transport Cost
- Processing Cost

SKM are yet to undertake audits on the Knox recyclables to determine a contamination percentage.

Negotiations have been undertaken with SKM on the implementation of the contamination charge and the outcome of this is presented in the separate confidential report.

The contamination charge will also require an in depth review of Council's waste education program for our community as we have not previously been charged for contamination. It is equally acknowledged that the State Government through Sustainability Victoria has a significant role to play. With an estimated \$500 million in the Sustainability Fund, comprising funds collected through the landfill levy, there is a significant opportunity for the State to lead the education of community in a consistent manner, to ensure that recycling behaviours remain embedded.

2.6 Deed of Variation

SKM have presented a Deed of Variation for signing by both parties. The Deed outlines the details of Option 1, being Council's preferred option and is presented in the separate confidential report.

Once ratified this Deed will take precedence over the previous Deed endorsed by Council at its 14 May 2018 Strategic Planning Committee meeting.

3. CONSULTATION

Consultation has been undertaken with representatives of SKM, Metropolitan Waste and Resource Recovery Group (MWRRG), Municipal Association of Victoria (MAV), and other Melbourne Metropolitan Councils.

4. ENVIRONMENTAL/AMENITY ISSUES

The collection, transport and disposal of waste collected across the municipality has significant environmental and amenity issues.

The separation and diversion from landfill of recyclables and green organics has significantly reduced the quantity of waste going to landfill which has the flow on effect of reducing greenhouse gases and reducing raw material usage.

The Receipt of Recyclables Services contract is an essential link in reducing the recyclable products from going to landfill.

5. FINANCIAL & ECONOMIC IMPLICATIONS

5.1 2018-2019 Financial Year

Provision has been made in the operating budget for the 2018-2019 financial year for a gate fee for receipt of recyclables of \$60 per tonne (excluding GST).

The pricing options presented by SKM also includes a charge for managing contaminated product. This was not determined at the time of setting the 2018-2019 budget and will need to be accounted for through the annual budgeting process.

6. SOCIAL IMPLICATIONS

The waste management service provided by Council to the Knox community is viewed as very positive particularly in relation to kerbside recycling where residents see the value in separating recyclables so it is diverted from landfill and is able to be reused.

Recent media attention has suggested recyclables may need to be landfilled however, this is not seen as a responsible option and is not being considered.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Council's waste management services supports the attainment of Goal 1 – *We value our natural and built environment.*

The relevant strategy under the Plan is 1.1 – *Protect and enhance our natural environment.* This will be met by providing innovative ways to reduce environmental impacts such as maximising the recycling and re-use of commodities and the education programs to achieve this.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Ian Bell, Director – Engineering & Infrastructure – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Geoff McMeeken, Coordinator – Waste Management – In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

In May 2018 Council, at its Strategic Planning Committee meeting, endorsed a Deed of Variation for Contract No.2109 – Receipt of Recyclables that in part required Council to enter into negotiations with SKM to develop a pricing model that will apply from 1 July 2018 to 30 June 2021.

SKM have in response presented three pricing models that range from a fixed price option to a variable price option that sees the gate fee (or potential rebate) linked to an Index that captures the sale price of the recyclable commodities.

The recommendation is to accept the fixed price option as it presents the lowest risk in terms of the certainty in the cost to provide the service as the Index proposed for the variable pricing is new so has no historical values to determine likely future trends.

10. CONFIDENTIALITY

This report is not of a confidential nature. Details of the pricing options presented are contained as a confidential report.

COMMITTEE RESOLUTION

MOVED: CR. HOLLAND

SECONDED: CR. PEARCE

That Council

- 1. Agree to enter into a deed of variation with SKM Recycling for Contract No.2109 – Receipt of Recyclables for the period from 1 July 2018 to 30 June 2021 in line with terms presented in the attached confidential report;**
- 2. Delegate to the CEO the responsibility to finalise and execute the deed of variation.**

CARRIED

ALL WARDS**5. KNOX DISABILITY ADVISORY COMMITTEE – TERMS OF REFERENCE**

SUMMARY: *MetroAccess Officer (Peter Johnston)*

This report presents the updated Terms of Reference for the Knox Disability Advisory Committee for approval by Council. The report also contains an outline of the proposed Expression of Interest process to recruit new members. The Terms of Reference reflects the Committees Policy approved by Council on 28 May 2018.

