

ORDINARY MEETING OF COUNCIL 20 JUNE 2018



14.5 REVIEW OF ADVISORY COMMITTEES

EXECUTIVE MEMBER: KYLIE BENNETTS, DIRECTOR, OFFICE OF THE CEO

PREPARED BY: MURRAY CHICK, COORDINATOR GOVERNANCE

1. PURPOSE

- 1.1 To provide Council with the outcomes of the initial review of its advisory committees which has been undertaken by officers and for Council to consider some procedural matters such as extending the current appointments of Councillors to advisory committees to 31 December 2018 and noting that a further report on a proposed advisory committee structure and corresponding Councillor representative appointments will be presented to Council in late 2018.

2. EXECUTIVE SUMMARY

- 2.1 Council's appointment of its Councillor representatives to its 10 advisory committees expire on 30 June 2018. This report recommends extending these appointments until 31 December 2018 with the same Councillor representation as currently exists. One of these committees is the Audit and Risk Committee which is a committee that is mandatory under the Local Government Act 1989. All other advisory committees are at the discretion of Council.
- 2.2 Council has also previously requested a review be undertaken of its advisory committee structure during 2018. An initial review has been undertaken by way of a survey of each of the ten-advisory committee Executive Officers who individually support a committee.
- 2.3 The results of this survey found that most advisory committees are functioning well and in accordance with their terms of references. However, to obtain a deeper understanding of the operation of the advisory committees, to improve opportunities for civic engagement and to explore ways committees can further contribute to the strategies contained in the Council Plan, it is proposed that consultation now be undertaken directly with each committee. The results of this further consultation will inform a proposed advisory committee structure. This proposed structure and appointments to committees for 2019 will be reported to Council in late 2018.
- 2.4 All consultation undertaken with advisory committees and any subsequent recommendations for change will be based on Council's agreed policy priorities.
- 2.5 The Fishermans Bend Community Forum expires on 30 June 2018. This report recommends an extension of the term for a further 12 months or for a lesser time subject to any announcement by the State Government regarding the governance arrangements for the Fishermans Bend Urban Renewal Area.
- 2.6 This report also recommends removing the officer representation from the Board of HousingFirst (formerly the Port Phillip Housing Association) and advise HousingFirst accordingly.



3. RECOMMENDATION

That Council:

- 3.1 Notes that an initial review of Council's advisory committees has been undertaken by officers in accordance with Council's previous resolution dated 6 December 2017.
- 3.2 Notes that the feedback obtained from this initial review was from Council officers only and that feedback will be obtained directly from the advisory committees during the second half of 2018.
- 3.3 Notes that following consultation directly with the advisory committees, a further report on options for Council's advisory committee structure will be provided to Council in late 2018.
- 3.4 Endorses that any review of a committee's structure and subsequent recommendations will be based on the following policy priorities: Equity; Agility; Integration; Transparency; Simplicity; Clarity and Governance.
- 3.5 Notes that appointments of Councillor representatives to its advisory, special and external committees for 2019 calendar year will be provided to Council in late 2018.
- 3.6 Makes the appointments of Councillors as representatives to its advisory committees (Attachment 1) for the period 1 July 2018 to 31 December 2018.
- 3.7 Extends the term of the Fishermans Bend Community Forum until 30 June 2019 or to an earlier time directly following the State Government's announcement of the governance arrangements for the Fishermans Bend Urban Renewal Area.
- 3.8 Removes the officer representation from the Board of HousingFirst (formerly the Port Phillip Housing Association) and advise HousingFirst accordingly.

4. KEY POINTS/ISSUES

- 4.1 Council at its 6 December 2017 Council meeting appointed Council representatives to its special, advisory and external committees. Council confirmed that the appointments to advisory committees were only to 30 June 2018 (the other committee appointments were to the end of 2018) and noted that a review of these committees would be undertaken in the first half of 2018.
- 4.2 To commence the review of advisory committees a survey of advisory committee Executive Officers was conducted. A copy of the questions in the survey are detailed in section 5.3 of this report. A summary of the feedback received from the initial survey of advisory committee Executive Officers was that:
 - 4.2.1 The majority of advisory committees are functioning well and are operating in accordance with their respective terms of references.



