GUIDELINES FOR
MANLY COUNCIL
COMMUNITY PRECINCTS

SIZE OF MANLY AREA:	16.25 square kilometres (1625.4 hectares)
POPULATION:	37,380 (2006 Census approx)
NUMBER OF HOUSEHOLDS:	17,442 (2006 Census approx)
NUMBER OF PRECINCTS:	12 designated areas
HOUSEHOLDS IN PRECINCTS:	1000-2000 households (average)
MEETINGS HELD:	Monthly

BACKGROUND

In order to provide a system of government and decision making that is open, accessible and informative, Manly Council, through a system of Community Precincts, encourages residents, workers, students and property owners to actively engage in Council's decision making processes.

OBJECTIVES:

1. To provide an effective communication channel between the community and Council
2. To ensure that actions the community want the council to take are communicated to the Council
3. To ensure that the community's views are taken into account in the council decision making processes
4. To follow up on behalf of the community on agreed actions
5. To encourage more social interaction within the local community
6. To progress community issues with Federal and State Government bodies and private organisations.
7. To provide information to Council on the physical and social characteristics and requirements of individual Precincts in order to assist Council in (a) assessing Building, Development and Environmental matters and (b) formulating its overall programme for the Local Government Area.
8. To make recommendations for expenditure in individual areas.
9. To make recommendations to Council on social issues that affect the individual areas or Manly as a whole.

Council regards Community Precincts as Community groups that are independent from Council, to which Council provides guidance and support. They are a valuable source of community consultation but they are advisory in nature.

PRECINCT MEETINGS

GENERAL:

- A public meeting will be held in each local Precinct at least once every month (with the possible exception of January when precincts are encouraged to take a break). The purpose of the Precinct meeting is for residents, workers and ratepayers to meet formally and discuss a range of issues affecting their local community in order to inform Council of their views and recommend any necessary action.

- Precinct meetings are organised by the executive of each local Community Precinct.

- No resident, ratepayer, worker or business owner is to be excluded from any Precinct meeting unless there are external legal reasons to consider such as court orders or similar. In such extreme circumstances, admission to a meeting will be at the discretion of the Chair. If any attendee at a meeting should become unruly or disruptive, the chairperson has the right to expel that person if they continue to behave in an inappropriate manner after being warned officially by the chair.

- Every effort must be made to inform all households in the Precinct area about the activities and meetings of the Precinct. This can be done though the medium of monthly newsletters and / or e-newsletters, the precinct notice board, the Precinct website and other communications mediums which may be at the disposal of the precinct in question. Precincts are encouraged to use as many communication channels as possible to ensure that all members of the community are included.

ATTENDANCE AT MEETINGS:

- All residents, ratepayers and business owners within each Precinct may attend Precinct Meetings and may vote in accordance with the Guidelines as outlined below in the section “voting at precinct meetings”.

- All workers in a particular area may attend the local Precinct meeting and contribute to discussion but are not entitled to vote on agenda items (unless they are a business owner, a resident or a ratepayer in that precinct).

- The Mayor and Councillors may attend monthly Precinct meetings for the area they live in and no invitation is required for such attendance. However councillors should consider very carefully their active involvement at their local precinct meetings, particularly in regards to voting on issues, proposing motions or seconding motions that are likely to involve a later assessment by Council.

- If Councillors wish to attend Precinct meetings **outside** the area they live in, they may only do so by invitation. When an invitation is issued to any Councillor, all Councillors including the Mayor must be invited to attend that meeting.

QUORUM FOR VOTING:

The quorum for all Precinct Meetings, including the Annual General Meeting (AGM) is 12 **residents**. If at the AGM, no quorum is reached after half an hour, those present can proceed to adopt the previous AGM minutes only.

VOTING AT MEETINGS:

- All **residents and ratepayers** may vote on any issue at a meeting, except those precinct members with an 'interest' (*please see below*).

- A business owner, (or one representative of a business owner) in a particular precinct may vote at their precinct meeting. *(In the event of a business having multiple owners, those owners will be responsible for selecting one representative to vote on their behalf)*

- The views of a precinct are recorded as those expressed by a show of hands of those present at the meeting.

