

AGENDA



Meeting of the Strategic Planning Committee of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 12 July 2021 at 7:00 PM

Please note that this Council meeting is being conducted in-person in accordance with Local Government Victoria Guidelines and Council's COVID-19 Safe Plan.

Please always refer to Council's website for the latest up to date information on arrangements for Council and Strategic Planning Committee meetings.

This meeting will be streamed live on Council's website at webcast.knox.vic.gov.au

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Dr Ian Bell

Acting Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Strategic Planning Committee Meeting on Monday 13 June 2021

4 Considering and Ordering Upon Officers' Reports

4.1 Knox Arts & Culture Committee Representation

SUMMARY: Coordinator Arts and Cultural Services, Elissa Pachacz

At its Ordinary Meeting held on 10 May 2021, Council endorsed a process to re-establish the Arts and Culture Committee and adopted a revised Terms of Reference (refer Attachment 1).

Since that time, an expression of interest process has been undertaken to seek new members for the Knox Arts and Culture Committee.

This report seeks Council approval to appoint a total of 16 members (maximum allocation) to the Arts and Culture Committee for a two-year period concluding in June 2023.

RECOMMENDATION

That the Committee:

- 1. Appoint the following non-Councillor representatives to the Arts and Culture Committee for a term concluding on 30 June 2023 (two years):**

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- 2. Advise the successful and unsuccessful applicants of Council's decision.**

1. INTRODUCTION

The function of the Council's Advisory Committees is to 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.

The Knox Arts and Culture Committee (the Committee) is an advisory committee that provides Council with strategic advice on issues relating to the advancement of arts and culture in Knox. It assists in promoting greater awareness and understanding of arts and cultural services in Knox, and the value of arts and culture in supporting community health and wellbeing. The Committee also provides Council with direct insight into the local needs, interests and trends in arts, culture and creative industry development in Knox.

At its Ordinary Meeting held on 10 May 2021, Council adopted a process to re-establish the Arts and Culture Committee and seek new members for a two-year term until 30 June 2023, with a revised Terms of Reference (refer Attachment 1).

The Terms of Reference stipulates the following membership structure:

- A maximum of 12 community members
- A maximum of four industry members
- Three Councillors – previously nominated representatives are Councillor Marcia Timmers-Leitch (Chair), Councillor Susan Laukens and Councillor Sorina Grasso.

Relevant Council officers also participate in meetings, and offer advice, governance and general support to the group.

Meetings take place between four and six times per year, and the Committee operates alongside a Terms of Reference.

2. DISCUSSION

2.1 Expression of Interest Process

Council sought expressions of interest from community and industry representatives to submit applications for Committee membership using the following promotional platforms:

- Direct invitation email to arts, events, multicultural, youth, education and community services databases.
- Social media posts on Council and Arts and Events Facebook and Instagram pages.
- Digital promotions shared to local newspaper, community, arts and cultural groups via their Facebook and Instagram pages by direct message or posts to page where possible.
- Circulation via all Council eNews bulletins.
- Advertising within Arts Hub Volunteer and Seek Volunteer websites and apps.
- Targeted emails to groups and individuals within local arts and cultural networks within Knox.

Promotional activities directed interested parties to Council's Arts and Culture Committee website page [HERE](#) where information was provided about the role and purpose of the Committee, the Terms of Reference, the application and assessment process, other online submission form, and relevant arts and cultural pages, resources and policies.

2.2 Applications and Assessment

A total of 29 applications were received via an online application form comprising five questions that directly related to the selection criteria as outlined in the Committee Terms of Reference, including the option to upload a current resume.

All applications received were eligible for assessment as they each met the essential selection criteria, being that all Committee members must:

- Live, work or study in Knox, or regularly participate in Knox Arts and Cultural activities.

Applications were assessed by a Panel comprising Councillor Marcia Timmers-Leitch, Councillor Susan Laukens, Nicole Columbine, Manager Active and Creative Communities, and Elissa Pachacz, Coordinator Arts and Cultural Services, and in accordance with the Terms of Reference.

