



# KNOX CITY COUNCIL

## AGENDA

### STRATEGIC PLANNING COMMITTEE

Meeting of the Strategic Planning Committee of Council  
to be held at the Civic Centre, 511 Burwood Highway,  
Wantirna South on Monday 9 July 2018 at 7.00pm

Under Section 89 of the Local Government Act 1989, Council may resolve that the Meeting be closed to members of the public if the Meeting is discussing any of the following issues Personnel Matters, Personal Hardship of any resident or ratepayer, Industrial Matters, Contractual Matters, Proposed Developments, Legal Advice, Matters affecting security of Council property, any other matter which the Council or Special Committee considers would prejudice the Council or any person

#### **APOLOGIES**

#### **DECLARATIONS OF CONFLICT OF INTEREST**

#### **CONFIRMATION OF MINUTES**

Confirmation of Minutes of Strategic Planning Committee Meeting held  
on Tuesday 12 June 2018

Item 1.	Environment and City Futures Advisory Committees Terms of Reference and Proposed Expression of Interest Process	<b>1.</b>
Item 2.	Contract No. 2359 - Maintenance of Main Roads, Outer Separators and Other Areas	<b>19.</b>
Item 3.	Contract No. 2362 – Maintenance of Reserves, Road Closures and Other Areas	<b>26.</b>
Item 4.	HACC Program for Younger People (Confidential)	<b>33.</b>
Item 5.	Motions for which notice has previously been given	<b>34.</b>
Item 6.	Supplementary Items	<b>34.</b>
Item 7.	Urgent Business	<b>34.</b>
	7.1 Urgent Business	<b>34.</b>
	7.2 Call Up Items	<b>34.</b>

Tony Doyle  
Chief Executive Officer



**ALL WARDS****1. ENVIRONMENT & CITY FUTURES ADVISORY COMMITTEES TERMS OF REFERENCE & PROPOSED EXPRESSION OF INTEREST PROCESS**

**SUMMARY:**            *Manager – City Futures (Tanya Clark)*

*This report presents new Terms of Reference for the Environment Advisory Committee and the City Futures Advisory Committee for approval by Council. The report also contains an outline of the proposed Expression of Interest process to recruit new members to both committees. The Terms of Reference reflects the new Committees Policy approved by Council on 28 May 2018.*

**RECOMMENDATION**

**That Council:**

- 1. Endorse the Environment Advisory Committee Terms of Reference, as attached at Appendix A;**
- 2. Endorse the City Futures Advisory Committee Terms of Reference, as attached at Appendix B; and**
- 3. Note the proposed Expression of Interest process to recruit new members.**

**1. INTRODUCTION**

The Terms of Reference for the Environment Advisory Committee and the City Futures Advisory Committee are in line with the revised Committees Structure adopted in late 2017 and the Committees Policy adopted on 28 May 2018.

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.

**2. DISCUSSION**

Both committees are aligned to the Sustainable Development Group and will require new members to be recruited in accordance with the proposed Terms of Reference (refer Appendix A & Appendix B).

As noted in the report to Council in May 2018, the Knox Transfer and Recycling Facility Management Committee and the Transport Advisory Committee were concluded and to be absorbed into the new committee structure. Matters pertaining to these two committees are to be incorporated into the objectives of the Environment Advisory Committee. It is noted that Council has representation on two aligned external committees – being the Eastern Transport Coalition and the Metropolitan Waste and Resource Recovery Group ‘Waste Forum’.

The selection and recruitment of new members for the Environment Advisory Committee will follow the process outlined in Section 3.1 of the Terms of Reference. The Expression of Interest promotion will occur through existing Social Media channels and targeted recruitment of representatives from key agencies and industries. This will occur over a period of at least three weeks. A selection panel for the Environment Advisory 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 membership of the City Futures Advisory Committee will be made up of Councillors, relevant officers, government department and industry representatives. Relevant government departments and industry associations will be invited to nominate members to participate in the City Futures Advisory Committee. Additional relevant professional or industry guests may be invited to participate in relevant meetings, on an as needs basis.

It is anticipated that the recommended candidates for both Advisory Committees will be presented to Council for approval in September 2018.

### **3. CONSULTATION**

The Terms of Reference for each Advisory Committee was informed by feedback from the respective Councillors appointed to each committee along with relevant Council Officers.

### **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, and 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**

In providing advice to Council, both committees will have regard to social implications.

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

Author – Pip Smith, City Strategy Program Lead, City Futures - In providing this advice as the Author, 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.