RECOMMENDATION

That Council:

1. Endorse the Knox Disability Advisory Committee Terms of Reference as attached at Appendix A; and
2. Note the proposed Expression of Interest process to recruit new members.

1. INTRODUCTION

The purpose of the Disability Advisory Committee is to promote disability awareness within Council and the wider community and assist Council in the development of policy and planning about issues of access and inclusion.

The updated Terms of Reference for the Knox Disability Advisory Committee aligns with the Committees Policy adopted on 28 May 2018.

2. DISCUSSION

The Disability Advisory Committee is within the Inclusive, Active and Creative Group of Council Advisory Committees and requires new members to be recruited in accordance with the proposed Terms of Reference (refer Appendix A).

At the Ordinary Council in May 2018, a new committees' structure was approved. Following approval of the Terms of Reference, a recruitment process can commence.

The selection and recruitment of new members for the Knox Disability Advisory Committee will be conducted in line with the process outlined in Section 3.1 of the Terms of Reference. The process to appoint community members will be advertised in local newspapers, on Council's internet site and through local networks. Applicants must make application via an expression of interest process. This will occur over a period of at least three weeks. A selection panel for the Committee, comprising one Councillor and two Council Officers, will assess the Expressions of Interest applications and recommend preferred candidates for the approval of Council.

The Committee will be made up of Councillors, government departments, community and industry representatives, community members with a disability and unpaid carers of a person with a disability. Relevant government departments and industry associations will be invited to nominate members. Professional/industry representatives unable to attend a committee meeting are able to nominate a proxy or alternate member from the organisation they represent. The Committee may invite observers to meetings from time to time. This is at the discretion of the committee. Guests may also be invited to attend and participate at meetings, however this would generally be for a specific purpose and/or specified period of time. This is at the discretion of the committee.

At the Council Meeting held on 27 August 2018, new requirements were introduced into the Terms of Reference for Council Committees in Section 7 – Agenda and Minutes (Appendix A) as follows:

- The Agenda must be provided to members of the Committee not less than seven (7) days before the time fixed for the holding of the meeting.
- Officer reports that fail to meet the timelines as detailed above, will then be considered supplementary reports and will only be permitted to be included in the relevant agenda with the approvals of the Chair of the Committee.

The Knox Disability Advisory Committee shall comprise a maximum of 18 positions including the following:

- A maximum of seven positions for community members with a disability;
A maximum of four positions available for an unpaid carer of a person with a disability;
- A maximum of four positions for a representative of a service provider for people with a disability. Each service provider may nominate a primary and secondary representative. The secondary representative will be properly inducted and attend meetings if the primary representative is unable to attend; and
- One to two Councillors.

3. CONSULTATION

The Terms of Reference for the Knox Disability Advisory Committee was informed by feedback from the Councillor appointed to the committee along with relevant Council Officers. Consultation also occurred with members and stakeholders during the Committee meeting held in July 2018.

4. FINANCIAL & ECONOMIC IMPLICATIONS

The resources required to service this Committee are included within the Community Wellbeing Department operational budget.

5. SOCIAL IMPLICATIONS

In providing advice to Council, this Committee will have regard to social implications. The Knox Disability Advisory Committee (KDAC) acts in an advisory capacity to Council and assists Council in the consultative approach and provides feedback to support Council's decision making. Most importantly the Advisory Committee ensures carers and people with a disability have a voice in the community and can represent a broad range of new and emerging and lived experiences including identifying challenges and potential opportunities in the Knox community to advance community participation and address inequalities.

6. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The establishment and operation of Council committees is a key enabler for the achievement of the goals and objectives contained in the *Knox Community and Council Plan 2017-2021*. While the goals are interlinked, the Knox Disability Advisory Committee will particularly focus on Goals 6 and 7, with the Committee providing input across all eight goals:

- Goal 1 – We value our natural and built environment;
- Goal 2 – We have housing to meet our changing needs;
- Goal 3 – We can move;
- Goal 4 – We are safe and secure;
- Goal 5– We have a strong regional economy, local employment and learning opportunities;
- Goal 6 – We are healthy, happy and well;
- Goal 7 – We are inclusive, feel a sense of belonging and value our identity; and
- Goal 8 – We have confidence in decision making.

7. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible – Kathy Parton, Manager Community Wellbeing - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Lisette Pine, Coordinator Community Access, Equity and Safety - In providing this advice as the Author, I have no disclosable interests in this report.

8. CONCLUSION

The Terms of Reference for the Knox Disability Advisory Committee have been updated to reflect the new Committees Policy adopted by Council on 28 May 2018. The recruitment of new members to the committee will be in accordance with the Terms of Reference as attached in Appendix A. Following the recruitment process a further report will be presented to Council outlining the proposed new recruits to the Knox Disability Advisory Committee at the November Council meeting 2018.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COMMITTEE RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. KEOGH

That Council:

- 1. Endorse the Knox Disability Advisory Committee Terms of Reference as attached at Appendix A; and**
- 2. Note the proposed Expression of Interest process to recruit new members.**

CARRIED

Appendix A

Terms of Reference

Knox Disability Advisory Committee

Policy Number:	Issued by ?	Directorate: Community Services
Approval by:	Council or EMT	Responsible Officer: MetroAccess Officer
Approval Date:	Meeting Date	Version Number: 1
Review Date:	October 2022	

1. Purpose

The purpose of this Advisory Committee is to promote disability awareness within Council and the wider community and assist Council in the development of policy and planning about issues of access and inclusion.

2. Objectives

The objectives of the KDAC are:

- To report to Council on its work and advise Council of strategic issues regarding Knox residents with disabilities¹, their families and carers;
- To assist Council in the development of policy and action planning about issues of access and inclusion;
- To work with Council officers to ensure that all of Council's policies, programs and protocols reflect the needs and rights of residents with disabilities, their families and carers;
- To provide a central point for Council and the Knox community for the identification of issues relevant to people with disabilities, their families and carers; and
- To promote disability awareness within Council and the wider Knox community.

The Committee will be aligned to the Inclusive, Active and Creative Communities Group of Council Advisory Committees, as outlined in the Council Committees Policy. The other groups are the Life Stages Group, the Sustainable Development Group, and the Grants Evaluation Group.

Whilst the individual Committee will meet at the designated times within its Terms of Reference each 'group' will meet once annually, this will generally be between October to December each year. A designated Directorate will be responsible for coordinating group meetings. The purpose of these meetings will be to:

¹ KDAC adopts the Disability Discrimination Act (1992) definition of disability which encompasses physical, intellectual, psychiatric, neurological, sensory and learning disabilities and also include people with mental illness.

- Provide feedback to group on priorities for individual committees;
- Update group of progress of key issues; and
- Identify synergies between groups and links to progressing the Community and Council Plan.

In addition to group meetings, all committees will be provided with an opportunity to meet together annually. The “Annual Advisory Committee” sessions will generally be held between April or May each year and will be coordinated by the Governance team. The purpose of these meetings will be to:

- Report on progress by Council against Community and Council Plan;
- Provide overview of industry trends and Council priorities for the upcoming year;
- Consider synergies and opportunities for sharing information and collaboration; and
- Deliver training to support to committees.

3. Membership, Period of Membership and Method of Appointment

The Knox Disability Advisory Committee shall comprise the following:

- A maximum of seven positions for community members with a disability;
- A maximum of four positions available for an unpaid carer of a person with a disability;
- A maximum of four positions for a representative of a service provider for people with a disability. Each service provider may nominate a primary and secondary representative. The secondary representative will be properly inducted and attend meetings if the primary representative is unable to attend;
- All community representatives must live, work, study or recreate in the city of Knox; and
- 1-2 Councillors

3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community members will be advertised in local newspapers, on Council’s internet site and through local networks. Applicants must make application via an expression of interest process.

