



Guidelines for the Conduct of Community Consultative Bodies



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1. ESTABLISHMENT OF A COMMUNITY CONSULTATIVE BODY

1.1 Introduction

The Shoalhaven environment is recognised as one of the most beautiful, yet sensitive, in the State. Consequently Council and the community are faced with the challenging responsibility of accommodating an acceptable and sustainable level of growth, whilst protecting the inherent natural qualities of our area. This involves sound decision making.

There are 49 towns and villages in the City of Shoalhaven and there is a range of characteristics unique to every centre of population. This diversity creates a need for Council to consult with the community on a wide range of issues.

Community consultation is an important component of responsible decision making. One means by which Council is committed to consulting with the community is by a two-way communication process with organisations recognised by Council as Community Consultative Bodies.

1.2 Definition

A Community Consultative Body (CCB) is an organisation which:

- a) Has geographic boundaries covering an area with a common interest (i.e. a community of interest)
- b) Has the general support and confidence of the local community to:
 - i) disseminate information
 - ii) facilitate discussion
 - iii) communicate collective views of the community to Council.
- c) **Seeks to represent** the residents and ratepayers within the CCB area.
- d) Complies with the adopted 'Guidelines for the Conduct of Community Consultative Bodies'.
- e) Is formally recognised by Council as a CCB.

1.3 Boundaries

An organisation wishing to be recognised as a CCB should determine the geographical area it wishes to represent. This area should be outlined on a map.

A CCB area must be of sufficient size to capture the views of a reasonable sized community on a range of local government issues.

A CCB needs to be large enough and sufficiently diverse to protect against being 'taken over' by a special interest or single issue group.

1.4 Recommended Conduct for Attendance at CCB Meetings

Participants are encouraged to:

- a) Come with good intentions and extend goodwill to all participants;
- b) Address the issue not the person and endeavour to express yourself clearly;
- c) Listen to and respect other's opinions.

1.5 One Community Consultative Body in Each Area

Council will only recognise one organisation as a CCB over any geographic area.

1.6 Objectives

A CCB should adopt the following objectives.

- a) To obtain, on behalf of the local community, information on local government issues relevant to the CCB area or the Shoalhaven City area as a whole.
- b) To disseminate relevant information to residents and ratepayers within the CCB area.
- c) To facilitate discussion on, and communicate to Council, the collective views of the community on a range of matters including, but not limited to, Policy Development, land re-zoning, Subdivisions, Development Applications and Works and Services needs of the area.
- d) To encourage the involvement of residents and ratepayers in Council's decision making process.

1.7 Council Recognition – Applying to Become a Community Consultative Body

An organisation applying to be recognised by Council as a CCB should forward a letter of application to Council stating that it will comply with the 'Guidelines for the Conduct of Community Consultative Bodies' and enclose a map identifying the proposed CCB area.

Council will then:

- a) Advertise the proposal for public comment.

- b) Consult with any other organisation that is recognised as a CCB within any part of the same geographic area.
- c) Submit a report to a Council meeting for determination.
- d) Take into consideration any comments received when determining the application.
- e) Inform the applicant of Council's determination.

1.8 Recognition of an Existing Organisation

A CCB may be an organisation established for the sole purpose of fulfilling the role of a CCB.

Alternatively, an organisation already actively involved in the local community may be suitable for recognition as a CCB (e.g. a Progress Association, a Residents and Ratepayers Association).

1.9 Splitting a Meeting

Some CCBs may wish to split their meetings so that the first part of the meeting deals with agenda items which are within its role as a CCB. The second part of the meeting can then focus on other business in which the organisation is involved.

In such cases it is generally advisable to maintain separate minutes.

Should a need arise, a CCB may resolve to split the meeting in accordance with this Clause. In such a case, the CCB may by resolution determine the office bearers for the CCB component of the meeting, and those office bearers are to be determined at the Annual General Meeting by the residents and ratepayers from within the CCB geographical area.

Where an existing organisation is recognised as a CCB it must comply with the 'Guidelines for the Conduct of Community Consultative Bodies' when dealing with Council related issues.



