



Manly Council

Agency Information Guide

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1. Structure and Functions of Council

1.1 Description

Manly Council was incorporated as a local government body on 6 January 1877. Manly is located at the southern end of the Manly Warringah Peninsula of the Northern Beaches, immediately to the north west of the entrance to Sydney Harbour. The area is 16.26km² and has a boundary 39.4km, of which 29.9km is a water margin.

1.2 Basis of Constitution

Manly Council is constituted under the Local Government Act 1993.

1.3 Organisational Structure and Resources

Manly Council is not divided into wards and is governed by the body of Councillors who are elected by the residents and ratepayers of the local government area. The role of the Councillors, as members of the body politic is:

- to direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation;
- to participate in the optimum allocation of the Council's resources for the benefit of the area;
- to play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions;
- to review the performance of the Council and its delivery of services, management plans and revenue policies of the Council;

The role of a Councillor is, as an elected person:

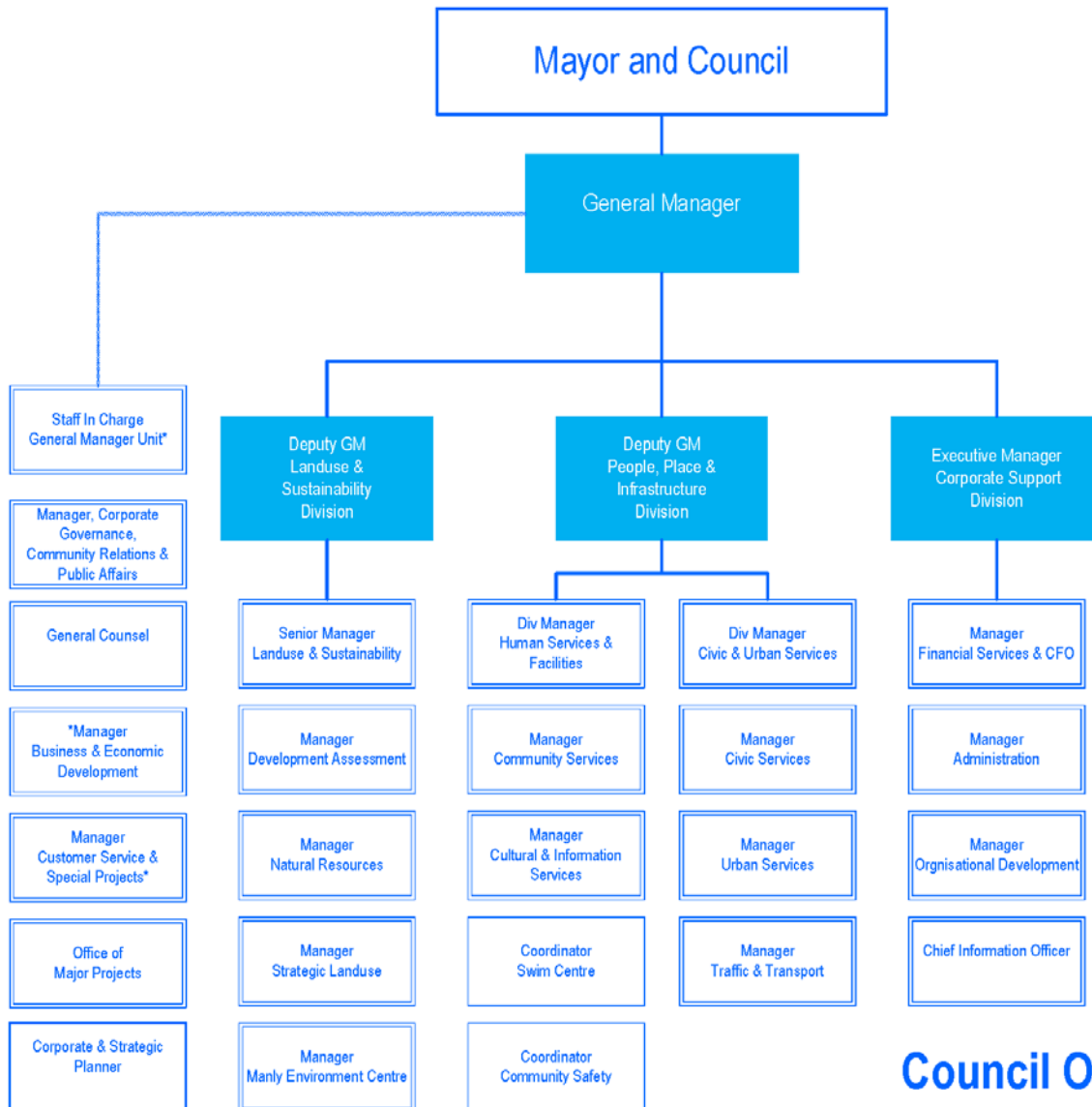
- to represent the interests of the residents and ratepayers;
- to provide leadership and guidance to the community;
- to facilitate communication between the community and the Council.