- 4.2.2 The St Kilda Esplanade Market Reference Committee is experiencing difficulties filling vacancies for representatives from the community (who are not market stallholders), stallholders and people with specific expertise as detailed in the committee's terms of reference. Currently the committee has no community representation from people who are not market stallholders.
- 4.2.3 The Multicultural Forum is currently acting more as an information sharing forum rather than an advisory committee. Membership represents the ageing Culturally and Linguistically Diverse (CALD) communities but does not represent younger residents. Only around half of the members regularly attend the meetings.
- 4.3 To obtain a more informed understanding of the operation of each committee, to improve the opportunities for civic engagement and to explore with each committee how it can best contribute to Council Plan strategic objectives, direct engagement will be undertaken with each of the advisory committees during the second half of 2018. It is envisaged that any proposed changes to the operation and structure of the committee will be supported by the committee.
- 4.4 Given the results of the initial survey of Executive Officers this report recommends that Council extends all of the advisory committee Councillor representative appointments to 31 December 2018. It is to be noted that a further report will be provided to Council in late 2018 on a proposed advisory committee structure after consultation has been undertaken with advisory committee Chairpersons and committee members. The report will also give Council the opportunity to appoint its Councillor representatives to all of its committees for the 2019 calendar year. A copy of this Council report has been given to all advisory committee Executive Officers for distribution to the respective committees that they support.
- 4.5 The proposed policy priorities that Council would seek to achieve through the review and any subsequent recommended changes to the current advisory committee structure are:
- 4.5.1 Equity - a wide range of community members who are at different life stages and from different backgrounds have an easy and accessible way to provide advice to Council.
- 4.5.2 Agility – community members have a way of providing advice at the right time to influence Council decision making. Meanwhile, the Council can alter or add to these advisory committees (if necessary) to respond to emerging community needs or areas that may be under-represented.
- 4.5.3 Integration - community views, knowledge and advice is consolidated around the delivery of each Council priority.
- 4.5.4 Transparency – the broader community and Council are aware of the good work and civic engagement of the advisory committees.



- 4.5.5 Simplicity – the governance structure is easy to understand and makes best use of community members, Councillors and officers’ skills, expertise, knowledge and time.
- 4.5.6 Clarity – roles and responsibilities are understood by all advisory committee members and in particular for Councillor and staff representatives strikes the right balance between fiduciary duties required to these groups with their primary role.
- 4.5.7 Governance – advisory committees are well supported by the Council to undertake their civic engagement activities to the best of their ability.
- 4.6 One of Council’s advisory committees is the Fishermans Bend Community Forum. Council at its meeting held on 17 May 2017 extended the Fishermans Bend Community Forum until 30 June 2018.
- 4.7 The Fishermans Bend Community Forum is held bi-monthly and provides an opportunity for Council to share information and obtain feedback, from the local community and other stakeholder groups, on matters related to Fishermans Bend. Council has requested details from the State Government on the future Governance arrangements for Fishermans Bend, and that these include formal opportunities and structures for local community participation in the planning and delivery of the precinct. Until these are announced, it is recommended that the Forum should continue and be subject to review at that point.
- 4.8 If Council is of the view to extend the operation of this advisory committee then a resolution is required. Officers recommend an extension of the committee’s operation until 30 June 2019 or to an earlier time directly following the State Government’s announcement of the governance arrangements for the Fishermans Bend Urban Renewal Area. In accordance with the terms of reference external membership of the forum will continue as is.
- 4.9 One of Council’s external committees that it is represented on is the HousingFirst Board (formerly the Port Phillip Housing Association). Council currently has appointed both a Councillor and an officer representative to the Board. This report recommends that officer representative on the Board be removed from Council’s committee representation and that HousingFirst be advised accordingly. The officer representation was intended to provide additional governance oversight to the operations of the Port Phillip Housing Trust (PPHT). It is officers’ advice that this is possibly not the most effective mechanism to ensure Council’s interests are protected due to the nature of director’s duties and frequent potential for conflicts to arise. The trust deed and regular reporting are more adequate measures to ensure good governance.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 As part of the initial review of advisory committees, officers requested each advisory committee Executive Officer to complete a survey to provide preliminary information on the current operation of the advisory committee that they support.



