

12.4 TERMS OF REFERENCE DISABILITY ADVISORY COMMITTEE
Division: People & Communities
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SUMMARY

This report seeks Council's endorsement for the Terms of Reference for the Disability Advisory Committee.

RESOLUTION:

Council resolves to:

1. Adopt the Terms of Reference for the Disability Advisory Committee.

Moved: Cr. Innes **CARRIED**
Seconded: Cr. Coates **(R047/13)**

DISABILITY ADVISORY COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference Instrument, the Ballarat City Council (Council) establishes the Disability Advisory Committee (Committee) pursuant to section 86 of the *Local Government Act 1989* (LGA). The Committee is established to replace the current management committee and is developed to have a longer-term focus on the development of the facility and its programs.
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of advisory Committees is to provide Council with expertise in relevant matters to assist its decision making for the Ballarat Community.
- 1.3 The Committee has the functions and responsibilities as set out in this Terms of Reference Document. The Terms of Reference Instrument sets out the structure and basis on which the Committee can make decisions for, and on behalf of, Council.
- 1.4 This Terms of Reference Document is authorised by a resolution of Council (R047/13) passed on 13 February 2013.

2. PURPOSE

The committee is established for the purpose of:

- 2.1 Providing advice to Council and Council officers on long term strategic and systemic issues that impact on people with disabilities and their participation in community life.

3. OBJECTIVES

The objectives of the Committee are:

- 3.1 To be the peak advisory and advocacy body, on issues affecting people with disabilities, within the Ballarat municipality.
- 3.2 To provide advice to Council officers on policies, plans and services that impact on people with disabilities
- 3.3 To advocate to the Community and Council, on behalf of people with disabilities
- 3.4 To contribute to, monitor and review the implementation of Council's Disability Action Plan.
- 3.5 To partner Council in promoting disability awareness and other initiatives that assist access and inclusion and recognise the contributions of people with a disability.

4. ROLES AND RESPONSIBILITY

4.1 The role of the Committee is:

4.1.1 To have an active role in communicating community views to Council.

4.1.2 To participate in discussions at bi-monthly meetings.

4.1.3 To act in an advisory capacity only. The DAC has no delegated authority to make decisions as if they were the Council.

4.1.4 All decisions of the committee need to be agreed by consensus, if consensus cannot be reached, the issue may be postponed to the next meeting to allow additional time for research and/or discussions.

4.2 Committee members are expected to keep confidential all sensitive, commercial and personal information that the members encounter while being a member of the Committee.

5. MEMBERSHIP

5.1 The Committee will consist of a membership comprising:

5.1.1 Up to 12 members of the community that provide a diverse range of experiences and expertise related to disability.

5.1.2 A Councillor appointed by the Council, who will be the Committee's Chairperson. In the absence of the appointed Councillor the role of chairing will be the responsibility of a Portfolio Councillor, Portfolio Director or Manager Community Care and Access.

5.1.3 Members will be appointed for a term of up to two years by Council following public advertisement of positions

5.1.4 To encourage continuity, half the committee will retire each year, thereby causing an annual public advertisement of positions

5.1.5 Members completing a two year term may, with the approval of Council, be reappointed for a further two year term.

5.1.6 Casual vacancies will be filled by application or co-option, at the recommendation of a committee member and with the endorsement at a committee meeting. All appointments will be formally made by Council.

5.1.7 Members are required to participate in an induction session at the commencement of each term.

6. MEETINGS

- 6.1 Committee meetings must be conducted in accordance with:
 - 6.1.1 Council's Meeting Procedure Local Law No. 18;
 - 6.1.2 Council's Community Consultation and Participation framework;
 - 6.1.3 The Committee's discretion, as exercised from time to time.
- 6.2 The Committee will meet initially on a bi-monthly basis. The Advisory Committee shall determine meeting frequency throughout the term of agreement and meetings shall occur as required or scheduled but not less than annually.
- 6.3 The Chairperson will chair all committee meetings.
- 6.4 The Chairperson is the authorised spokesperson for the committee. A member of the committee may be asked by the Councillor or the Committee to be a spokesperson for a nominated media purpose.
- 6.5 The committee will usually meet bi-monthly.
- 6.6 Council will appoint two officers, Secretary and Rural Access Officer to provide support to the committee.

The Secretary's role will include;

- 6.6.1 Maintaining a Register of committee members, their date of appointment reappointment, official positions held as a committee member;
- 6.6.2 The Secretary will advise committee members of term completion dates and their eligibility for reappointment as relevant;
- 6.6.3 Appropriate notifications of meetings;
- 6.6.4 Minutes, agenda and other documentation required for members to actively participate on the committee;

The role of Rural Access Officer will include;

- 6.6.5 In conjunction, with the Chairperson will meet to review, approve and prepare the agenda for the bi-monthly meeting
- 6.6.6 Provide advice and information relevant to the Access and Inclusion Plan, priorities and key issues to the committee.
- 6.6.7 Coordinate representation of speakers, presenters and consultation for Committee meetings.

- 6.7 Quorum for meetings will be half of the membership plus one.
- 6.8 Council will endeavour to provide support to the membership of the committee to enable members to participate fully. Examples of support include large print, interpreter services etc.
- 6.9 A subcommittee may formed from time to time to research and progress specific issues outside of the standard meeting. Membership of subcommittees is at the discretion and availability of the committee members and may involve persons of relevance and expertise outside of the Committee.

7. REPORTING

- 7.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for Council in accordance with:
 - 7.1.1 Council's Meeting Procedure Local Law No.18;
 - 7.1.2 Division 2 of Part 4 of the *Local Government Act 1989*; and
 - 7.1.3 The Committee's discretion, as exercised from time to time.
- 7.2 Minutes of all Committee meetings must be maintained and a copy to be provided to Council's Governance Unit.
- 7.3 Under Section 80A of the *Local Government Act 1989*, an Assembly of Councillors Record for all Committee meetings must be recorded where a Councillor and officer are in attendance. This is to be forwarded to the Governance Unit as soon as possible
- 7.4 The Committee must report to Council on a quarterly basis,
- 7.5 The Committee must prepare and present to Council an annual report

8. CREATION AND DISSOLUTION

- 8.1 These Terms of Reference:
 - 8.1.1 Come into force immediately the common seal of Council is affixed to it; and
 - 8.1.2 Remain in force until Council determines to vary or revoke it.
- 8.2 By these Terms of Reference the Committee:
 - 8.2.1 Is established; and
 - 8.2.2 Has the responsibilities as set out in the Instrument.
- 8.3 The Committee can be dissolved by resolution of Council.

0207

Dated this day of 2013



The Common Seal of Ballarat City Council)
was affixed by authority of the Council in the)
presence of:)

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Mayor/Councillor

Councillor

Chief Executive Officer