2. COUNCIL SUPPORT

2.1 Provision of Information

Council will provide CCBs with the following information:

- a) a weekly list of development and sub-division applications currently before Council for determination
- b) details of policy documents and corporate planning strategies on which Council is seeking comment
- c) land re-zoning proposals
- d) Council Business Papers and Minutes
- e) draft Management Plans
- f) Council's Annual Report
- g) Other relevant documents.

Where an e-mail address is provided, Council will, if requested by the CCB, forward the above information in an electronic format. In such a case, Council will use hyperlinks to the Council documents where appropriate.

If further information is required in regard to a major development proposal, the CCB can nominate a representative to liaise with an officer of Council on the issue.

If the development application is of a very significant or sensitive nature, arrangements may be made for representatives of a CCB to meet with Council's Development Assessment Unit. This will provide an opportunity for the CCB to have some preliminary input and comment.

2.2 Area Meetings

Council will hold a meeting each year for the four areas being divided into northern, central area 1, central area 2 and southern in August of each year.

The meetings will be called to enable discussion of:

- a) matters of policy (including planning policy)
- b) priority of major works
- c) customer service and Council performance standards
- d) to facilitate interaction between CCB's within each area
- e) Agenda items as submitted by CCBs.

The President and Secretary (or their representatives) for each CCB in the area will be invited to these meetings and each CCB will be invited to submit agenda items.

Council will convene a meeting of all CCB Executives in February (where possible) each year to discuss Major policies, strategies, the budget and Operational Plan

allowing the community input to the Draft Operational Plan before it is placed on public exhibition. CCB executives or their representatives may participate in discussion and vote at this meeting, while other members of the CCB are welcome to attend as observers. CCBs are to be requested if they wish to provide Agenda items. In such a case the General Manager has the discretion to determine whether those items are consistent with Citywide issues and can be included on the agenda.

2.3 Financial Assistance

Council will provide financial assistance to help meet the administrative costs and/or hall hire expenses. The amount will be determined in Council's budget process and will be paid each financial year.

When applying for financial assistance, CCBs will be asked to provide a copy of their financial statement for the previous 12 months. See Attachment A for a sample of a financial statement.

2.4 Notice Boards

Council may assist in the provision and maintenance of a community notice board. Assistance will be subject to the availability of funds within Council's budget.

Conditions of use of a community Notice board:

- a) The CCB may allow the display of information by any local non-profit organisation (excluding matters of a party political or religious nature, and business or personal notices)
- b) The underlying principle for community notice boards is to promulgate matters of community interest as considered relevant by the local Community Consultative Body
- c) Information placed on community notice boards is for information dissemination that provides to the community a balanced view. For example, if there are any contrary views published, both views are to be placed on the notice board, rather than only one point of view
- d) Council advertisements may be placed on the notice board at the discretion of the Community Consultative Body.

2.5 Public Meetings

Council will organise public meetings where issues of major community interest can be discussed. The CCB for the area will be informed of the details of any such meeting.



3. ADMINISTRATION – COMMUNITY BASED CCB'S

3.1 Office Bearers

CCB office bearers include:

- a) Chairperson or President
- b) Secretary
- c) Treasurer
- d) others as considered appropriate by the CCB.

The democratically elected office bearers must live or own a property within the CCB area.

If possible, principal office bearers (i.e. President, Secretary, Treasurer) should not be from the same family/household. A CCB must hold an Annual General Meeting once per calendar year preferably in the same month of that year.

It is recommended that a person hold the office of Chairperson for no more than two consecutive years.

Voting for the election of office bearers in an Existing Organisation and other non-Council related issues may be restricted to financial members of the organisation.

3.2 Role of the Chairperson

The Chairperson of a CCB meeting should ensure that:

- a) A quorum is present before opening the meeting.
- b) All residents and ratepayers of the CCB area are made welcome at the meeting and are aware that they can participate in discussion and vote on any Council related matter.
- c) The meeting is chaired impartially.
- d) Control and guidance is exercised during the course of the meeting.
- e) Discussion remains relevant to the issue and is not too prolonged.
- f) The Chairman may refer to the Councils Code of Meeting Practice for Guidance on Meeting Procedure.
- g) Any individual or special interest group does not dominate the meeting. This may be done by:
 - i) limiting the time one person may speak on an issue and/or
 - ii) ensuring that everyone has an opportunity to speak before anyone is allowed to speak for a second time on that issue

- iii) ensuring that comments and proposals both in support and opposed to a proposition are heard.

