

# Community Consultative Body Guidelines

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## 1. Establishment of a Community Consultative Body

### 1.1 Statement of Purpose

The Shoalhaven is recognised as one of the most beautiful, yet sensitive, areas 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.

These guidelines describe the parameters, scope and boundaries of the Shoalhaven Community Consultative Bodies strategy. Shoalhaven City Council is committed to inform, consult, involve, collaborate with, and empower residents.

Shoalhaven City Council recognises the partnership role that resident groups and associations can play within our towns, suburbs and villages.

Through these guidelines Shoalhaven City Council, and residents' groups endorsed to act as a Community Consultative Body (CCB), acknowledge that partnership is grounded in mutual respect and reciprocal obligation derived from common interest.

Shoalhaven City Council understands that residents' groups and associations have differing geographical contexts, histories, governance structures and range of activities they undertake, and that the incorporated CCBs are constrained by legislation such as the *NSW Associations Incorporation Act 2009*. For those CCBs who are incorporated bodies, it is noted that where there is a conflict between their constitution and these guidelines, the CCB's constitution will take precedence.

Resident groups endorsed to act as a Community Consultative Body (CCB) understand and acknowledge that Shoalhaven City Council decision making will be informed by legislative requirements, and by the views and submissions of a broad range of interested parties.

### 1.2 Characteristics of a Resident Group Suitable for Endorsement to Act as a CCB

The residents' group:

- a) Represents a discrete geographical area large enough to form a community of interest between the residents within its town, suburb, or village.
- b) Demonstrates that it has the general support and confidence of its community.
- c) Has the capacity and capability to obtain and disseminate relevant information on local government issues to residents and ratepayers within its CCB area.
- d) Has the capacity and capability to facilitate open discussion on, and communicate to Council, the collective views of the community contributing to and consultation on a range of matters including policy development, land re-zoning, subdivisions, development applications, and the works and services needs of the area.
- e) Commits to encourage the involvement of residents and ratepayers in Council's decision-making process.
- f) Has an ongoing governance structure of substance which may be demonstrated through a constitution, democratic processes for selecting its executives and committee members through open and annual election, and a suitable administrative and record keeping system.
- g) Commits to holding its CCB meetings in person or using a public digital process a minimum of three times a year following public notice of intent to meet.

- h) Is sufficiently diverse to protect against being 'taken over' by a special interest of single-issue group.

### **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.

### **1.4 Recommended Code of Conduct for Attendance at CCB Meetings**

Council strongly recommends that all resident organisations endorsed as CCBs adopt an individual Code of Conduct. See CCB Best Practice Guidelines for a sample Code of Conduct that some CCBs have developed.

### **1.5 One Community Consultative Body in Each Area**

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

For the sake of coordination and continuity, Council will endeavour to keep CCBs informed, if Council works with non-CCB groups on matters that come within a CCB's ambit as defined in 1.6.

### **1.6 Roles and Responsibilities**

The Roles and Responsibilities of a CCB include:

- a) To receive, on behalf of the local community, information on local government issues relevant to the CCB area or the Shoalhaven City area.
- 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 zoning, subdivisions, development applications and works and services needs of the area.
- d) To encourage the involvement of citizens in Council's decision-making process.

Note: All opinions forwarded by CCBs to Council to be made with clear effort to collect those views from the community. It is therefore important for CCBs to be protected from external influences. For example, the CCB must decide as a collective that the submission is in the best interests of the community, not just a single person or entity.

### **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 'Community Consultative Body Guidelines' and enclose a map identifying the proposed CCB area. The letter should address how the organisation will ensure a diversity of representation and its capacity to represent community concerns.

The application will first be considered by Council and if supported in principle for consultation purposes, Council staff 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) Following public comment 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).

## **2. Council Support**

### **2.1 Provision of Information**

Information Council will provide to CCBs via email may include:

- a) A weekly list of development and subdivision 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 Delivery/Operational Plans.
- f) Council's Annual Report.
- g) Other relevant documents.

Where the CCB seeks further information on a major development proposal or major issues as perceived by the community, it can nominate up to three representatives to liaise with a Council Officer (nominated by the Director, City Development) on the matter. Where the development proposal is of a regionally significant or community sensitive nature, arrangements can be made via the Director, City Development's office for member/s of the CCB to meet with the planning assessment staff.

CCBs should foremost encourage individual community members to lodge their own submissions on development applications of interest, to ensure their point of view is adequately captured through any notification process.

CCBs may make a submission on behalf of the community they represent, however, there is no requirement to do so. Where a CCB lodges a submission for a development application, it should be made clear that it is on behalf of all, or part of the community they represent.

### **2.2 Council CCB Engagement**

Council will maintain two-way communication with CCBs and will meet with CCB representatives as required.

Council has a Community Connections Officer who is the central point of contact for the CCB network across the Shoalhaven LGA. The Community Connections Officer coordinates opportunities for CCBs and Community Groups to be informed on Council's strategic directions and projects and connect with Council and each other.

All communications with Shoalhaven City Council are to be respectful of individuals in nature. Any matters regarding the professional conduct of Council staff not meeting community expectations should be addressed confidentially to the General Manager outlining the details of the issue for further investigation in accordance with Council policy relevant to this area.

### **2.3 CCB Executive Meetings**

Council will convene a meeting of all CCB Executives at least twice each year (unless precluded due to adverse natural or public health events). Topics may include major policies, strategies, the budget, and the operational plan.