The Mayor is popularly elected for a four (4) year term. The Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision making functions of the body politic, between its meetings and performs any other functions that the Council determines.

The Principal Officer of the Council is the General Manager. The General Manager is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The General Manager is also responsible for the day to day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the General Manager in the exercise of these functions, there are four (4) Divisions of Council. These Divisions are Land Use and Sustainability, People Place and Infrastructure, Corporate Support and General Manager's Unit.

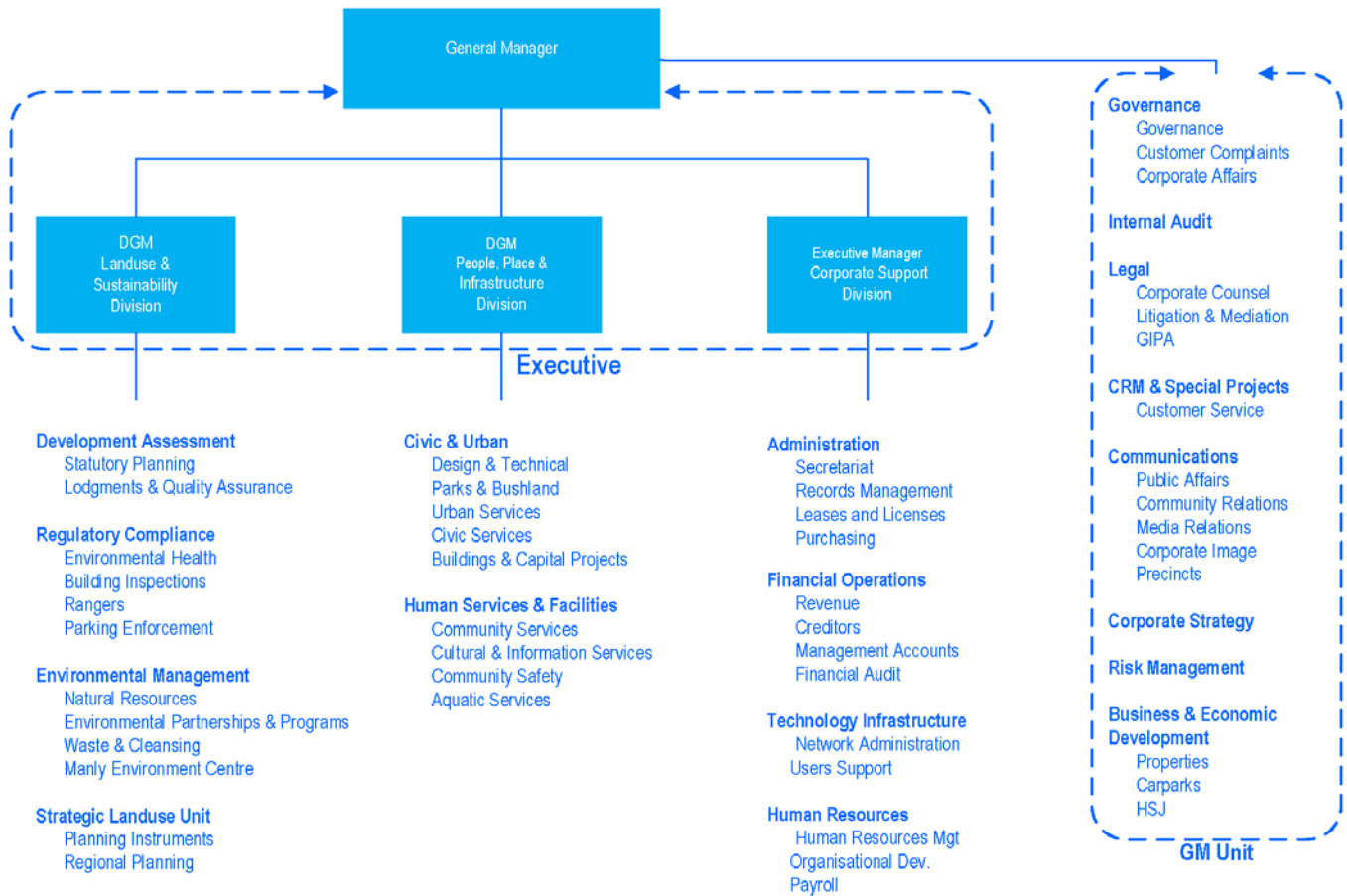
MANLY COUNCIL ORGANISATIONAL STRUCTURE



Council Organisation

OM 8/09¹ as amended OM 03/10
As at 10 September 2012

MANLY COUNCIL ORGANISATIONAL STRUCTURE BY FUNCTION



Organigram

By Function
As at 10 September 2012

1. Corporate Support Division - Manly Council

The Administration and Financial Management:

- Ensures sound financial management in accordance with statutory requirements.
- Ensures that Council business papers and agenda are accurate and in accordance with legislative requirements.
- Assists with leasing and licensing.
- Assists with purchase orders for Council's needs.
- Ensures that records are kept in accordance with the State Records Act.
- Assists the community with rates information and ensuring that rates are paid in a timely manner.
- Assists other divisions with administrative tasks.
- Assists with matters that may fall outside of other division's scope of work.

The Human Resources division:

- Provides effective communication processes for staff.
- Reviews Council's organisation structure to ensure effectiveness of the Council.
- Reviews the recruitment and interview procedures to ensure transparency for all positions advertised within Manly Council.
- Ensures that Council's HR policies meet legislative requirements and organisational needs.
- Ensures that Council implements a strategy to ensure compliance with the State Award System and the Federal System.
- Assists Council with managing its employees and its information technology in a professional and proficient manner.
- Ensures Council's workforce have the necessary skills to carry out required tasks safely and competently.
- Ensures that Skills Reports are relevant to positions, allow for career progression and are non-discriminatory.
- Assists Council staff in maintaining and increasing their skills.
- Ensures that Council's EEO Management Plan is current and meets ongoing needs.

The Work Health and Safety and Risk Assessment Division:

- Ensures Council's staff training meets legislative training requirements.