- 5.2 The following 10 advisory committees were surveyed. Art Acquisition Reference Committee; Community Grants Assessment Panel Reference Committee; Cultural Development Fund Committee; Cultural Heritage Reference Committee; St Kilda Esplanade Market Reference Committee; Fishermans Bend Community Forum; Friends of Suai/Covalima Community Reference Committee; Multicultural Forum; Older Persons Consultative Committee; and the Rupert Bunny Foundation Visual Arts Fellowship Reference Committee.
- 5.3 The questions in the survey which Council officers responded to were:
- 5.3.1 Is the committee fulfilling its purpose as outlined in its terms of reference?
 - 5.3.2 Is the committee duplicating or doing similar work of another committee?
 - 5.3.3 Does the committee operate in accordance with its terms of reference?
 - 5.3.4 How much Council resource is allocated to the committee and have committee members expressed concern about the resourcing of the committee?
 - 5.3.5 Are committee members declaring conflicts of interest if relevant?
 - 5.3.6 Does each member demonstrate a commitment to a participative and consultative process?
 - 5.3.7 Is a mix of skills relevant to the purposes of the committee achieved in the selection of the community members?
 - 5.3.8 Does the selection of the community members ensure a broad representation of the Port Phillip community?
 - 5.3.9 Is the number of community members sufficient to achieve the objectives of the committee?
 - 5.3.10 Does the environment within the committee meetings create a forum for full discussion of relevant matters?
 - 5.3.11 Do all or the majority of committee members regularly attend meetings?

6. LEGAL AND RISK IMPLICATIONS

- 6.1 Section 86 of the Local Government Act 1989 (the Act) gives Councils the power to establish advisory committees.
- 6.2 Section 139 of the Act makes it mandatory for a Council to establish an Audit Committee and that this committee shall be an advisory committee of Council.

7. FINANCIAL IMPACT

- 7.1 The costs of continuation of Council's advisory committees is allowed for in the Council's operating budget.

8. ENVIRONMENTAL IMPACT

- 8.1 There are no environmental impacts associated with this report.



9. COMMUNITY IMPACT

- 9.1 The continuation of advisory committees provides for civic engagement by Council with the community and facilitates community views, knowledge and advice being provided to Council and its officers to assist decision making.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The appointment of Councillors to advisory committees is consistent with Council's strategic direction and commitment to the community of a financially sustainable, high performing, well governed organisation that puts the community first.
- 10.2 A review of the Advisory Committee structure will ensure that this structure aligns with the strategic directions of the Council Plan and Council's policy priorities and promotes civic engagement.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- 11.1.1 The appointments of Councillors to these advisory committees as contained in attachment 1 will take effect from 1 July 2018 to 31 December 2018.
- 11.1.2 Council will receive a further report at the end of 2018 on a proposed advisory committee structure and to appoint Councillors to all of its internal and external committees for the 2019 calendar year.

11.2 COMMUNICATION

- 11.2.1 Once the appointments have been determined, relevant Council staff will advise the respective committees of the appointments made.
- 11.2.2 Officers will without delay advise advisory committees of any changes to the advisory committee structure adopted by Council.

12. OFFICER DIRECT OR INDIRECT INTEREST

- 12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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ATTACHMENTS 1. Advisory Committee appointments 1 July 2018 - 31 December 2018