

COMMUNITY IMPACT SPECIAL COMMITTEE

TERMS OF REFERENCE

1. BACKGROUND

- 1.1 By this Terms of Reference Instrument, the Ballarat City Council (**Council**) establishes the Community Impact Special Committee (**Committee**) pursuant to section 86 of the *Local Government Act 1989 (LGA)*. The Committee is established through the combination of the Community Development Grant, Community Events Grant, Council Community Fund, Community Development Organisation Support Grant and Positive Ageing Small Grants committees.
- 1.2 The Committee has the powers, duties and functions of Council as set out in this Terms of Reference Instrument and the attached Schedule. The Terms of Reference Instrument sets out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3 This Terms of Reference Instrument is authorised by a resolution of Council passed on 10 October 2012.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 For the disbursement of funds to target community need and implement structure and probity around the management of funds Council provides to the community in the form of grants;
- 2.2 To clarify the purpose and process and strengthen the governance of the evaluation and allocation of these funds;
- 2.3 Protecting Council and Councillors' integrity by ensuring appropriate levels of segregation exist between Council, Councillors and recipients of grants;
- 2.4 To combine the previous Community Development Grant, Community Events Grant, Council Community Fund and the Positive Ageing Small Grants; and
- 2.5 To ensure the needs of the community are met.

The total funds allocated for disbursement by the Committee is approved in the Council Budget each year.

3. OBJECTIVES

The objectives of the Committee are to:

- 3.1 Maximise the community impact of funding by achieving sustained and meaningful community outcomes;
- 3.2 Recommend to Council the development and implementation of funding programs to meet evidenced community needs. This will include both major funding and

responsive forms of small funding opportunities to immediately assist the community;

- 3.4 Effectively manage and disburse funds on behalf of Council in accordance with the Committee's delegated powers, duties and functions and within established funding programs;
- 3.5 Examine and optimise opportunities to combine Council funding with other forms of government funding and also funding and programs of other agencies and organisations;
- 3.6 Work to identify and establish community connections that sustain long term outcomes;
- 3.7 Provide an effective means of communication between the community and Council;
- 3.8 Review the existing funds streams and make recommendations to Council on possible modifications or innovations;
- 3.9 Ensure there is small grant funding easily accessible by community organisations in need.

4. ROLES AND RESPONSIBILITY

The role of the Committee is:

- 4.1 To exercise Council's powers and carry out Council's duties and functions, in accordance with these terms of reference.

The powers, duties and functions of the Committee include:

- 4.1.1 Evaluating and disbursing public funds to the community;
- 4.1.2 Establishing an evaluation framework and/or policy for the assessment of all applications to Council for grants;
- 4.1.3 Evaluating variation requests of funding allocations to grant recipients as and when requested by grant recipients
- 4.1.4 Protecting Council and Councillors' integrity by ensuring appropriate levels of segregation exist between Council, Councillors and recipients of grants, such as ensuring that funding processes are managed at arm's length;
- 4.1.5 Engaging community expertise in the planning and development of funding programs;
- 4.1.6 Identifying opportunities to connect funding across the community to achieve greater community benefits;
- 4.1.7 Promoting the efficiency, effectiveness and economy of significant Council funding programs, recognising that the funds the committee has delegated authority to distribute are Council funds;
- 4.1.8 Operating within the financial parameters approved by the Council in its annual and five year budgets;

- 4.1.9 Ensuring regular and flexible meeting arrangements to meet critical funding needs;
- 4.1.10 Preparing and presenting (or overseeing the preparation and presentation) to Council of a draft budget by 1 March each year;
- 4.1.11 So far as possible, ensuring all funds are allocated and disbursed each year (as funding is not carried over each year);
- 4.1.12 Ensuring all funds are allocated and disbursed on activities that are for the benefit of Council's residents and Municipal District.

5. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

- 5.1 In order to fulfil and carry out its purposes and objectives Council delegates to the Committee, pursuant to section 86 of the LGA, the powers, duties and functions set out in the attached Schedule.
- 5.2 The powers, duties and functions of Council, conferred on the Committee by this Terms of Reference Instrument, must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.
- 5.3 Committee members are at all times expected to act in accordance with their responsibilities set out in Division 1A of Part 4 of the *Local Government Act 1989*.