The Panel assessed each of the 29 applications alongside the following comparative selection criteria using a weighted scoring matrix:

- Demonstrate an interest and knowledge of Arts and Cultural activities within Knox, including services, events, venues, programs, projects and initiatives offered through Council, Community and local Businesses;
- Contribute specialist skills and experience in one of more areas of Arts and Culture, including but not limited to Cultural Development, Arts Management, Public Art, Arts Facilities, Programming, Arts Education, Event Management, Placemaking, Cultural Tourism, Arts Marketing, Community Engagement, Creative Industry Development, Arts Funding, Performance or Creative Arts Practice; and
- Offer insight into the social, cultural, environmental and economic factors impacting the wider Knox community and how these may influence local arts and cultural service delivery.

Each applicant received a score out of 110, with the highest scorers being recommended for inclusion within the 2021-2023 Committee, with consideration of diverse representation.

The recommended selection of applicants for membership to the 2021 – 2023 Arts and Culture Committee represent both the local community and arts industry sector, with a diverse range of skills, interests, disciplines and demographics represented.

2.2.1 Resubmitting Applicants

The Terms of Reference stipulates that membership is for a two-year term, however, “All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered, unless otherwise recommended by the Committee Chair and endorsed by Council on a case-by-case basis”.

Resubmitting members were required to apply using the same Expression of Interest online form as new members, answering all five questions in the form, plus requested to provide a short statement explaining why they should be considered for re-appointment.

We received a total of six resubmitting member applications.

Three of the six resubmitting members are *recommended* for a further two years of membership, on the basis that each of these returning members:

- Have served only 2 years (2019-2021), making them eligible alongside the Terms of Reference for a further two years, and supported by the Chair;
- Provided a strong rationale for re-appointment; and
- Received a high panel score for their online application.

Three of the six resubmitting members are *not recommended* for extension, on the basis that each of these re-applying members:

- Have served on the Committee for a long term, up to seven years continuous service, and their application was therefore not supported by the Chair; and/or
- Another representative of their group received a higher panel assessment score and has been recommended for appointment to the Committee.

2.2.2 New Applicants

The 23 new member applications received were processed in the same manner as those re-applying members, using the same online application form, and assessed alongside the same selection criteria, using the same weighted scoring matrix, as described in Item 2.2.

2.3 Membership Categories

The proposed members fall into the following categories as defined within the Terms of Reference:

2.3.1 Councillor Representatives

- Councillor Marcia Timmers-Leitch;
- Councillor Susan Laukens; and
- Councillor Sorina Grasso.

2.3.2 Community and Industry Representatives

Refer to Confidential Attachment 2 for the Panel Assessment Summary and list of Recommended Members of the 2021-2023 Committee.

3. CONSULTATION

Expressions of interest for the Arts and Culture Committee were sought through a variety of promotional platforms as detailed in Item 2.1, with a period of public exhibition being a total of six weeks.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues related to this process.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The cost to Council to support the Arts Committee is approximately \$2,000 per annum and is provided within Council's annual budget. This sum is made up of costs for catering and advertising. Council officer time is also allocated to support the Arts and Culture Committee's work.

6. SOCIAL IMPLICATIONS

The Arts and Culture Committee will provide advice to Council in relation to the broad social implications associated with the development of art, cultural and heritage policies and strategic plans.

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

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.1 - Protect and preserve our local cultural heritage

Strategy 7.2 - Celebrate our diverse community

Strategy 7.3 - Strengthen community connections

Strategy 7.4 - Promote and celebrate the contribution of our volunteers

8. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

9. CONCLUSION

The Arts and Culture Committee is an effective advisory body that has provided substantial benefit to Council in directing arts and cultural development within Knox. The appointment of the proposed members for a period from July 2021 to 30 June 2023 will enable the continued success of this Committee, with the recommended members representing a diverse range of skilled arts practitioners, community arts group leaders, youth and education sector arts representatives, local arts business operators and creative industry professionals. Together they are a multi-skilled group with a high-level capacity to provide strategic and locally relevant advice to Council on matters relating to arts and cultural development in Knox.

10. CONFIDENTIALITY

Confidential Attachment 2 is included in the confidential agenda, as it contains confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to personal information, being the names and details of prospective committee members which would be unreasonable to disclose publicly, or to disclosure before they are appointed.