3.3 Role of the Secretary

The role of the Secretary of a CCB is to:

- a) Advertise meetings including an Agenda outline in a manner suitable to the community.
- b) Handle correspondence and have correspondence available at meetings for perusal by members.
- c) Record the Minutes of CCB meetings (a copy of the Minutes must be forwarded to Council within one month of the meeting following their adoption).
- d) Be the main contact person for the CCB.
- e) Advise Council of any change in the principal office bearers or the mailing address of the CCB.
- f) Make available Minutes of meetings for inspection by residents and ratepayers within the CCB area.

3.4 Role of the Executive

The role of the Executive is as follows:

- a) To communicate decisions adopted at the CCB meeting in accordance with the direction given at the meeting;
- b) To determine the items to be included in the agenda for the subsequent CCB Meeting;
- c) To represent the functions of the CCB and resolve urgent items that may require a response before the next CCB meeting. The position taken on such items will need to be ratified at the next CCB meeting.

3.5 Incorporation

Organisations recognised by Council as CCBs are free to determine for themselves whether to incorporate under the *Associations Incorporations Act*.

3.6 Insurance

Public Liability Insurance

A CCB may hire a Council facility for the purpose of holding a meeting and in such cases there is no need for the CCB to hold public liability insurance cover.

However, Council's insurance cover does **not** cover or protect any other activities of a CCB. A CCB hiring a Council facility to conduct any activity other than a meeting will be required to hold Public Liability Insurance cover for \$10 million.

Members of the Committee should note that they are only covered by Public Liability Insurance when acting within the role of the respective CCB in accordance with these guidelines and subject to policy terms and conditions.

The following general information applies to the Public Liability policy:

- Councils' policy covers the CCB or qualifying committees of Council and Committee members against claims made by members of the public for personal injury or damage to personal property arising from a negligent act or omission of Council
- When an incident occurs, members of the CCB are instructed that they are not empowered to admit liability. The following procedure is to be followed:
 - i) Members of the public who wish to make a claim should be requested to state their claim in writing setting out full particulars of the accident (where, when and how) and the grounds on which they hold the CCB (or Council) responsible and forward directly to Council.
 - ii) Council's Insurance/Risk Management Section is available to discuss any matters associated with insurance.
 - iii) If the CCB receives a claim from a member of the public, the Secretary or other member should contact Councils Insurance/Risk Manager to discuss the incident. The Insurance/Risk Manager may either forward an incident report from for completion or, depending on the nature of the claim, take other action. It is important that the CCB member follows the direction given by the Council staff so as to not prejudice the Council position.

Personal Accident Insurance

Council has a Personal Accident Policy to cover committee members and voluntary casual workers. The Personal Accident Insurance provides cover for sickness or injury whilst that person is on or travelling to or from a Council activity.

3.7 Membership Subscription

A CCB may adopt a membership fee and/or conduct fundraising activities to assist with the financial commitments of the CCB.

Non-payment of a membership subscription must **not** prevent any resident or ratepayer within the CCB area from participating in discussion and/or voting at a CCB meeting on general Council matters.



4. MEETINGS – COMMUNITY BASED CCB'S

4.1 Frequency of Meetings

CCBs should generally meet monthly or at least every second month. Executive Committee meetings of the CCB will be accepted as meeting this criteria providing that

- the meetings are set down for a fixed time, date and venue,
- they meet the needs of the particular community and
- the Minutes of the Executive Committee are provided to Council.

Council may vary this position at its discretion.

4.2 Procedure for Calling Meetings

It is preferable for meetings to be held at a fixed time and day of the month, for example at 7.00 pm on the second Monday of each month. This makes it easier for people to remember and plan ahead.