## **9. CONCLUSION**

The Terms of Reference for both the Environment Advisory Committee and the City Futures 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 committees will be in accordance with the Terms of Reference as attached in Appendix A and B.

**10. CONFIDENTIALITY**

There are no issues of confidentiality associated with this report.

***Report Prepared By: Manager City Futures (Tanya Clark)***

***Report Authorised By: Director – City Development (Julia Oxley)***

## ADVISORY COMMITTEE TERMS OF REFERENCE



### ENVIRONMENT ADVISORY COMMITTEE

<b>Directorate</b>	City Futures
<b>Responsible Officer</b>	Manager City Futures
<b>Committee Group</b>	Sustainable Development Group
<b>Approval Date:</b>	July 2018
<b>Review Date:</b>	July 2022

#### 1. PURPOSE

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

#### 2. OBJECTIVES

The objectives of the Environment Advisory Committee are to:

- To provide input and advice to Council on issues of environmental sustainability (including issues relating to strategic transport and natural resource management);
- To provide input to Council on behalf of the community and community organisations;
- To actively support Council's consultation with, and advocacy to the broader community;
- To establish working groups and sub committees on an as required basis;
- To monitor and review environmental and sustainability issues (including issues relating to strategic transport and natural resource management) in Knox;
- Within the committee structure advocate to Council for the benefit of the Knox environment; and

- To assist Council in the determining of priority activities to be undertaken and annual objectives.

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 following 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

Advisory Committees when established under this policy will be aligned to one of the following groups:

- Life Stages Group
- Sustainable Development Group
- Inclusive, Active and Creative Community Groups
- Grants Evaluation 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 the group on priorities for individual committees;
- Update the 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 the Community and Council Plan;
- Provide an 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 the committees.



### **3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT**

The Environment Advisory Committee shall comprise the following:

- A maximum of 10 community members
- A maximum of 5 industry members (including government agency representatives from relevant portfolios)
- 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 environmental management, natural resource management or sustainability.

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 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, 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 quarterly 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 annual Group Meeting 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.

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 City Development 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.

## ADVISORY COMMITTEE TERMS OF REFERENCE



### CITY FUTURES ADVISORY COMMITTEE

<b>Directorate</b>	City Development
<b>Responsible Officer</b>	Manager City Futures
<b>Committee Group</b>	Sustainable Development Group
<b>Approval Date:</b>	July 2018
<b>Review Date:</b>	July 2022

#### 1. PURPOSE

The function of this Advisory Committee is to facilitate stakeholder engagement which supports quality decision making and in turn, the achievement of Council's goals and strategies under the Community and Council Plan.

The purpose of the 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.

#### 2. OBJECTIVES

The objectives of the City Futures Advisory Committee are:

- To provide input and advice to Council on issues of development, investment and partnerships for Council in relation to local business and employment;
- To provide feedback and advice on other key municipal strategies and strategic initiatives related to development, investment and partnerships, during specified stages of community engagement and consultation;
- To advise of, and discuss, emerging issues that have a relationship with the Community and Council Plan;

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*. The City Futures Advisory Committee will provide input into all of the Community and Council Plan goals, as detailed below:

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

Advisory Committees when established under this policy will be aligned to one of the following groups:

- Life Stages Group
- Sustainable Development Group
- Inclusive, Active and Creative Community Groups
- Grants Evaluation 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 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 core City Futures Advisory Committee shall comprise the following:

- A maximum of two Councillors.

- Up to eight (8) officers from across the organisation representing strategic and statutory planning and economic development.
- Other relevant officers will be invited to attend specific meetings based on the agenda.
- Up to eight (8) members representing government departments including:
  - Department of Economic Development, Jobs, Transport and Resources
  - Department of Environment, Land, Water and Planning; and
  - Other relevant industry association members.
- Additional professional or industry representatives may be invited to attend specific meetings based on the agenda.

### **3.1 Selection of relevant Professional Industry Representative Members**

- Relevant government departments and industry associations will be invited to nominate members to participate in the City Futures Advisory Committee.
- Council will be responsible for appointing all Councillor representatives.

Government department/ 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 government department/ 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.

Guests may also be invited 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, 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 quarterly 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 annual Group Meeting 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 four 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 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 government department or industry representatives have a Conflict of Interest or perceived conflict of interest in relation to a matter before the committee, the 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 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 City Development 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.