Report Prepared By: Coordinator Arts and Cultural Services, Elissa Pachacz

Report Authorised By: Director Connected Communities, Tanya Scicluna

Attachments

1. Attachment 1 - Terms of Reference - Knox Arts & Culture Committee 2021-2023 - Endorsed 2021-05-10 [4.1.1 - 6 pages]



Knox Arts & Culture Committee

Directorate:	Connected Communities		
Approval by:	Council	Responsible Officer:	Coordinator Arts & Cultural Services
Approval Date:	10 May 2021	Version Number:	3
Review Date:	10 May 2025		

1. Purpose

The function of the Knox Arts and Culture Committee is to 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.

The Knox Arts and Culture Committee (the Committee) provides Council with strategic advice on issues relating to the advancement of arts and culture in Knox. It assists in promoting greater awareness and understanding of arts and cultural services in Knox, and the value of arts and culture in supporting community health and wellbeing. The Committee also provides Council with direct insight into the local needs, interests and trends in arts, culture and creative industry development in Knox.

2. Objectives

The objectives of the Committee are to:

- Provide advice and recommendations to Council on arts and cultural issues.
- Promote access to a diverse range of arts and cultural activities within the Knox.
- Assist Council in the development of arts and cultural policy, procedure and planning
- Contribute ideas and recommendations on the key service portfolios of the Arts and Cultural services Unit, including but not limited to Festivals and Events, Community and Public Arts, and Cultural Venues;
- Advocate and promote arts and cultural development in Knox; and
- Actively network and build connections and opportunities for increased collaboration between the Knox Community and Council through arts and cultural initiatives.

The Committee supports the delivery of the following Knox Community & Council Plan goals:

Goal 1. We value our natural and built environment.

Goal 7. We are inclusive, feel a sense of belonging and value our identity.

The Arts and Culture Committee is aligned to the 'Inclusive, Active and Creative Communities' Group. Whilst the individual committees 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 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 Arts & Culture Committee shall comprise the following:

- A maximum of 12 community members
- A maximum of 4 industry members (including any relevant government agency representatives)
- 3 Councillors

3.1 Selection and Recruitment of Community and Industry Representative Members

The process to appoint community members will be advertised on Council's website, digital platforms, publications and through local networks. Applicants must make an application via an online expression of interest process.

Submissions for community and industry membership will be assessed alongside the following selection criteria:

- Live, work or study in Knox, or regularly participate in Knox Arts and Cultural activities;
- Demonstrate an interest and knowledge of Arts and Cultural activities within Knox, including services, events, venues, programs, projects and initiatives offered through Council, Community and local Businesses;
- Contribute specialist skills and experience in one of more areas of Arts and Culture, including but not limited to Cultural Development, Arts Management, Public Art, Arts Facilities, Programming, Arts Education, Event Management, Placemaking, Cultural Tourism, Arts Marketing, Community Engagement, Creative Industry Development, Arts Funding, Performance or Creative Arts Practice; and
- Offer insight into the social, cultural, environmental and economic factors impacting the wider Knox community and how these may influence local arts and cultural service delivery.

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

- Community and 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 online 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, unless otherwise recommended by the Committee Chair and endorsed by Council on a case by case basis;
- Council will be responsible for appointing all Councillor, community and industry representative members; and



- Casual vacancies which occur due to community or industry 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, or where the previous applications are unsuitable, new members may be recommended and must apply as per Item 3.1. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate/s to the committee for the remainder of the previous incumbent's term.
- Community and 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 Committee member 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 within the meeting.
- The committee Chair may invite observers to meetings from time to time. This is at the discretion of the committee.
- The committee Chair may invite guests to attend and participate at meetings, this would generally be 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, review Agendas and Minutes, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community and Council 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 approximately every three months with a minimum of four meetings per year, and an annual schedule of meetings will be agreed upon at the first meeting of the committee in each year. The committee will also be invited to 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 Meeting Notes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the committee not less than 4 days before the time fixed for the holding of the meeting.

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.

