



WAVERLEY
COUNCIL

Housing Advisory Committee Terms of Reference

Policy owner	General Manager
Approved by	Council
Date approved	4 April 2023
Commencement date	14 April 2023
TRIM Reference	A10/0353
Next revision date	4 April 2025
Relevant legislation/codes	Code of Conduct for Council Committee Members and Other Council Officials. Code of Meeting Practice
Related policies/procedures/guidelines	
Related forms	

Table of Contents

1. Objective	4
2. Authority	4
3. Membership	4
3.1 Appointment of Councillor members	4
3.2 Appointment of expert and community members.....	4
3.3 Vacancies	5
3.4 Non-voting Invitees.....	5
3.5 Chair of the Committee	6
4. Term of Office	6
5. Role and Responsibilities	6
6. Responsibility of Committee Members	6
6.1 Code of Conduct.....	7
6.2 Conflict of Interests	7
6.3 Confidential and Personal Information.....	7
6.4 Media Protocol.....	7
6.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors.....	7
7 Review of the Terms of Reference	7
8. Administrative Arrangements	8
8.1 Committee Support.....	8
8.2 Meetings	8
8.3 Extraordinary Meetings	8
8.4 Agendas and Minutes	8
8.5 Quorum	9
8.6 Voting.....	9
8.7 Induction	9
Explanatory Note	9

1. Objective

The objective of this Committee is to enable detailed consideration of analysis and service/program information on Social and Affordable Housing in the context of Council strategic policy and operational goals, and to provide perspectives and comment for consideration by both Council staff and Council.

Background

Waverley Council has had a strong focus on the provision of social and affordable housing for its local community for many years. As is widely recognised, the current housing environment is challenging for many people in the community, and gentrification continues to impact on Waverley's diversity.

Strategic planning work has resulted in the development of the Waverley Local Housing Strategy which included a renewed commitment by Council to work on increasing affordable housing stock. A new property strategy is in place and Council has endorsed key directions following a review of its existing social and affordable housing programs. Council has also resolved to explore new models, partnerships and delivery options to optimise social and affordable housing outcomes.

2. Authority

The Committee is an advisory body to Council that assists the Council to fulfil its functions. It does not have any delegated authority to act on behalf of Council. The advisory status of the Committee means that it may provide input to Council officers and make recommendations to Council or its Standing Committees.

3. Membership

Committee membership will comprise:

- The Mayor (or Mayor's nominee) and three Councillors.
- Up to six experts in social and affordable housing who have experience with the management, operation or delivery of such housing, or the preparation, review or implementation of policy for such housing.
- Up to two community representatives with skill sets relating to social and affordable housing.

3.1 Appointment of Councillor members

The Councillor members of the Committee must be appointed by resolution of the Council.

The Council may resolve to appoint an alternate Councillor member to the Committee to attend meetings in the absence of one of the Councillor members. The alternate Councillor member will have the same voting rights as the Councillor member being replaced.

3.2 Appointment of expert and community members

The expert and community members may only be appointed to the Committee by resolution of the Council.

The expert and community members shall be sought by way of public advertisement inviting expressions of interest for assessment by a panel comprising the Mayor (or the Mayor's delegate), the three councillor members assisted by the Directors and staff assigned by the General Manager.

The Panel will evaluate the **expert** member candidates against the following selection criteria:

- Demonstrated interest and connection with Waverley
- Availability to attend meetings and contribute to the work of the committee, and
- Expertise across the following areas:
 - Affordable and social rental housing
 - Relevant development and planning experience

- Relevant asset management experience
- Models for service delivery and evaluation
- Experience with the management, operation or delivery of social and/or affordable housing, or the preparation, review or implementation of policy for such housing.

The Panel will evaluate the **community** member candidates against the following selection criteria:

- Demonstrated interest and connection with Waverley
- Availability to attend meetings and contribute to the work of the committee, and
- Skillsets related to at least one of the following areas as it relates to affordable and social housing:
 - Development and planning
 - Asset management
 - Evaluation and delivery model

The Panel will recommend the expert and community membership to Council for its determination.

Where there are more nominations than positions available, an eligibility list may be established, and if a vacancy arises during the Committee's term, the assessment panel will make an appointment from the list.