- Ensures Council's work, health and safety management system complies with legislation and meets Council's ongoing needs.
- Progressively identifies and records all potential hazards.
- Implements best practice in risk management and support cooperative insurance arrangements.
- Reduces work related injuries and workers compensation claims and ensures effective return to work programs where necessary.

2. Land Use and Sustainability Division - Manly Council

The Strategic Planning Division:

- Develops strategic approaches to the future development of the Manly local government area.

- Facilitates economic development strategies and programs.
- Develops policy documents, develops control plans and other strategic documents to guide the future development of the Municipality.
- Facilitates public participation in the development of planning policies.

The Development Control Division:

- Ensures that policy and planning documents address emerging issues, satisfy legislative requirements, reflect 'best practice' and are responsive to community opinion.
- Ensures the development assessment and approval process is efficient and effective and is conducted in accordance with relevant legislation and Council policy.
- Provides a high level of customer service.

The Public Health Division and Environment Protection Division:

- Enhances public awareness of environmental issues.
- Minimises the potential negative impacts of human habitation on the environment.
- Ensures effective reporting and monitoring of issues.
- Ensures that Council has adequate policies to address issues within the environment of the Manly local government area.

The Noxious Weeds Division:

- Undertakes activities for the management of Noxious Weeds within the Manly local government area in accordance with the Noxious Weeds Act.

The Ranger Services Division:

- Minimises the incidence of conflict and nuisance caused by animals.
- Manages car parking within the Manly local government area to maximise its availability for residents and visitors.
- Minimises the incidence of pollution and other antisocial behaviour within the Manly local government area.
- Provides a high level of customer service.

The Swimming Facilities Division:

- Ensures pools are effectively and efficiently managed and operated in accordance with Lease Agreements.
- Ensures that the Manly Swim Centre is properly maintained.
- Provides swimming facilities for the public.
- Provides water safety for the public.

The Building Maintenance Division:

- Ensures sustainable management of buildings and facilities.
- Maintains buildings and facilities in safe and satisfactory condition.
- Carries out improvement works as funds permit.