In compliance with section 58 of the 2020 Act and the requirements of the Council's Public Transparency Policy the agenda and minutes of this group will be made available on Council's website unless:

- the information contained in the agenda and/or minutes is confidential by virtue of the 2020 Act or any other Act; or
- the public availability of the information has been deemed by the Chief Executive Officer or nominee to be contrary to the public interest.



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 Panel will typically constitute a Meeting Conducted under the Auspices of Council pursuant to Council's Governance Rules and Councillors are consequently required to comply with the conflict of interest provisions as set down in section 131 of the 2020 Act and Chapter 5 of the Council's Governance Rules.

Councillors must:

- disclose that conflict of interest by explaining the nature of the conflict of interest to those present immediately before the matter is considered;
- absent themselves from any discussion of the matter; and
- as soon as practicable, provide the CEO with a written notice recording the nature of the conflict.

Where a member of staff or a community member has a conflict of interest or perceived conflict of interest in relation to a matter before the Group, they 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 staff and/or 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 Connected Communities 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 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.

14. 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.

15. Administration Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this Terms of Reference, such a change may be made administratively. Examples of minor administrative changes include change to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this Terms of Reference, it must be considered by Council at a Council or delegated Committee meeting.

4.2 Proposed Lease for Council Owned Property - 88 Station Street Ferntree Gully

SUMMARY: Acting Coordinator Property Management, Paige Kennett

This report recommends the signing of a new 2-year lease with a 1-year option with atWork Pty Ltd for the Council property located at 88 Station Street, Ferntree Gully.

RECOMMENDATION

That the Committee:

- 1. Enter into a new lease between Knox City Council (Lessor) and atWork Australia Pty Ltd (Lessee) at 88 Station Street, Ferntree Gully commencing 13 July 2021. The lease will be for a period of 2 years, with a 1-year option, and the annual rental being \$14,000 plus outgoings and GST, increasing annually by 3%; and**
- 2. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to sign and seal all lease documentation required to execute the lease.**
- 3. Authorise the Chief Executive Officer (or such person as the Chief Executive Officer selects) to negotiate and execute extensions to the lease to the maximum 3 year term.**

1. INTRODUCTION

Agents and Council officers have recently negotiated a new lease for the Council property located at 88 Station Street, Ferntree Gully to atWork Australia Pty Ltd, which is now ready for Council consideration and approval.

2. DISCUSSION

The site located at 88-100A Station Street Ferntree Gully was acquired by Council in 2017. The shop located at 88 Station Street Ferntree Gully was leased to a previous tenant who broke their 2-year lease.

Agents acting for Council have negotiated a proposed lease for the premises to new tenants. The prospective tenants will be utilising the premises for disability employment services. The tenants will be making some minor building modifications to allow disabled access into areas within the building and toilets. These proposed modifications have been assessed and agreed to by council officers. These minor building improvements will remain in place upon the conclusion of the lease.

3. CONSULTATION

As the lease is less than 10 years and the annual market rental is less than \$100,000, there is no requirement under the Local Government Act 2020 to advertise.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed lease for 88 Station Street, Ferntree Gully is for a period of 2 years with a 1-year option. The agreed rental is \$14,000 per annum (plus outgoings and GST), increasing annually by 3%.

The rental value has been determined by agents appointed by Council and is in accordance with commercial rentals within the area and the condition of the premises.

The 2 plus 1-year lease meets the strategic intent of the site and is therefore a recommended use of the building.

6. SOCIAL IMPLICATIONS

There are no social implications regarding this report.

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

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations.

8. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

9. CONCLUSION

It is recommended to enter the lease with atWork Australia Pty Ltd for the premises located at 88 Station Street Ferntree Gully. The recommended lease is for 2 years with a 1-year option, commencing on 13 July 2021 with an annual rent is \$14,000 plus GST and outgoings, increasing annually by 3%. It is also recommended to have this lease signed and sealed by the Chief Executive Officer (such person as the Chief Executive Officer selects).

10. CONFIDENTIALITY

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

Report Prepared By: Acting Coordinator Property Management, Paige Kennett

Report Authorised By: Director, City Strategy and Integrity, Matt Kelleher

Attachments

Nil

5 Motions for Which Notice has Previously Been Given

6 Supplementary Items

7 Urgent Business

7.1 Urgent Business

8 Confidential Items