A notice about any CCB meeting should be displayed or circulated in a way that will provide each resident and ratepayer reasonable opportunity to know the details of the proposed meeting.

Extra care should be taken to publicise any special or urgent meeting called in addition to the regular meetings.

A notice of a CCB meeting is to be displayed on the community notice board in areas where such a facility has been provided by Council.

4.3 Meeting Venue

Meetings must be held at a public venue (e.g. public hall, community centre). Meetings should not be held in a private home.

4.4 Who can Attend Meetings?

All residents, ratepayers and other persons within the CCB community such as onsite holiday van owners and business owners are entitled to attend meetings of the CCB within their geographical area. No resident or ratepayer within the CCB area can be excluded from attending and participating in a meeting of the CCB.

An attendance sheet shall be circulated at each meeting to record the names and addresses of those in attendance. This sheet may be used to check the voting entitlement for those in attendance.

4.5 Councillor's Attendance

Councillors are permitted to attend any CCB meeting and take part in discussion. However, Councillors do not have voting rights unless they are a resident or ratepayer of the area covered by the CCB.

The opinions forwarded by CCBs to Council should be representative of the thoughts of the community, so it is important for CCBs to be protected as much as possible from external influence.

4.6 Style of Meeting

CCB meetings are best run along informal lines as opposed to formal meeting procedures.

An informal style of meeting would be run generally as follows:

- a) an issue is raised for discussion
- b) people can speak on:
 - i) possible solutions
 - ii) problem areas
 - iii) background information relevant to the issue
- c) after sufficient discussion has taken place, a person may suggest a recommendation which reflects the collective opinion of the meeting (the recommendation may draw upon the points discussed)
- d) the recommendation can be put to a vote
- e) if the recommendation is not supported by a majority of those present at the meeting, it is to be recorded in the minutes as a lost recommendation - another recommendation on the item can then be put to the meeting.

If formal meeting procedures are used, a motion must be introduced before speakers can debate for or against the motion. This formal style of meeting tends to alienate many people who:

- a) have no experience of formal meeting procedures
- b) can see positive aspects in both sides of the arguments being presented and are undecided if there is a 'right' or 'wrong' answer
- c) are intimidated by the 'us' and 'them' division that formal motions often create.

4.7 Quorum

A quorum is the minimum number of members required to be present at a meeting before any business can be transacted.

A CCB meeting must have a quorum of not less than seven (7) people. At an Annual General Meeting a CCB may set the quorum at a higher number.

A quorum of only seven members has been set so that a CCB can continue to hold meetings even when there are no major issues to be considered within the CCB area. It is expected, however, that an effective CCB will have an average attendance well in excess of the quorum. If attendance is not considered representative of the wider community, Council may withdraw its recognition of the organisation as a CCB.

4.8 Issues for Discussion

Issues of interest to a CCB could include:

- a) new building projects in the CCB area
- b) Council's budget
- c) Council's Management Plans
- d) development proposals
- e) traffic and parking issues
- f) parks and sports grounds – maintenance and improvements
- g) re-zoning proposals
- h) policy proposals
- i) environmental issues
- j) priorities for expenditure
- k) maintenance of council assets (e.g. roads, footpaths, boat ramps, etc)
- l) capital expenditure items within the CCB area
- m) waste management
- n) other community activities.

4.9 Minutes

The minutes are the official record of business conducted at the CCB meeting and **must** record the following:

- the commencing time, date and venue of the meeting
- the number in attendance (a list of those in attendance should also be kept)
- the name of the chairperson
- any recommendations and/or decisions arising from the meeting
- voting on any decisions (i.e. number for and against, or if unanimous).

The minutes **may** also include:

- a précis or copy of any reports presented to the meeting
- a preamble to any item of business discussed.
- details of any points raised - either in support or in opposition to the proposal.

See Attachment B for a sample of acceptable CCB minutes.

4.10 Annual General Meeting

The Annual General Meeting is the meeting where CCB office bearers are elected.

A CCB must hold an Annual General Meeting once per calendar year preferably in the same month of that year.