Eligible community members will have an interest in and good working knowledge of the disability sector.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising a Councillor and 2 Council Officers from the relevant service unit;
- The method of appointment will be via an expression of interest process;
- Members will be appointed for a two year term;
- All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered;
- Council will be responsible for appointing all Councillor, community and professional/industry representative members; and

- Casual vacancies which occur due to community members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the Committee for the remainder of the previous incumbent's term.

Professional/industry representatives unable to attend a Committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/industry representative will provide an appropriate briefing of the Committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

The Committee may invite observers to meetings from time to time. This is at the discretion of the Committee.

Guests may also be invited to attend and participate at meetings, this would generally for a specific purpose and/or specified period of time. This is at the discretion of the Committee.

3.2 Councillors

Council will appoint Councillor representation annually.

Unless otherwise appointed to the Committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

3.3 Council Officers

Council officers will be nominated to support the Committee by the CEO as required to provide advice and administrative support to the Committee.

4. Delegated Authority and Decision Making

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

5. Meeting Procedures

The Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the Committee in each year. The Committee will also participate in the 6 monthly Group Meetings and the Annual Advisory Committee Forum.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.

At the commencement of each financial year, the Committee will develop a work plan for the upcoming year. This will generally be aligned with the Community and Council Plan. The Committee may also highlight any emerging issues which will also be documented. For efficiency purposes the business of the Committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and

Provide advice to Council as far as possible on a consensus basis.

6. Chair

The position of Chairperson shall be held by a Councillor and shall be reviewed annually immediately following Councillor appointments to committees. The position of Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member appointed by the relevant Director may Chair the meeting.

7. Agendas and Minutes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the Committee not less than seven (7) days before the time fixed for the holding of the meeting.

Officer reports that fail to meet the timelines as detailed above, will then be considered supplementary reports and will only be permitted to be included in the relevant agenda with the approval of the Chair of the Committee.

The Chairperson must arrange for meeting notes of each meeting of the Committee to be kept.

The meeting notes of a Council Committee must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and
- (d) incorporate relevant reports or a summary of the relevant reports considered by the Committee.

Draft meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation within 7 days of the meeting;

- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

8. Voting

As this is an Advisory Committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed the differing opinions should be clearly expressed in the notes of the meeting.

9. Conflict and Interest Provisions

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of the Advisory Committee may potentially form an Assembly of Councillors. Councillors and officers are required to comply with the conflict of interest provisions as set down in the Act.

Where a meeting is identified as an Assembly of Councillors, staff must follow the designated procedure.

Where a community member has a Conflict of Interest or perceived conflict of interest in relation to a matter before the Committee, the community member must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the community member remains or leaves the room whilst the matter is discussed, and this must also be recorded in the notes of the meeting.

10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives. The report must be adopted by the Committee and should directly reflect the objectives and the performance measures of the Committee as set out in the Terms of Reference. Once adopted by the Committee the report will be presented to Council.

11. Administration Support

Administration support will be provided by the Community Services Directorate.

12. Personal Support

The provision of resources for the personal support of Committee members to attend KDAC meetings is provided by Council as required.

13. Contact with the Media

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Committee.

14. Review Date

The Committee will sunset after 4 years. If the Committee continues to have a relevant function, a report must be presented to Council prior to this date that includes a review of the Committee's Terms of Reference and seeking endorsement from Council to continue act in an advisory capacity.

15. Meals

The provision of refreshments during the course of a Committee meeting will be provided in accordance with the Meals and Beverages for Council Committees Policy.

Official Minutes

6. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil.

7. SUPPLEMENTARY ITEMS

Nil.

8. URGENT BUSINESS

8.1 URGENT BUSINESS

Nil.

8.2 CALL UP ITEMS

Nil.

MEETING CLOSED AT 7.09PM

Minutes of Meeting confirmed at the
Strategic Planning Committee Meeting
held on
Monday 8 October 2018

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Chairperson