- The minutes should state the number of persons present at the meeting as well as voting figures on individual agenda items. The simple term "unanimous" is acceptable as long as the attendance figures are recorded within the minutes

- Workers in the subject area may attend precinct meetings but they are not eligible to vote unless they are also a resident, or a ratepayer or a business owner.

Persons with an "interest"

- On matters relating to particular Development Applications, all people directly involved with the application (eg. owners, tenants, developers and architects) should declare an interest and must not vote on that item.

- For other agenda items that are not DA related, persons with an "interest" are those people deemed to have a pecuniary interest in the matter being voted on (i.e where there is potential for that person to significantly benefit financially from the outcome of the matter). These people should declare an interest and must not vote on that item.

ANNUAL GENERAL MEETINGS:

Every Precinct must hold an Annual General Meeting in May each year. The Precinct must make every effort to ensure that all households are notified of this meeting including details such as the date, time and location of meeting. *(Please refer above to guidelines under "General" regarding to notification of meetings)*

The Annual General Meeting for each precinct will be conducted by Manly Council's Precinct Coordinator and / or Manager - Natural Resources, Community & Environmental Partnerships

OFFICE BEARERS:

- Each Community Precinct is to elect the following Office Bearers at their AGM:
  - Chairperson,
  - Secretary and
  - Treasurer
  - (The election of a Deputy Chairperson is optional)

- The Office Bearers must not be from the same family group *(unless exceptional circumstances exist*).*

- The office bearers must live in the Precinct *(unless exceptional circumstances exist*)*

- Councillors are not allowed to be office bearers of Precincts.

- In the event of a vacancy arising in the position of Secretary or Treasurer, the Precinct members can elect a new "acting" office bearer to either of these positions at any ordinary meeting as long as it is convened and notified as per the guidelines above for monthly meetings.

In the event of a vacancy arising in the position of Chairperson, the Precinct members must notify the Precinct Coordinator as soon as possible in order that an election for the position can be held by the Precinct Coordinator or the Manager - Natural Resources, Community & Environmental Partnerships.

MATTERS REFERRED TO COMMUNITY PRECINCTS:

At any given time, Council staff will identify a range of issues to be referred to Community Precincts. However at all times, the following matters will be automatically referred to Community Precinct meetings:

- All land re-zoning proposals

- All development applications, building applications, changes to traffic conditions or landscaping works which will:
  - alter the character of an area;
  - have an impact on such matters as traffic issues, management plans, views or overshadowing and change of use.

Further criteria for items sent to Community Precincts for comment are outlined in the Manly DCP for Notification 2013 section 2.2.3 'Other Consultation Processes'.

A full list of new DAs with a brief synopsis will be provided to precincts on a monthly basis so that precincts are aware of DAs that have been lodged within the Manly LGA. If Precincts wish to view material for DAs in their area that have not been automatically referred to them under the criteria above, then they can submit a request to the Precinct Coordinator to view such files. Such requests will then be processed by the Precinct Coordinator.

PRECINCT DECISIONS and RECOMMENDATIONS:

- It is the Community Precinct's responsibility to advise Council of any decisions/recommendations made at a Precinct meeting in a reasonable timeframe.

- Many issues referred to Precincts by Council staff are accompanied by a specified timeframe (e.g Development Applications or Building applications). Precincts need to ensure that specified timelines are complied with as Council business will not be delayed due to a lack of response from a Community Precinct.

- All other decisions or recommendations of the Community Precincts must be forwarded to Manly Council within a reasonable timeframe. Council commits to providing a response to the precinct within **15 working days** of receipt of the minutes.

- All resolutions coming from a precinct meeting must be minuted and accompanied by voting numbers, with the names of the proposer and seconder clearly stated.

- All minutes / letters to Council regarding a decision made by the Precinct should state the date of the meeting when the decision was made and should provide an account of voting numbers.

- Decisions of Community Precincts are advisory only and will be considered by the Council in its statutory decision making role. Decisions of Community Precincts may be accepted or rejected by the Council but at all times, a response will be provided to the Precinct explaining Council's position.