The Waste Management Division:

- Provides a holistic waste and recycling collection service to maintain a clean environment, maximise the collection of recyclable material and minimise waste going to landfill

3. People Place and Infrastructure - Manly Council

The Engineering Management Division:

- Implements traffic management systems to reflect adopted State standards and Council's policies.
- Reviews and updates the Asset Management Plans for the Councils transport infrastructure network.
- Plans for transport infrastructure works to incorporate changes to the network which maximise the benefits to the road network with the available funds.
- Reviews all required documentation for Project Management on Capital Works Projects.
- Provides professional Development for staff to complete their duties more efficiently and effectively.

The Roads Division:

- Manages Council's exposure to risks associated with the transport infrastructure network.
- Prepares schedule of works based on projects listed in the Operational Plan.

The Stormwater Division:

- Maintains urban stormwater in a serviceable condition.

The Depots and Support Services Division

- Ensures facilities continue to provide the required levels of service to support the Council activities.

The Plant and Equipment Division

- Manages the plant and equipment fleet along business lines to ensure the long-term financial sustainability of the dedicated reserve fund by applying a life-cycle approach to investment decisions.
- Ensures optimum utilisation and operational availability of the Council fleet by applying a management approach to plant and equipment maintenance.
- Maintains flexibility in the operational capacity of the Council fleet through external hire or supply arrangements.

The Parks & Reserves Division:

- Continues to provide and maintain a wide range of parks, reserves and recreational facilities.

The Street Facilities Division:

- Continues to provide and maintain public facilities to a high standard.

The Community Planning and Development Division:

- Progressively implements and reviews the Social Plan.
- Identifies and implements the most effective options for Community Development.
- Supports and assists development of existing community services.
- Promotes the provision of equitable access to services and facilities.
- Maintains support for young people and their families.

The Libraries and Cultural facilities Division:

- Continues to provide quality services at the Seaforth and Manly Library.
- Examines work practices to improve services and to incorporate changing technology.
- Develops programs to educate and inform the community about library services.

The Childcare Division:

- Provides a high quality childcare service that meets the needs of the Manly Community.
- Examines work practices to improve services and to incorporate changing technology.
- Provides sound financial management of centres to ensure financial sustainability.

The Economic Development Division:

- Encourages sustainable economic development within the Manly local government area.
- Identifies and investigate relevant funding sources and opportunities.
- Builds relationships with funding bodies, relevant government and private institutions and peak community groups.

The Tourism Promotion Division:

- Ensures that visitors and potential visitors have access to information and tools which rise awareness about Manly and satisfies their needs and maximise conversion to sales and visitation to Manly.
- Facilitates structures and processes that enhance tourism advocacy, promotion and product development.

The Arts and Culture Division:

- Supports the promotion of local events, artistes, and performing groups.
- Provides appropriate cultural facilities that are appealing and accessible to all members of the public.

The Indigenous Community Division:

- Promotes racial harmony and community understanding & acceptance of Aboriginal Culture in schools & the wider community.

The Seniors Division:

- Facilitates the provision of Aged Care Facilities and housing for older people.

The Children Services Division:

- Helps address the issue of inadequate provision of before and after school care and vacation care for children, particularly for 8-12 age groups.

The People with Disabilities Division:

- Ensures the provision of adequate directional signage and access to accessible facilities & services.

The Access and Equity Division:

- Improves availability of information in relation to accessibility, awareness and facilitates the sharing of available transport resources.

4. General Manager's Unit - Manly Council

The Governance division:

- Ensures that the long term vision and strategies of the Council are considered, documented and available to the community.
- Trains and inducts Councillors, staff and committee delegates to ensure they understand their roles and responsibilities.
- Supports Council meetings ensuring compliance with statutory requirements and provides adequate opportunities for community input.
- Reviews Council Policies to ensure that they are up to date with current legislative requirements.
- Establishes systems and processes to ensure Council's Records Management Policy complies with legislative obligations.
- Establishes systems and processes to ensure Council's Public Documents are available and current in accordance with legislative requirements.
- Introduces effective reporting processes for staff against statutory requirements.
- Works with the Community.