## **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.

**ALL WARDS****2. CONTRACT NO. 2359 – MAINTENANCE OF MAIN ROADS, OUTER SEPARATORS AND OTHER AREAS**

**SUMMARY:** *Project Officer – Open Space and Reactive Services (Sam Jones)*

*This report is re-presented following the resolution from the 25 June 2018 Ordinary Meeting of Council to defer this matter to the Strategic Planning Committee meeting on 9 July 2018.*

*This report considers and recommends the appointment of a tenderer for Contract No. 2359 – Maintenance of Main Roads, Outer Separators and Other Areas.*

**RECOMMENDATION**

That Council

1. **accepts the tender submitted by Skyline Landscape Services Pty Ltd for Contract No. 2359 – Maintenance of Main Roads, Outer Separators and Other Areas for a period of three (3) years from 1 July 2018 to 30 June 2021 for the lump sum of \$1,182,359 excluding GST (\$1,300,595 including GST) with the option of a further two (2) x one (1) year extensions at Council’s discretion – as outlined in the Confidential Procurement Report (Appendix A);**
2. **authorises the Chief Executive Officer to formalise the contract documentation and to sign and seal the contract; and**
3. **advise all tenderers accordingly.**

**1. INTRODUCTION**

This contract calls for suitably qualified contractors to undertake grassed area maintenance activities along the main roads network throughout the municipality.

The initial appointment period of this contract will be for the period of thirty-six (36) months (3 years) commencing 1 July 2018 until 30 June 2021, with the option to extend the contract for two (2) x one (1) years subject to satisfactory performance.

The specification requires all sites to be mown on a three (3) weekly cycle over Spring, Summer and Autumn and 4 weekly cycle over the Winter months.

Contract No. 2359 replaces existing Contract No. 2015 - Mowing of Main Roads, with Additional Sites included from previous Contract No. 2098 – Maintenance of Tree Reserves. The Contract will be funded through Council’s allocated budget in Program 35220 and 35148, and an annual contribution from VicRoads for approximately \$35,000.

Services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network and the surrounding area.

## **2. DISCUSSION**

### **2.1 Proposed Works/Services**

This report considers and recommends the appointment of a sole tenderer for the delivery of mowing and related maintenance works along the municipality's main road network.

The specification requires all sites to be mown on a three (3) weekly cycle over Spring, Summer and Autumn and four (4) weekly cycle over the Winter.

The works include mowing, spraying, snipping, rubbish and fallen limb collection.

### **2.2 Tenders called for**

Prospective tenderers were invited to tender by the placement of a tender notice in The Age newspaper on 14 April 2018 and on 7 May 2018. Council officers assessment of the current market indicate that there are currently 3-4 service providers that may be capable of delivering the specified works to the required standard.

### **2.3 Tenders Received**

The following tenders were received for Contract No. 2359:

1. Herbert Contractors Pty Ltd
2. Skyline Landscape Services Pty Ltd

#### **2.3.1 Evaluation Panel**

The Tender Evaluation Panel consisted of the following members:

<b>Name</b>	<b>Title</b>	<b>Organisational Unit</b>
Sam Jones	Project Officer– Open Space and Reactive Services	Open Space
Kai Yap	Executive Engineer	Operations
Colin Robertson	Team Leader – Open Space and Reactive Services	Open Space
Peter Carlos	Acting Coordinator Active Open Space	Active Open Space

All members of the Panel signed the Tender Evaluation Panel Declaration Form indicating that they had no conflict of interest or association with any tenderers.

### 2.3.2 Evaluation Criteria

#### Mandatory Criteria

Mandatory criteria are the 'pass / fail' requirements which the respondents either have or do not have. The threshold for achieving a pass need to be defined in a transparent and definitive way. The normal issues that would warrant inclusion as mandatory criteria are:

- Capacity or availability;
- Insurance cover e.g. professional indemnity or public liability; and
- Certifications or professional registration.

Mandatory Evaluation Criteria
Commercial Compliance
1. Quality Management (Specify Systems or Process requirements) 2. Occupational Health and Safety (Specify Systems or Process requirements) 3. Risk and Insurance 4. Compliance to Conditions of Contract 5. No Conflict of Interest
Other Mandatory Criteria
1.) Financial capacity (must pass independent financial assessment for contract amount) 2.) Compliance with tender conditions

#### Comparative criteria

The comparative criteria as listed in the Conditions of Tender were assigned the following weighting:

Comparative Criteria	Weighting (%)
1. Project Delivery	30
2. Price	30
3. Relevant experience, past performance	20
4. Equipment and human resources	10
5. Quality Management	10
Total	100

Independent financial checks were also conducted to satisfy Council that the tenderer is capable of meeting the Contract requirements financially.