Voting for the election of office bearers and other non-Council related issues may be restricted to financial members of the organisation.



5. CORRESPONDING WITH COUNCIL

5.1 Minutes of Meetings

A copy of the minutes of each CCB meeting must be forwarded to Council within one month after the meeting they were confirmed. Some Committees may choose to send their minutes prior to their confirmation which is also acceptable. It is important for Committees to comply with this requirement to assist Councillors in being up to date with issues within community sectors.

The minutes will be used for information purposes only. Requests for action referred to in the minutes may not be acted upon until a letter or e-mail is received by Council on the matter.

5.2 Correspondence

If a CCB wishes Council to act on any specific recommendation or decision adopted at a meeting this should be conveyed to Council in the form of a letter or e-mail. The correspondence should be addressed to the General Manager and include:

- a) the recommendation/decision passed at the meeting
- b) comments made for and against the proposal during the meeting (if appropriate)
- c) details of voting (i.e. number for and against, or if unanimous).

It is of assistance to Council if different issues are covered in separate items of correspondence (i.e. one subject one letter and if known quote Council's reference number).

5.3 Time Constraints

A CCB wishing to respond to an issue on which Council is inviting public comment, must respond within the specified time where practicable. Council shall take into account time constraints when consulting with CCBs. This is one reason why it is important for CCB meetings to be held regularly, and to maintain an ability to call a special meeting if necessary. Council will acknowledge correspondence from CCBs within 28 days.

5.4 Council Decisions

In considering any issue, Council will take into consideration:

- a) views expressed by the CCB

- b) representations received from other organisations, government agencies, businesses or individuals
- c) relevant legislation
- d) Council policy
- e) competing priorities
- f) budget constraints.

The final decision on any issue will be made either by the elected Council, or by staff in accordance with their delegated authority and Council policy.

Having regard for the above, a recommendation made by a CCB may be adopted, modified or rejected in the statutory decision making process.

5.5 Contact Information

CCBs should inform Council of any change:

- a) in the principal office bearers (i.e. Chairperson, Secretary or Treasurer)
- b) to the mailing address for the CCB.

5.6 Electronic Transmission

Minutes and correspondence may be forwarded electronically to Council's e-mail address, which is council@shoalhaven.nsw.gov.au

5.7 Postal Address

Mail is to be addressed to:

General Manager
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541



6. CESSATION OF RECOGNITION AS A COMMUNITY CONSULTATIVE BODY

A CCB may cease to be recognised by Council in the event of:

- a) Council receiving a written request from the CCB.
- b) Failure to comply with Council's 'Guidelines for the Conduct of Community Consultative Bodies', particularly in regard to the following:
 - i) The exclusion of any eligible resident or ratepayer from participating and voting at a CCB meeting.
 - ii) Failure to maintain a quorum for three consecutive meetings.
 - iii) Failure to provide Council with a copy of the minutes of meetings.
 - iv) Failure to provide Council with up-to-date contact details of the principal office bearers and the mailing address of the organisation.
 - v) Failure to hold regular meetings.
 - vi) Where a CCB operates or adopts functions which substantially conflict with its ability to represent the whole community.
 - vii) The inability of a CCB to elect office bearers within two months of an annual general meeting.

Appeal Process Prior to Cessation of a CCB.

In the event that Council considers that a situation has arisen where it has become necessary to cease to recognise a CCB, Council shall undertake the following steps:

- a) Staff will attempt to resolve any non-compliance issues with the executive in the first instance wherever possible.
- b) A report will be presented to Council setting out the reasons to cease to recognise a CCB.
- c) If Council supports the reasons, a letter to the last known contact point will be sent, inviting the CCB to comment as to why Council should not cease to recognise that CCB, allowing a response time of 28 days.
- d) If the CCB does not respond within that period a further letter shall be sent seeking a response within 14 days.
- e) If no response is received within the stipulated time, Council will automatically cease to recognise the CCB.
- f) If a response is received, the matter will be reported to Council setting out the views of the CCB and Council shall determine the appropriate action.