1.4 Functions of Manly Council

A Council exercises functions under the Local Government Act 1993. Council's functions are grouped into the following categories:

- Service Functions
- Regulatory Functions
- Ancillary Functions
- Revenue Functions
- Administrative Functions
- Enforcement Functions
- Various Functions

Examples of these functions include the provision, management or operation of:

- community services and facilities;
- public health services and facilities;
- cultural, educational and information services and facilities;
- sporting, recreational and entertainment services and facilities;
- environment conservation, protection and improvement services and facilities;
- waste removal, treatment and disposal services and facilities;
- pest eradication and control services and facilities;
- public transport services and facilities;
- energy production, supply and conservation;
- water, sewerage and drainage works and facilities;
- storm water drainage and flood prevention, protection and mitigation services and facilities;
- fire prevention, protection and mitigation services and facilities;
- land and property development;
- housing;
- industry development and assistance; and
- tourism development and assistance.

As well as the Local Government Act 1993, Council has powers under a number of other Acts including:

Coastal Protection Act 1979

Community Land Development Act 1989

Companion Animals Act 1998

Contaminated Land Management Act 1997

Conveyancing Act 1919

Privacy and Personal Information Protection Act 1998

Protection of the Environment Operations Act 1997

Public Health Act 2010

Recreation Vehicles Act 1983

Roads Act 1993

<i>Crown Lands Act 1989</i>	<i>State Emergency and Rescue Management Act 1989</i>
<i>Environmental Planning and Assessment Act 1979</i>	<i>State Emergency Service Act 1989</i>
<i>Fire Brigades Act 1989</i>	<i>Strata Schemes (Freehold Development) Act 1973</i>
<i>Food Act 1989</i>	<i>Strata Schemes (Leasehold Development) Act 1986</i>
<i>Government Information (Public Access) Act 2010</i>	<i>Strata Schemes Management Act 1996</i>
<i>Health Records and Information Privacy Act 2002</i>	<i>Swimming Pools Act 1992</i>
<i>Heritage Act 1977</i>	<i>Threatened Species Conservation Act 1995</i>
<i>Impounding Act 1993</i>	<i>Unclaimed Money Act 1995</i>
<i>Library Act 1939</i>	<i>Water Management Act 2000</i>
<i>Noxious Weeds Act 1993</i>	

2. How Council Functions Affect Members of the Public

As a service organisation, the majority of the activities of Manly Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as Meals on Wheels, child care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage.

Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community through the efficiency and effectiveness of the service provided.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non payment of rates and charges, unregistered dogs and parking offences.

Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as National Aboriginal Islander Day Observance Committee Week, Youth Week, Children's Week, as well as promoting events of others.

3. How the public can participate in Council's policy development and Council's exercising of functions

There are two broad ways in which the public may participate in the policy development and, indeed, the general activities of the Council. These are through *representation* and *personal participation*.

3.1 Representation

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are held every four years. The next elections are to be held in 10 September 2016.

At each election, voters elect nine Councillors for a four year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

3.2 Personal Participation

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council. Several Council Committees comprise or include members of the public.

Manly Council supports a system of 12 Precinct Community Forums throughout Manly Council area. All residents, property owners and people who work in the area are encouraged to participate by joining their local Precinct Community Forum. This system was established by Council in 1990 to assist communication and obtain involvement of residents. All matters which have a potential to affect a Precinct area are referred to the Community Forum for their comments. The 12 Precinct Community Forums meet monthly and their comments regarding items on the Agenda are included for the information of Councillors.

Council also has a number of Special Purpose Committees, which include citizen representatives. These special committees or bodies are:

- Access Committee
- Art and Culture Committee
- Community Environment Committee
- Community Safety Committee
- Harbour Foreshores and Coastline Management Committee
- Heritage Committee
- Human Services Planning and Policy Committee
- Landscape Management & Urban Design Committee
- LM Graham Reserve Working Group
- Manly Arts Festival Working Group
- Manly LEP and DCP Working Group
- Manly Scenic Walkway Committee
- Meals on Wheels Committee
- Playground Committee
- Sister Cities Committee
- Sports Facilities Committee
- Surf Club Liaison Working Group
- Sustainable Economic Development and Tourism Committee
- Sustainable Transport Committee
- Sustainability and Climate Change Committee
- Traffic Committee
- Waste Committee

Members of the public are also able to attend the Planning and Strategy and the Council meetings (held on the first and second Monday of each month) held in the Council Chambers, 1 Belgrave Street Manly.