Herbert Contractors Pty Ltd could not be considered after receiving a fail in the mandatory checks.

Skyline Landscape Services Pty Ltd met the mandatory requirements and the submission is within budget expectations. They are adequately resourced, based in Dandenong, with a fleet of service units and trucks available to fulfil the requirements of the contract. Skyline have a strong history of delivering similar services to local government and currently manage the mowing maintenance works for the current contract.

#### **2.4.1 Preferred Tender**

Skyline Landscape Services Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard for the past 5 years. They have in-depth knowledge of the areas listed within the contract and have the capacity to increase maintenance schedules if required. They also have a number of large maintenance contracts with neighbouring councils.

Referee checks have been positive, indicating a high level of satisfaction with performance. Financial checks indicated that the company was sound and capable of financing a contract of this size.

### **3. CONSULTATION**

Consultation has occurred with stakeholders during the phases of tender preparation and advertising. Consultation has also occurred with the current project officers and the wider Parks management team during the evaluation phase to ensure a successful tendering process was achieved.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network and the surrounding area. The contractor will ensure that all areas are kept free of weeds and tree debris.

Concerning sites of biological significance and significant vegetation, Council's Biodiversity team will be consulted during preliminary planning and no remnant vegetation should be affected during the maintenance cycles. Council's Project Manager will ensure the contractor adheres to the approved systems and procedures.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

#### **5.1 Projected Costs**

Previously, the two contracts have cost \$1,101,798.00 over a three (3) year period (life of contracts). The new program will increase the full cycle cost to approximately \$1,182,359 over the initial three (3) year contract period and up to \$1,970,599 over the life of the contract if the extensions are approved.

The projected project cost and funding is summarised below:



<b>Description</b>	<b>Cost 1 year (exc. GST)</b>
Contract No. 2359 – Maintenance of Main Roads, Outer Separators and Other Areas	\$394,119.96 p/a
	<b>Cost 3 years (exc. GST)</b>
	\$1,182,359.88

## **5.2 Funds Available**

Council has allocated funds from its annual budget to fund these ongoing works in Program 35220 and 35148 with an annual contribution from VicRoads of approximately \$35,000.00.

## **6. SOCIAL IMPLICATIONS**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network and surrounding areas.

The services will also aid in keeping the municipality weed and pest free, reduce the amount of litter, and provide open space for the residents to use.

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

The following elements of the Council Plan relate to this issue:

**Sustainable Natural Environment** – Knox City Council will be a leader in environmentally sustainable management, producing a healthier local environment, a green and leafy municipality and sustainable living opportunities for all.

**Attractive & Vibrant Places** – Knox will have a village community feel with access to 'big city' facilities, neighbourhood parks and open space. Development will be targeted around activity centres, with significant landscape and cultural heritage sites preserved through quality urban and landscape design standards.

## **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 – Peter Carlos – Acting Coordinator Active Open Space – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Sam Jones, Project Officer – Open Space and Reactive Services – In providing this advice as the Author, I have no disclosable interests in this report.

**9. CONCLUSION**

Following the tender evaluation process, it is recommended that Skyline Landscape Services Ltd Pty be awarded Contract No. 2359 based on past performance, sound financial stability, positive referee checks. The submitted price of \$1,182,359.88 (\$1,300,595.86 inc. GST) is within budget expectations.

The company is adequately resourced and available to successfully undertake this contract at the given start date.

**10. CONFIDENTIALITY**

The Procurement Report, including the tendered prices, evaluation matrix and completed Panel Evaluation Form is provided separately to this report.

***Report Prepared By: Project Officer – Open Space & Reactive Services (Sam Jones)***

***Report Authorised By: Director – Engineering & Infrastructure (Ian Bell)***

**2. CONTRACT NO. 2359 – MAINTENANCE OF MAIN ROADS, OUTER SEPARATORS AND OTHER AREAS**

Confidential Appendix A is circulated under separate cover.