3.3 Vacancies

A vacancy for an expert or community member of the Committee will occur upon the resignation of the member, expiry of a term of appointment as outlined in Section 4 of this Terms of Reference, failure to attend without cause for three consecutive meetings, or removal of the member by resolution of the Council.

Vacant expert or community member positions on the Committee must be filled by way of public advertisement inviting expressions of interest for assessment by the Panel, who will recommend a new member to Council. This will occur as soon as practical within the period of two Committee meetings.

However, Council may establish a pool of suitable candidates to fill future vacancies on the Committee. A candidate may be a member of the pool for a maximum period of 12-months.

3.4 Non-voting Invitees

The Committee will issue a standing invitation to the following people to attend meetings of the Committee as non-voting invitees:

- All non-member Councillors
- The General Manager
- All Directors
- The Chief Financial Officer
- The General Counsel

Other Council staff may be invited by the Chair of the Committee to attend meetings as observers, advisors or to provide information and presentations as required.

Additional specialist advisors may be invited to attend meetings where required, at the discretion of the Chair or as part of work being reported by the General Manager.

Councillors who are not Committee members may attend meetings of the Committee. However, they are not entitled to:

- Give notice of business for inclusion on the agenda of the meeting;
- Move or second a motion at the meeting; or
- Vote at the meeting.

3.5 Chair of the Committee

The Mayor (or the Mayor's nominee) is the Chair of the Committee.

The Chair is to have precedence over the control and management of the meetings.

In relation to any procedural matter, the ruling of the Chair shall be final.

The Chair may call any member to order whenever in the opinion of the Chair it is necessary to do so.

Should the Mayor or the Mayor's nominee be unable to chair a meeting or part of a meeting, prior to the meeting the Mayor or the Mayor's nominee will nominate one of the councillor members to act as Chair for the meeting, or that part of the meeting as the case may be.

4. Term of Office

Councillor members of the Committee shall hold office for a 12-month term, as determined by Council in September each year.

Expert and community members of the Committee shall hold office for a two year term.

An individual member will cease to be a member of the Committee if the member has been absent from three consecutive meetings without having given reasons acceptable to the Chair for their absence.

5. Role and Responsibilities

The role of the Housing Advisory Committee is to assess, consider and provide perspectives and comment/advice/recommendations to Council staff and Council on a range of matters relating to Social and Affordable Housing, including:

- Strategic planning matters as they relate to social and affordable housing, including Local Environmental Plan and Development Control Plan amendments.
- Partnerships with other Council's and Community Housing Providers on joint Social and Affordable Housing strategies, projects or funds.
- Developer contribution plans and funding programs for Social and Affordable Housing.
- The strategic and operational effectiveness of its affordable social housing programs.
- The implementation of Social and Affordable Housing goals and objectives including asset management strategies, and the purchase, sale, replacement and development of affordable and social housing properties.
- Other delivery options for Social and Affordable Housing.

The General Manager may also place before the Committee such other matters as they think fit where the Committee's input may add value.

6. Responsibility of Committee Members

Members of the Committee are expected to:

- Understand the relevant legislation and regulatory requirements appropriate to the Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

6.1 Code of Conduct

Members of the Committee must comply with Council's *Code of Conduct for Council Committee Members and Other Council Officials* in carrying out their functions as Committee members.

It is the personal responsibility of each Committee member to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind.

6.2 Conflict of Interests

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be recorded in the minutes.

Where Committee members at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist.

Members of the Committee will be precluded from participating in any transactions involving Council's properties, including leases and sales.

For the avoidance of doubt, non-councillor members of the Committee are not 'designated persons'.

6.3 Confidential and Personal Information

In the course of their work on the Committee, Committee members will be entrusted with sensitive or confidential information about Council's operations.

Committee members must maintain the integrity and security of confidential and personal information in their possession, or for which they are responsible.

Provisions concerning the use and security of confidential and personal information are set out in Part 7 of Council's *Code of Conduct for Council Committee Members and Other Council Officials*.

Should a Committee member become aware of any breach of security, or misuse of Council's confidential or personal information, they should inform the General Manager immediately.

6.4 Media Protocol

Committee members must not make public comment, including to the media and on social media, on any matter related to Waverley Council.

6.5 Responsibilities of Non-voting Invitees, Observers and Non-member Councillors

All non-voting invitees, observers and non-member Councillors must comply with sections 6.1-6.4 of this Terms of Reference.