CONTACT WITH COUNCIL

COUNCIL SUPPORT:

Council employs a Precinct Coordinator to liaise with and support the Precincts. Guidance to the position is provided by the General Manager and the Manager - Natural Resources, Community & Environmental Partnerships

COUNCIL ⇨ COMMUNITY PRECINCT

- Council staff will advise the Precinct Coordinator of items, issues, applications and matters for community comment for individual Community Precinct areas
- Responses to Precinct Minutes and action items will be conveyed by Council staff to the community precinct via the Precinct Coordinator
- Council's Environmental Services Division sends copies of Development Application documentation directly to Precinct representatives with a reply-paid envelope for the return of the plans to Council.

COMMUNITY PRECINCT ⇨ COUNCIL

- Action items and precinct requests will be conveyed to council staff via formal minutes of a precinct meeting. The minutes will be received by the Precinct Coordinator in order that resolutions and requested action items can be processed.
- Normal enquiries or requests for action can be made through Council's Customer Service Centre or via the "Customer Action Request" facility on council's website at www.manly.nsw.gov.au
- Direct Contact with the General Manager is also possible but all written correspondence should be copied to the Precinct Coordinator to ensure they are aware of key outcomes and decisions.
- All other contact with Council staff, including face to face meetings, must be facilitated by the Precinct Coordinator.

Complaints concerning lack of information or lack of co-operation are to be made to the Manager - Natural Resources, Community & Environmental Partnerships in the first instance.

FUNDING:

Each Community Precinct is allocated funding from Council as a contribution to printing and distribution of notices. These funds will be provided to precincts in the first quarter of the financial year. Additional funds may be raised by each Precinct via newsletter advertising, local initiatives, fundraising etc. Any additional funding collected in the name of the precinct must be held in official precinct accounts. Any concerns regarding the financial management of a precinct must first be raised in the context of a precinct meeting before being escalated to Council. In such an instance,

council reserves the right to request financial records. Bank statements covering a 12 month period must be tabled at each AGM.

GOVERNANCE ISSUES

CODE OF CONDUCT:

Precinct Office Bearers are covered by the Manly Council Code of Conduct as delegates. The Code of Conduct is available on Council's website www.manly.nsw.gov.au under Council Publications.

PUBLIC LIABILITY, ASSOCIATION LIABILITY AND VOLUNTEER PERSONAL ACCIDENT INSURANCE COVER:

Council has arranged a policy of insurance on a group basis for the Precinct Committees. The insurance covers:-

- Public Liability
- Association Liability
- Personal accident – volunteers

The policy wording including the limitations on the cover and the excesses which apply, which in the event of a claim would be borne by the Precinct, have been supplied to the Precinct Committees. Council encourages all members to ensure they are familiar with the terms of the policy.

While there is some defamation cover for Committee Members while acting on behalf of and speaking for the Precinct Committee, Office Bearers are advised they need to exercise extreme care when speaking, publishing and reporting in any capacity, on behalf of the Precinct. No cover is extended to members of the committee who make comments or express opinions reflective of their personal position rather than as a spokesperson for the Committee.'

USE OF MEDIA, PRECINCT LETTERHEAD, NEWSLETTERS AND NOTICE BOARDS:

The Precinct Executives are responsible for the content of information in newsletters, notice boards, all correspondence and use of the media.

The use of the media, Precinct letterheads or notice boards for specific items/issues needs to be confirmed and supported through the collective view of Precinct attendees at a duly convened Community Precinct Meeting.

PERSONAL or POLITICAL AGENDAS:
Community Precincts cannot be a vehicle for any registered political party or interest group. The Precinct Executives are asked to use their awareness and discretion to ensure the Precinct meeting remains free of any political pressures.

For further information regarding the Community Precincts at Manly Council, please contact the Precinct Coordinator on 9976 1512.

**** "exceptional circumstances"** are situations deemed to be exceptional by the Manager - Natural Resources, Community & Environmental Partnerships*

ADOPTED BY COUNCIL ON MONDAY JUNE 21ST 2010

AMENDED on May 18th, 2011 in accordance with Council Resolution 80/11