



## ***Manly Council Manly Tramway Loop Feasibility Working Group***

***This Working Group has been established under the Local  
Government Act, 1993***

***The Status of the Working Group is purely advisory***

### ***Terms of Reference***

The Working Group shall be known as the Manly Tramway Loop Feasibility Working Group (hereinafter called the Working Group).

#### **1. Role and Objectives**

- 1.1 This is a Working Group, convened by Council Resolution 20/11 to provide a forum for discussion and recommendation on issues relevant to Manly Council to:
  - Consider, in relation to the *Manly2015* Masterplan, the feasibility of a Manly Tramway Loop, by researching and reviewing all data available to Council in terms of technical, engineering, social, environmental, traffic, and financial considerations.
- 1.2 This Working Group will provide a report back to Council within 12 months of establishment on the feasibility of a Manly Tramway Loop.
- 1.3 The role of this Working Group is advisory in relation to the proposal and may not commit Council resources. It will make recommendations to Council for ratification.

## **2. Management**

### ***A. Membership of Working Group***

The Working Group shall consist of at minimum:

One (1) Councillor representative (and the Mayor ex officio). Note: all Councillors are invited to attend meetings of the Working Group.

Thirteen (13) members are appointed as 30 March 2011, including suitably qualified representatives from the local community.

The quorum for the Working Group is 4 members.

This Working Group meets monthly over a 12-month period at a regular time and day to be fixed by the Working Group.

### ***B. Absence from Meetings***

A Working Group member absent from three (3) consecutive meetings of the Working Group without approval of the Working Group shall forfeit his/her place on the Working Group.

### ***C. Resignation from the Working Group***

Any member of the Working Group may, by notice in writing addressed to the Working Group, resign his/her office as a member.

### ***D. Notification of Vacancies***

- The Working Group shall notify the Council, through the Secretariat, promptly of any vacancy occurring in its membership, whether it is through death, absence or resignation from the Working Group.
- The Working Group shall submit to the General Manager within 28 days the name of a person considered by the Working Group to be suitable for appointment.
- The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest. All newly appointed members must participate in a committee induction process as soon as possible following their appointment to the working group so that they can comply with the proper conduct of meetings.

### **3. Duties of Officers**

#### **A. Chairperson**

The duties of the Chairperson are to:

- Direct meetings according to the Terms of Reference, and Council's Code of Meeting Practice;
- Facilitate the discussion of items on the agenda in a timely manner;
- Facilitate the moving of recommendations and voting by Working Group members;
- Ensure all Working Group members have the opportunity to participate in the meetings;
- Determine the agenda for the meetings in consultation with Council's Secretariat;
- Not attempt to direct Council staff, including not directing staff as to the content of any advice or recommendation.

#### **B. Secretariat and Staff Officer**

The duties of the Secretariat and Staff Officer are to:

- Call all meetings of the Working Group;
- Provide professional advice and administrative support;
- Comply with Council's Guide to Ethical Behaviour: Staff;
- Keep all minutes and conduct the correspondence;
- Keep a record of attendance for every member of the Working Group;
- Forward copies of minutes to all Working Group Members and to the General Manager of Council as soon as practicable;
- Attend to such housekeeping matters as booking meeting rooms and arranging refreshments in accordance with standard protocols.

#### **C. Members**

The duties of the members are to:

- Attend and participate in meetings (as well as induction, planning sessions and any relevant training);
- Work co-operatively with other members in achieving the objectives of the Working Group;
- Contribute ideas and suggestions relating to items on the agenda;
- Show respect for their peers, councillors, staff and others during Working Group meetings;
- Provide advice and recommendations to Council on items relating to the agenda;
- Action and follow up on relevant recommendations provided by the Working Group and resolved by Council.

## 4. Meetings

- A meeting cannot take place unless a quorum of members is present. A **QUORUM** shall comprise of 4 members on the Working Group.
- If a quorum of members is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting, the meeting will be adjourned to a time, date and place fixed by the Chair, or, in his or her absence, by the majority of the members present.
- If the Chair is not present and a quorum of members is present, the Lead Officer should preside over the election of a chair for the meeting.
- The first item on the agenda for all meetings (after apologies and requests for leave of absence) shall be the declaring by members present of **pecuniary and non-pecuniary interests** and these shall be recorded in the minutes.
- Any member who has a pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the Working Group is voting on any question in relation to the matter.
- Conflicts of interest may also arise due to a strong relationship or affiliation the member may have with a matter being discussed by the Working Group. These are referred to as non-pecuniary interests. A non-pecuniary interest would be considered significant where the relationship or affiliation is such as it would prevent the member from impartially and objectively considering all the relevant information as a result of this conflict of interest.
- A Councillor Working Group member who has a non-pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, and, in the case of a “significant” non-pecuniary interest must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the Working Group is voting on any question in relation to the matter.
- As the Working Group is advisory it is unlikely that there will be a need for voting, however, should that eventuality arise, each member of the Working Group shall have one vote and decisions shall be by simple majority. If there is more than one person present from an external organisation that is a member of the Working Group, then only one of the representatives will be entitled to vote. In the event of the votes and the members being equal, the Chair of the meeting shall have a casting vote in addition to his/her deliberative vote.

## 5. Agendas, Reports and Minutes

- The agendas and minutes of the Working Group shall be stored as a permanent record of Council, as determined by the General Manager.
- Once the draft minutes have been approved they will be referred to the Chair of the Working Group for confirmation. The draft minutes will then be circulated to Working Group members. Any questions by members regarding the minutes are to be referred immediately to the Staff Officer and if any error in the minutes is confirmed, the Staff Officer shall arrange to make the appropriate changes.
- Minutes will be completed within 2 weeks of the Working Group meeting and then reported to the next available Council Meeting.
- All agendas shall be published on Council's website prior to the meeting.
- All minutes shall be published on Council's website within 5 days of adoption by Council.
- Members of the Working Group are not permitted to speak to the media as representatives of the Working Group unless approved by Council.

## 8. Insurance

Council shall affect personal accident insurance on Working Group members together with legal liability cover, Voluntary Workers, cash in transit and personal property insurance cover.

**Note:** Legal liability cover will only be provided to members of the Working Group and voluntary workers whilst they are acting within the scope of their duties for and on behalf of Council.

## 9. Statutory Requirements

The Working Group shall ensure that the *Local Government Act 1993* and related Regulations, all other statutory provisions and all Council's Codes and Policies relating to its activities are at all time strictly observed.

## 10. Dissolution

- All Working Groups are automatically dissolved from the date of the quadrennial election.

Adopted .....18 July 2011.....

Modified .....7 November 2011.....

## ***Addendum:***

### ***Staff Officer / Convenor:***

Anthony Hewton, Head of Strategy

### ***Name(s) of Councillor Representative:***

Councillor Hugh Burns

Note: all Councillors are invited to attend meetings of the Working Group.

### ***Working Group members:***

#### ***Manly Council:***

|                 |                                            |
|-----------------|--------------------------------------------|
| HT Wong         | General Manager                            |
| Anthony Hewton  | Head of Strategy, Convenor                 |
| Ian Abbottsmith | Operations Coordinator                     |
| Christina Femia | Catchments Project Officer                 |
| Michael Giddey  | Building Inspector                         |
| John Gilroy     | Manager, Organisational Development        |
| Anneli Karlsson | Transport Planner                          |
| Helen Lever     | Manager, General Manager's Office          |
| Param Rajah     | Divisional Manager, Civic & Urban Services |
| Ted Williams    | Senior Manager, Waste & Cleansing          |
| X3 vacancies    |                                            |

#### ***Community Members:***

Terry Boardman