6. MEMBERSHIP

The Committee will consist of Seven (7) members comprising:

- 6.1 Four (4) external representatives from leading community agencies:
 - 6.1.1 One Representative from United Way OR The Ballarat Foundation;
 - 6.1.2 One Representative from Regional Delivery Grampians, Regional Development Victoria, Department of Planning and Community Development;
 - 6.1.3 Two Community Representatives;
- 6.2 Three (3) Councillors from People & Communities Portfolio (if established) otherwise one Councillor from each Ward.
- 6.3 Council Officers to assist and advise the Committee when necessary
 - 6.4.1 Director People and Communities;
 - 6.4.2 Community Development Manager;
 - 6.4.3 A single representative from Finance;
 - 6.4.4 An administration officer.
 - 6.4.5 Other Council Officers as requested by the Committee
- 6.4 The tenure of committee members shall be at the discretion of the Council, however:

- 6.4.1 A Representative from United Way Ballarat or The Ballarat Foundation is appointed by their respective Board.
- 6.4.2 Community representatives are appointed to this committee via an expression of interest process for a minimum of two years, with an option to be reappointed.
- 6.4.3 Representative from Regional Delivery Grampians, Regional Development Victoria, Department of Planning and Community Development is appointed to this committee at the discretion of Regional Delivery Grampians, Regional Development Victoria, Department of Planning and Community Development.
- 6.5 All members, excluding Council officers, shall have full voting rights.
- 6.6 Council officers who attend the meetings of the Committee are to provide advice and support to the Committee. They are not classed as Committee members.
- 6.7 Council Officers will manage all internal resourcing to support the committee in the promotion of programs and administration of the committee in carrying out their duties.
- 6.8 The Chairperson will be one of the independent representatives on the Committee.
- 6.9 The Chairperson must preside at meetings of the Committee. In the absence of the Chairperson, the Committee will nominate a Chair for that meeting.
- 6.10 Decisions will be made upon a majority vote with the Chairperson having a casting vote if appropriate.
- 6.11 All External Committee members over the age of eighteen (18) must submit primary and ordinary returns to Council.
- 6.12 All Councillors and Senior & Nominated Officers submit primary and ordinary returns to Council as a matter of course.
- 6.13 All Committee members are bound by the Conflict of Interest provisions of the Local Government Act 1989.
- 6.14 Committee members must not make improper use of information acquired as a Committee member and are bound by Division 1A of the *Local Government Act* 1989.

7. MEETINGS

Committee meetings must be conducted in accordance with:

- 7.1 Council's Meeting Procedure Local Law;
- 7.2 Division 2 of Part 4 of the LGA; and
- 7.3 The Committee's discretion, as exercised from time to time.
- 7.4 The Committee will meet as required to process applications, and achieve the purpose.

- 7.5 A quorum of the Committee will be a majority of the Committee membership with voting rights. (*Majority is half plus one*).
- 7.6 Only Committee members present shall be entitled to vote.
- 7.7 The Committee may appoint advisory sub-committees of members, as required. These sub-committees must have clear guidelines of operation.
- 7.8 The Committee cannot delegate any powers, duties or functions to any sub-committee established from time to time.

8. REPORTING

The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:

- 8.1 Council's Meeting Procedure Local Law;
- 8.2 Division 2 of Part 4 of the *Local Government Act 1989*; and
- 8.3 The Committee's discretion, as exercised from time to time.
- 8.4 Minutes of Committee meetings must be forwarded to governance in Council immediately after adoption by the Committee.
- 8.5 The Committee must prepare and present to Council a report of its activities at least once per year.
- 8.6 The Committee will be included in Council's Annual Audit program.
- 8.7 Where requested by Council, the Committee must report its activities and performance to a meeting of Council.
- 8.8 Any changes to the Committee's Terms of Reference must be endorsed by the Committee and adopted by Council.
- 8.9 Council will endorse the Assessment and Evaluation method agreed to and adopted by the Community Impact Committee

9. CREATION AND DISSOLUTION

- 9.1 By these Terms of Reference the:
 - 9.1.1 Committee is established; and
 - 9.1.2 Powers, duties and functions of the Committee, as set out in this Instrument, are delegated.
- 9.2 The Terms of Reference, including the delegation of Council's powers, duties and functions to the Committee:
 - 9.2.1 Come into force immediately the common seal of Council is affixed to it; and
 - 9.2.2 Remain in force until Council determines to vary or revoke it.

9.3 The Committee can be dissolved by resolution of Council.

Dated this 28 day of October 2012

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

SCHEDULE

1. Powers, duties and functions of Council delegated to the Committee:

To exercise Council's powers and functions and to carry out its duties in relation to the evaluation and disbursement of public funds to the community, Council delegates to the Committee, pursuant to section 86 of the LGA:

- 1.1 The power to establish an evaluation framework and/or policy for the assessment of all applications to Council for grants;
- 1.2 The power to engage community expertise in the planning and development of funding programs;
- 1.3 The power to apportion and disburse all funds allocated to the Committee each year as part of Council's Budget;
- 1.4 The power to evaluate variation requests of funding allocations to grant recipients as, and when, requested by grant recipients.

2. Exceptions, conditions and limitations:

The Committee is not authorised by this Instrument to:

- 2.1 Allocate or expend funds beyond the total amount specified for the Committee in the Council Budget.
- 2.2 Exercise the powers which, by force section 86 of the Act, cannot be delegated;