4. Documents - Open Access Information Manly Council

4.1. Documents Held by Council

Council holds documents (hard copy and/or electronic form) that relate to a number of different issues concerning the Manly Council area. These documents are grouped into four categories:

1. Electronic Documents
2. Hardcopy Documents
3. Policy Documents
4. General Documents

Documents included in Clause 4.4 of this Agency Information Guide may be made available to the public upon request unless there is an overriding public interest not to do so.

Some documents may require a formal access application in accordance with the Government Information (Public Access) Act 2009.

4.2. Electronic and Hardcopy

Council has implemented an Electronic Document Management System (EDMS). After 1st July 2003 hardcopy files were dispensed with, except for development/building/construction applications and associated documents.

Before 1st July 2003, the main types of hardcopy files held by Council included general subject files, development and building files, property files as well as street and park files.

These hard copy files are not available on Council's website. This information may be accessed by informal release or via formal access application in accordance with the provisions of the GIPA Act.

Members of the public who require an informal release or an access application can do so by visiting the Manly Council website at www.manly.nsw.gov.au

Not all hardcopy files are kept at Council; many older files from 2001 for example are stored off-site at archived repositories.

4.3 Policy Documents

Council has a register of policy documents which is maintained by Council's Access to Information Officer and is available on Council's website.

4.4 General Documents

The following list of general documents held by Council has been divided into four sections as outlined by Schedule 1 of the Government Information (Public Access) Regulation 2009 (**GIPA Regulation**):-

1. Information about Council;
2. Plans and Policies;
3. Information about Development Applications;
4. Approvals, Orders and other Documents.

Schedule 1 of the GIPA Regulation requires that these documents held by Council, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website, or an overriding public interest against disclosure); or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies are supplied as per the copying charges found in the Council's Schedule of Fees and Charges.

These documents are:

1. Information about Council

- The model code prescribed under section 440 (1) of the Local Government Act 1993
- Councils adopted Code of Conduct

- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- Equal Employment Opportunity Management Plan
- Policy concerning the Payment of Expenses Incurred by, and the Provision of Facilities to, Councillors
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the Local Government Act 1993
- Returns of the Interests of Councillors, Designated Persons and Delegates
- Agendas and Business Papers for any meeting of Council or any Committee of Council
- Minutes of any meeting of Council or any Committee of Council
- Departmental Representative Reports presented at a meeting of Council
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

2. Plans and Policies

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans

3. Information about Development Applications

Development Applications and any associated documents received in relations to a proposed development:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions on appeals

- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

4. Approvals, Orders and Other Documents

- Applications for approvals under part 7 of the Local Government Act 1993
- Applications for approvals under any other Act and any associated documents received
- Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the Local Government Act 1993, and any reasons given under section 136 of the Local Government Act 1993
- Orders given under the Authority of any other Act
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

5. How members of the public may access and amend council documents concerning their personal affairs

Council has a large range of documents that may be accessed in varying ways. Most documents can be inspected at and obtained from Council's Office at Town Hall between the hours of 8.30 am and 5 pm, Monday to Friday (except public holidays).

For further enquiries about any document, a Customer Services Officer or the officer responsible for the information should be contacted. If you experience any difficulty in obtaining documents or information, you should contact Council's Public Officer or the Access to Information Officer.

5.1. Public Officer and Access to Information Officer

It should be noted that the Manager Customer Service & Special Projects and Staff in Charge of General Manager's Unit has been appointed as the Public Officer.

Council has appointed the Access to Information Officer as being responsible for determining applications for access to documents or for the amendment of records. If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Access to Information Officer.

Also, if you would like to amend personal information which you feel is incorrect, it is necessary for you to make written application to the Access to Information Officer in the first instance. Enquiries should be addressed as follows:

General Manager
 Manly Council
 PO Box 82
 MANLY NSW 1655
 Email: records@manly.nsw.gov.au

6. Agency Information Guide History

Date of Issue	Action	Author	Checked By
23 rd November 2010	First Draft	Records Manager	Manager Administration
9 th December 2010	Second Draft	Records Manager	Manager Administration
17 th December 2010	Third Draft	Records Manager	Manager Administration
22 nd December 2010	Approved by GM	Records Manager	General Manager
26 March 2012	GIPA Act now refers to "Agency information guides" instead of Publication Guides, all references updated.	Information Officer	Manager Administration
28th August 2012	Annual review of AIG	Information Officer	Consultant Solicitor