7 Review of the Terms of Reference

The Committee will review its Terms of Reference at least once every two years to ensure it remains current, relevant and accurately reflects the Committee's composition, role and responsibilities.

The Committee may make recommendations to the Council to change aspects of the Terms of Reference. However, the adoption of the Terms of Reference is the responsibility of Council.

8. Administrative Arrangements

8.1 Committee Support

Council Officers assigned by the General Manager will support the work of the Committee and attend meetings to provide reports, information and expert advice to the Committee.

8.2 Meetings

Meetings of the Committee are not open to the public. However, members of the public may be invited to speak at a meeting on the issues being considered by the Committee at the discretion of the Chair.

A Committee meeting will be held at least once annually to consider the Annual Program Report. Additional meetings will be called on an 'as needs' basis.

Meetings may be held in person, by telephone or online.

In general, meetings of the Committee will take place without strict adherence to the rules of debate and other procedural requirements. The Committee is intended to provide more detailed consideration of matters than possible in formal Council meetings and provide comment and input into the development of advice to Council. However, members are required to behave in accordance with Council's *Code of Conduct for Council Committee Members and Other Council Officials*.

Where these Terms of Reference do not address the conduct of the meetings, Council's Code of Meeting Practice will apply.

8.3 Extraordinary Meetings

Members of the Committee and the General Manager or relevant Directors may approach the Chair at any time to call an extraordinary meeting of the Committee.

In lieu of calling an extraordinary meeting of the Committee to discuss an issue or opportunity, email or video conferencing can be used to enable the Committee to provide advice to Council.

8.4 Agendas and Minutes

The Committee will consider an agenda including items on policy, finance and assets, service reviews and review of program performance.

Assigned Council Officers will supply a draft annual report for consideration at the meeting at least 14 days before the meeting to enable Committee members to make considered recommendations.

Members may raise other matters within the terms of reference for the Committee for consideration, discussion and comment. Where practicable, members should notify the Director or officer assigned to support the Committee of an item at least 21 days prior to a scheduled meeting to enable its inclusion in the agenda.

The assigned support officer will ensure meeting agendas and associated documents will be issued to Committee members, all councillors and non-voting invitees at least seven days before the meeting, and then published on Council's website.

The General Manager, through the assigned support officer, must ensure that full and accurate minutes of the proceedings of Committee meetings are kept. The minutes must record:

- the date and start time of meetings, attendees and any apologies
- any conflict of interests declared at the meeting
- the confirmation of the minutes from previous the meeting
- the Committee's recommendation on each item

- the time the meeting closed.

The draft minutes must be approved by the Chair of the Committee. The assigned support officer will then circulate the draft minutes to all Committee members, Councillors and relevant staff within 10 business days of the meeting being held.

Draft minutes are not publicly available.

Minutes must be confirmed by the Committee at the next available Committee meeting, and subsequently reported to Council for noting and then published on Council's website.

8.5 Quorum

A quorum for a meeting of the Committee will be a majority of Committee members, at least one of whom must be a Councillor.

8.6 Voting

A motion supported by the majority of Committee members, by means of a vote, at a meeting of the Committee at which a quorum is present is a decision of the Committee.

Voting at a Committee meeting is to be by a show of hands or on the voices.

A member of the Committee is entitled to one vote only on each matter. In the case of an equality of votes, the Chair of the Committee has a casting vote. Where the Chair decides not to exercise their casting vote, the motion being voted upon is lost.

Whether or not the Chair used their casting vote shall be recorded in the minutes.

8.7 Induction

New committee members will receive information and briefings upon their appointment to assist them to meet their Committee responsibilities.

Explanatory Note

Affordable Housing targets the needs of very low to moderate income earners. Social housing is a sub-set of affordable housing. Historically it was a distinct portfolio of properties owned and operated by the NSW government. Over the last 10 years, the government has diversified its approach to provision of support for people in need. Government subsidised housing is now provided through a variety of funding programs (State and Federal) targeting identified needs in the NSW community and delivered directly by the State government and community housing providers.

Council currently operates its housing as two distinct portfolios each aiming to address different needs in the Waverley community – social housing targeting the needs of older people and people with disability on very low to low incomes, and affordable housing targeting working people on low to moderate incomes.

The policy settings for these programs, and for any programs Council may establish in the future can be determined by Council so long as the requirements of any federal or state government funding or planning provisions utilised in the procurement of the properties are met.