This page is left intentionally blank

**ALL WARDS****3. CONTRACT NO. 2362 – MAINTENANCE OF RESERVES, ROAD CLOSURES AND OTHER AREAS**

**SUMMARY:** *Project Officer – Open Space and Reactive Services (Sam Jones)*

*This report is re-presented following the resolution from the 25 June 2018 Ordinary Meeting of Council to defer this matter to the Strategic Planning Committee meeting on 9 July 2018.*

*This report considers and recommends the appointment of a tenderer for Contract No. 2362 – Maintenance of Reserves, Road Closures and Other Areas.*

**RECOMMENDATION**

That Council

1. accepts the tender submitted by Munns Parks and Gardens Pty Ltd for Contract No. 2362 – Maintenance of Reserves, Road Closures and Other Areas for a period of three (3) years from 1 July 2018 to 30 June 2021 for the lump sum of \$1,708,035 excluding GST (\$1,878,838.50 including GST) with the option of a further two (2) x one (1) year extensions at Council's discretion – as outlined in the Confidential Procurement Report (Appendix A);
2. authorises the Chief Executive Officer to formalise the contract documentation and to sign and seal the contract; and
3. advise all tenderers accordingly.

**1. INTRODUCTION**

This contract calls for suitably qualified contractors to undertake grassed area maintenance activities in reserves, road closures and other areas throughout the municipality.

The initial appointment period of this contract will be for the period of thirty-six (36) months (3 years) commencing 1 July 2018 until 30 June 2021, with the option to extend the contract for two (2) x one (1) years subject to satisfactory performance.

The specification requires all sites to be mown on a 3 weekly cycle over Spring, Summer and Autumn and four (4) weekly cycle over the Winter months.

Contract No. 2362 replaces existing Contract No. 2096 – Mowing of Small Reserves and Other Areas, with additional sites included from previous Contract No. 2098 – Maintenance of Tree Reserves. The Contract will be funded through Council's allocated budget in Program 35163 and 35148.

Services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network and surrounding area.

## **2. DISCUSSION**

### **2.1 Proposed Works/Services**

This report considers and recommends the appointment of a sole tenderer for the delivery of mowing and related maintenance works throughout the municipality.

The specification requires all sites to be mown on a three (3) weekly cycle over Spring, Summer and Autumn and four (4) weekly cycle over the Winter.

The works include mowing, spraying, snipping, rubbish and fallen limb collection.

### **2.2 Tenders called for**

Prospective tenderers were invited to tender by the placement of a tender notice in The Age newspaper on 14 April 2018 and on 7 May 2018. Council officers' assessment of the current market indicate that there are currently 3-4 service providers that may be capable of delivering the specified works to the required standard.

### **2.3 Tenders Received**

The following tenders were received for Contract No. 2362:

3. Herbert Contractors Pty Ltd
4. Munns Parks and Gardens Pty Ltd

#### **2.3.1 Evaluation Panel**

The Tender Evaluation Panel consisted of the following members:

<b>Name</b>	<b>Title</b>	<b>Organisational Unit</b>
Sam Jones	Project Officer– Open Space and Reactive Services	Open Space
Kai Yap	Executive Engineer	Operations
Colin Robertson	Team Leader – Open Space and Reactive Services	Open Space
Peter Carlos	Acting Coordinator Active Open Space	Active Open Space

All members of the Panel signed the Tender Evaluation Panel Declaration Form indicating that they had no Conflict of Interest or association with any tenderers.

### 2.3.2 Evaluation Criteria

#### Mandatory Criteria

Mandatory criteria are the 'pass / fail' requirements which the respondents either have or do not have. The threshold for achieving a pass need to be defined in a transparent and definitive way. The normal issues that would warrant inclusion as mandatory criteria are:

- Capacity or availability;
- Insurance cover e.g. professional indemnity or public liability; and
- Certifications or professional registration.

Mandatory Evaluation Criteria
Commercial Compliance
1. Quality Management (Specify Systems or Process requirements) 2. Occupational Health and Safety (Specify Systems or Process requirements) 3. Risk and Insurance 4. Compliance to Conditions of Contract 5. No Conflict of Interest
Other Mandatory Criteria
3.) Financial capacity (must pass independent financial assessment for contract amount) 4.) Compliance with tender conditions

#### Comparative criteria

The comparative criteria, as listed in the Conditions of Tender were assigned the following weight:

Comparative Criteria	Weighting (%)
1. Project Delivery	30
2. Price	30
3. Relevant experience, past performance	20
4. Equipment and human resources	10
5. Quality Management	10
Total	100

Independent financial checks were also conducted to satisfy Council that the tenderer is capable of meeting the Contract requirements financially.

Herbert Contractors Pty Ltd could not be considered after receiving a fail in the mandatory checks.