CCBs are provided with the opportunity to provide agenda items for the meetings. Agenda items will be considered to ascertain whether these items are consistent with citywide issues and can be included on the agenda.

If the CCBs require a meeting with Council at times outside of this, or for localised issues this can be facilitated through the Community Connections Officer.

### **2.4 Financial Assistance**

Council will provide financial assistance to help meet the CCB 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 are asked to provide a copy of their financial statement for the previous 12 months.

Council will obtain Public Liability cover on behalf of the CCB for any activities and events conducted by the CCB whilst they are acting within the scope of their duties for and on behalf of Council as outlined in these guidelines and subject to policy terms and conditions.

Council will not be offering CCBs specific reimbursement for any insurance cover arranged at their own cost.

### **2.5 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 include:

- a) CCBs are to advertise their committee meeting agendas prior to a meeting so community members know in advance items being discussed.
- b) The CCB must allow the display of information by any local non-profit organisation (excluding matters of a political or religious nature, and business or personal notices).
- c) The underlying principle for community notice boards is to disseminate matters of community interest.
- d) Information placed on community notice boards is to provide the community with 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.
- e) Council advertisements may be placed on the notice board at the discretion of the CCB.
- f) Council recognises that many CCBs use social media platforms including their own websites as an alternative to physical noticeboards.

## 2.6 Community Information Hub

Where a CCB is in an area that has a community information hub the CCB may request display of information (including listing upcoming meetings, agendas, outcomes from CCB AGMs etc.) by applying to display their community information through Council's online form:

[Apply to display your community information \(openforms.com\)](#)

Or email [Media@shoalhaven.nsw.gov.au](mailto:Media@shoalhaven.nsw.gov.au) with Community Information Hub in the title.

Advertising a business is not permitted. CCBs, local sporting clubs or other community groups can utilise the screens for promoting "what's on". This might be the next weekend market, a fundraiser at the hall, a notice of a particular meeting or event.

## 3. Administration – Community Based CCBs

### 3.1 Incorporation

Organisations endorsed by Council as CCBs are free to determine for themselves whether to incorporate under the *NSW Associations Incorporation Act 2009*. Council encourages CCBs to inform themselves of both the benefits and obligations that come with incorporation to determine if this is the right choice for them by reviewing the [NSW Fair Trading advice on incorporation](#).

For those CCBs who are incorporated bodies, it is noted that their constitution and legislation take precedence over these guidelines.

### 3.2 Insurance

- a) For existing and newly established Community Consultative Body's (CCBs) Council will obtain Public Liability cover on behalf of the CCB for any activities and events conducted by the CCB whilst they are acting within the scope of their duties for and on behalf of Council as outlined in these guidelines and subject to policy terms and conditions.
- b) Members of CCBs should note the Public Liability obtained by Council will cover CCBs for activities and events for up to 500 people. Activities or events involving over 500 participants will not be covered without prior approval from the insurance underwriter and noted on the policy schedule.
- c) CCBs will be responsible for notifying the Council as the Public Liability Insurance Holder of any potential and/or known claims via email to [riskmanagement@shoalhaven.nsw.gov.au](mailto:riskmanagement@shoalhaven.nsw.gov.au). This may include incidents where an individual has sustained injury or experienced loss as the result of the actions of the CCB. The CCB will be required to provide relevant information in order for a claim or required notification to be made.
- d) Council will not be offering CCBs specific reimbursement for any insurance cover arranged at their own cost.

## 4. Meetings – Community Based CCBs

### 4.1 Who Can Attend Meetings?

All residents and ratepayers within the geographical area are eligible to attend CCB meetings without exclusion.

No eligible person within the CCB area can be excluded from attending a meeting of the CCB, voting on CCB-related matters and participating in their CCBs activities.

## 4.2 Councillor Attendance

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

## 4.3 Annual General Meeting

The AGM is the meeting where CCB office bearers are elected. A CCB must hold an AGM 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.

It is mandatory for a CCB to have an elected committee. The committee must be elected by the previous committee, community members and business operators at the AGM. The election must be conducted in a fair and transparent manner.

If a CCB requires guidance for their elections, Council will be able to provide best practice guidelines.

# 5. Corresponding with Council

## 5.1 Meeting Minutes

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

The minutes will be used for information purposes only. Requests for action referred to in the minutes may not be acted upon until lodged online through Council's request system on the matter.

## 5.2 Correspondence

If a CCB wishes Council to act on any specific recommendation or decision adopted at a meeting this must be conveyed to Council in the form of a letter or email and must include the following:

- 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).

The correspondence should be directed through Council's Customer Service channels using the [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au) email address or P.O. Box 42 Nowra NSW 2541.

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 consider 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. Council will acknowledge correspondence from CCBs within 28 days in line with Councils correspondence standards.

### 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 Guidelines.

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 of contact details, as soon as possible, including:

- a) In the principal office bearers (i.e., Convenor/Chairperson, Secretary or Treasurer).
- b) To the email address for the CCB.
- c) To the mailing address for the CCB.

### 5.6 Electronic Transmission

Minutes and correspondence should be forwarded electronically to Council's email address [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au).

## 6. Cessation of Recognition as a Community Consultative Body

### 6.1 Criteria for Ceasing to be Recognised as a CCB

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 CCB Guidelines, particularly regarding 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 committee 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.
  - viii) for CCBs that are incorporated, as outlined in 3.1 it is noted that their constitution and legislation take precedence over these guidelines.
- c) Council discontinues the CCB program.

## **6.2 Appeal Process Prior to Cessation of a CCB**

If 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.