Attachment A

Sample of Summary of Income and Expenditure

LAKESIDE PROGRESS ASSOCIATION SUMMARY OF INCOME AND EXPENDITURE FOR THE YEAR ENDING 30TH JUNE 2005

Income

| | |
|---|-----------------|
| Subsidy received from Shoalhaven City Council | \$400.00 |
| Membership Fees | <u>\$180.00</u> |
| <i>Total Income</i> | \$580.00 |

Expenditure

| | |
|---------------------------|---------------|
| Hire of hall for meetings | \$300.00 |
| Postage | 50.00 |
| Stationery Items | 35.50 |
| Photocopying | <u>129.00</u> |
| <i>Total Expenditure</i> | \$514.50 |

Balance for the year - \$65.50.

Balance of Bank Account

The balance of Lakeside Progress Association's bank account as at 30th June 2004 was \$136.25.

Signed by:

J. Bloggs
President

A. Citizen
Treasurer

ATTACHMENT B

Sample of Minutes

MINUTES OF THE MEETING OF THE LAKESIDE PROGRESS ASSOCIATION HELD IN THE LAKESIDE HALL ON WEDNESDAY 2ND FEBRUARY 2005 COMMENCING AT 7.00 PM

Present

There were 28 residents and ratepayers present at the meeting. Names and addresses are recorded in the attendance book.
Councillor Jones was also present.

Meeting Opened

Chairperson Mary Hume opened the meeting and explained, for the benefit of those attending for the first time, the manner in which a Community Consultative Body meeting operates.

Apologies

An apology was received from J Twyford

Confirmation of Minutes

Resolved on a motion of J Wilson seconded M Fisher that the minutes of the meeting held on Wednesday 18th August 2004 be confirmed.

Correspondence - Inward

The Secretary read the following items of inward correspondence

- Shoalhaven City Council advising that the development application for a three storey dwelling in Lake Crescent was refused.
- Shoalhaven City Council advising that a public meeting will be held on 7th October to discuss an application for a marina

Correspondence – Outward

The Secretary tabled the following items of outward correspondence

- Shoalhaven City Council regarding proposed three story dwelling in Lake Crescent.
- Lakeside Hall Management Committee regarding hall hire

Treasurers Report

[Include if Treasurer presents a report to the meeting.]

GENERAL BUSINESS

School Extension

The chairperson reported that additional information had been obtained from Council in regard to the proposed extension of the school. The project was outlined in some detail.

The meeting discussed the proposed school extension and the following points were raised in support of the project

- An extension will ease the overcrowding in the existing school facility
- The extension meets an essential community need.
- The building project will provide local employment

Concerns raised were

- The site plan as proposed requires the unnecessary removal of a number of mature trees
- No provision is made for car parking within the school. Staff are already parking in the surrounding streets
- A larger school will generate more traffic in the surrounding streets
- The school is fast outgrowing its existing site and should be moved.

The following recommendation was put to the meeting

The meeting express opposition to the proposed extension of the school on the basis that the school has outgrown its existing site and should be relocated

The recommendation upon being put to the meeting was declared lost

Voted in favour 8
Voted against 20

A further recommendation was put to the meeting

The school extensions be supported subject to Council negotiating with the Education Department on the following issues:-

- *The importance of retaining as many trees as possible and*
- *The need for the provision of onsite car parking*

The recommendation on being put to the meeting was declared carried

Voted in favour 20
Voted against 8

The Marina Project

The meeting discussed the marina project.

Resolved that the marina project be an agenda item for discussion at the next meeting when more information will be available following the public meeting organised by Council.

Carried Unanimously

Boat Ramp

Mr Williams referred to the traffic congestion at the boat ramp over the long weekend.

The following recommendation was put to the meeting:-

Council be informed of the parking/traffic problems at the boat ramp in Lakeview Parade and be asked to provide for 10 extra spaces for cars and boat trailers.

Carried Unanimously

Next Meeting

The Chairperson reminded those present that the next scheduled meeting will be in the Lakeside Hall at 7.00pm on Wednesday 2nd March 2005.

There being no further business the meeting closed at 8.15 pm

Mary Hume
Chairperson