Munns Parks and Gardens met the mandatory requirements and the submission falls within budget expectations. They are adequately resourced, based within the municipality, with a fleet of service units and trucks available to fulfil the requirements of the contract. Munns have a strong history of delivering similar services to local government and currently manage the mowing maintenance works for the current contract.

#### **2.4.1 Preferred Tender**

Munns Parks and Gardens Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard for the past 3 years. They have in-depth knowledge of the areas listed within the contract and have the capacity to increase maintenance schedules if required.

Referee checks have been positive, indicating a high level of satisfaction with performance; however, independent financial advice has recommended that Council seek a 5% bond as security.

Further discussions with Munns Parks and Gardens Pty Ltd have indicated that the company is better placed to manage the contract into the future. This is based on relocating a depot within the Knox boundary, as opposed to commuting from Pakenham where time on the ground was impacted by travel time and paying overtime rates to meet the contract demands.

### **3. CONSULTATION**

Consultation has occurred with stakeholders during the phases of tender preparation and advertising. Consultation has also occurred with the current project officers and the wider Parks management team during the evaluation phase to ensure a successful tendering process was achieved.

### **4. ENVIRONMENTAL/AMENITY ISSUES**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's open space. The contractor will ensure that all areas are kept free of weeds and tree debris.

Concerning sites of biological significance and significant vegetation, Council's Biodiversity team will be consulted during preliminary planning and no remnant vegetation should be affected during the maintenance cycles. Council's Project Manager will ensure the contractor adheres to the approved systems and procedures.

### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

#### **5.1 Projected Costs**

Previously, the two contracts have cost \$1,604,437.50 over a three (3) year period (life of contracts). The new program will increase the full cycle cost to approximately \$1,708,035 over the initial contract period and up to \$2,846,725 over the life of the contract if the extensions are approved.



The projected project cost and funding is summarised below:

<b>Description</b>	<b>Cost 1 year (exc. GST)</b>
Contract No. 2362 – Maintenance of Reserves, Road Closures and Other Areas	\$569,345 p/a
	<b>Cost 3 years (exc. GST)</b>
	\$1,708,035

## **5.2 Funds Available**

Council has allocated funds from its annual budget to fund these ongoing works in Program 35163 and 35148.

## **6. SOCIAL IMPLICATIONS**

The services under this contract provide a significant contribution to enhance the environment and visual amenity of the municipality's road network and surrounding areas.

The services will also aid in keeping the municipality weed and pest free, reduce the amount of litter, and provide open space for the residents to use.

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

The following elements of the Council Plan relate to this issue:

**Sustainable Natural Environment** – Knox City Council will be a leader in environmentally sustainable management, producing a healthier local environment, a green and leafy municipality and sustainable living opportunities for all.

**Attractive & Vibrant Places** – Knox will have a village community feel with access to 'big city' facilities, neighbourhood parks and open space. Development will be targeted around activity centres, with significant landscape and cultural heritage sites preserved through quality urban and landscape design standards.

## **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 – Peter Carlos – Acting Coordinator Active Open Space – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Sam Jones, Project Officer – Open Space and Reactive Services – In providing this advice as the Author, I have no disclosable interests in this report.

## **9. CONCLUSION**

Following the tender evaluation process, it is recommended that Munns Parks and Services Ltd Pty be awarded Contract No. 2362. Their performance with Knox Council has been satisfactory and other referees have provided positive feedback. There is a recommendation from the independent financial report to obtain a 5% bond of the annual submitted price. The submitted price of \$1,708,035 (\$1,878,838.50 inc. GST) is within budget expectations for this service.

Munns have acquired an operations centre within the Knox boundary and are resourced with both equipment and staff to start the contract immediately.

## **10. CONFIDENTIALITY**

The Procurement Report, including the tendered prices, evaluation matrix and completed Panel Evaluation Form is provided separately to this report.

**Report Prepared By:** *Project Officer – Open Space & Reactive Services (Sam Jones)*

**Report Authorised By:** *Director – Engineering & Infrastructure (Ian Bell)*

**3. CONTRACT NO. 2362 – MAINTENANCE OF RESERVES, ROAD CLOSURES AND OTHER AREAS**

Confidential Appendix A is circulated under separate cover.

**4. HACC PROGRAM FOR YOUNGER PEOPLE**

A confidential report is circulated under separate cover

**5. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

**6. SUPPLEMENTARY ITEMS**

**7. URGENT BUSINESS**

**7.1 URGENT BUSINESS**

**7.2 CALL UP ITEMS**