

# Precinct Rules and Procedures

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## 1. Introduction

Randwick City Council, in pursuing its commitment to community engagement, has established Precinct meetings throughout the City.

Precinct meetings are convened by residents and supported by Council. They play a vital role in ensuring that future changes in the City of Randwick take residents' views into account.

Precincts have been established to increase the flow of information between the Council and the community and to provide residents with an opportunity to be more active in the decision-making process.

Precincts are not decision-making bodies, but act as a conduit moving issues and opinions between the community and Council.

Council's Precinct Coordinator assists Precincts seeking the information necessary to make informed decisions and recommendations on matters referred to them by Council.

In order to be effective, Precincts rely on the goodwill of all who attend meetings. Precincts are not to function as resident action groups and attempts by an action group or political party to dominate a Precinct meeting will ultimately reduce the effectiveness and credibility of that Precinct.

Precinct Executive Committee members are members of a committee which has been established by a resolution of Council and are therefore required to comply with the applicable provisions of Council's Code of Conduct in carrying out their functions as Council officials.

Breaches of the Code of Conduct by a member of the Precinct Executive may lead to disciplinary action, depending on the seriousness of the breach. Sanctions would range from a written warning through to disqualification from the Executive.

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## 2. Precinct objectives

The objectives of the Precinct system are:

- to encourage community engagement by developing a sense of community between the Council, community and the local environment
- to facilitate continuous, clear two-way communication between Randwick City Council and the community
- to provide a formal system of information transfer between residents, property owners, tenants and Council, and
- to encourage residents' and property owners' contribution to Council's decisionmaking process.

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### 3. Precinct Membership

Only residents, tenants and property owners within the designated Precinct area are eligible to attend their local Precinct meeting. Residents, tenants and property owners from outside of the designated Precinct area are prohibited from attending.

At least 20 members representing 20 different family groups must indicate their interest in establishing a Precinct in their area.

Each Precinct must annually elect an Executive, comprising a Chairperson and a Secretary. Executive Officers are elected at the initial Precinct meeting. All residents, tenants and property owners within the designated Precinct area are eligible to be office bearers, however the nominees cannot be from the same family or household.

Maps showing the current Precinct boundaries accompany these Precinct Rules and Procedures. Residents, tenants and property owners who live in or own property on the border of two or more Precincts may attend any of the adjoining Precinct meetings.

Councillors are eligible to be members of the Precinct in which they reside. They are also entitled to attend other Precinct meetings as observers. Councillors cannot accept nomination for Executive roles within any Precinct.

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### 4. Precinct meetings

Each Precinct should aim to hold a public meeting once per month. It is preferable that meetings are held a minimum of six times per year in different months.

It is the responsibility of the Precinct Executive to inform residents of the time, date and agenda for the next meeting. This may be done by way of a letterbox drop, posters and/or email.

Each Precinct meeting requires a quorum of 10 people. The number of people set for a quorum is to ensure that meetings remain as representative as possible. If a quorum is not reached, the meeting may still proceed, however the Council will note the vote count and take this into consideration when responding to the recommendations.

No resident, property owner or tenant is to be excluded from their local Precinct meeting.

It is necessary for each Precinct to establish specific meeting procedures for the smooth running of their meetings, in line with these Rules and Procedures. The procedures must demonstrate respect for fellow attendees.

The Chairperson is responsible for guiding and controlling the meeting and ensuring that debate is conducted in accordance with standard meeting practice. It may be necessary to limit the number and length of time a particular person can discuss a matter, to ensure that no one individual dominates the meeting.

Matters to be discussed and voted on should be formulated as a motion. When sufficient discussion has occurred, members should be asked to vote on the motion and the number of people voting for, against and abstaining, will be recorded in the minutes.

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## 5. Voting at a Precinct Meeting

Only residents, tenants and property owners within the designated Precinct area are eligible to vote at their local Precinct meeting. Each precinct member is eligible to receive one vote each, regardless of the number of properties they own in the Precinct area. Further clarification regarding voting is contained within appendix 1.

The Chairperson is permitted to vote and will also exercise a casting vote in the event that a vote is tied.

The Secretary is permitted to vote.

Visitors and guest speakers are NOT eligible to vote.

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## 6. The Precinct Executive

The Executive of a Precinct comprises the Chairperson and Secretary.

Precincts may elect additional members to assist the Executive. For example the Precinct meeting may wish to elect a Treasurer or an Assistant Secretary.

The Executive is to ensure that residents, tenants and property owners are given at least five days advance notice of a scheduled meeting.

The Executive is to send the agenda, associated documents, minutes, Council responses and any other relevant documents to those residents in the precinct who have requested they receive them. Council will assist the precincts by publishing, on its website, the minutes of the Precinct Committee meetings.

The Executive may need to call a Special Meeting if a decision on a matter is needed before the next scheduled meeting is to be held. For example this may occur when comments are required for a Development Application (DA) submission.

In exceptional circumstances, when an issue affects more than one Precinct, the respective Precinct Executives may facilitate the calling of a combined meeting.

All Precinct correspondence or requests to Council are to be directed to the Precinct Coordinator at Randwick City Council and can only be lodged by the Precinct Executive.

Precincts must keep accurate financial records, which are to be prepared for the Annual General Meeting (AGM). The role of Treasurer may be performed by either the Secretary or the Chairperson.

Should a new Executive be appointed at the AGM, the outgoing Executive is to ensure a smooth handover of all financial records and mailing lists to the incoming Executive. The Executive is to bear in mind that they are custodians of this information only and there are strict privacy restrictions on the release of such information.

The AGM for each Precinct will be held in November of each year when the Executive office bearers are elected.

Appointment to the position of a Chairperson and Secretary will commence upon election and become vacant on the day of the next AGM in November of the following year. If a vacancy should occur for any of the Executive positions during the year, an election shall be held to fill such a vacancy at the next Ordinary Meeting.

A person may not hold an executive position (i.e. chair and/or secretary) on the Precinct for more than two consecutive years. Any extension beyond this time must be through a formal request in writing to the General Manager of Randwick City Council giving reasons for the request.

The General Manager, in approving a request for an extension of term will consider whether:

- the Precinct has held a properly constituted AGM, with the opportunity for anyone to stand for an Executive position
- the Precinct has provided the Council with a copy of the AGM minutes
- the General Manager is satisfied that the Precinct is operating within the Rules and Procedures of Precincts, in particular by regularly sending the Precinct meeting minutes to the Council.

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## 7. The Chairperson

The Chairperson is responsible for preparing an Agenda for each meeting. The Chairperson should follow this Agenda, however if the meeting wishes to bring forward special items such as a guest speaker, the order of items can be voted on to be adjusted accordingly.

The Chairperson is responsible for guiding and controlling the meeting and ensuring that decisions made, are achieved after fair and reasonable debate has taken place.

The Chairperson's role is to focus the meeting on the issues, ensure that everyone gets a chance to speak and be heard, discourage repetition and irrelevance and guide the meeting to consensus if necessary.

The Chairperson's role is to ensure that only residents, tenants and property owners within the designated Precinct area are in attendance and to not allow participation in the meeting by persons from outside the designated Precinct area.

The Chairperson's role is to ensure that all those in attendance are treated with courtesy and respect.

It is the role of the Chairperson to ensure that the meeting is conducted within a two hour period.

It is appropriate to allow some discussion on each item prior to moving a motion and voting. However, if the discussion takes too long, it may lead to a particular item dominating at the expense of other agenda items or the length of the meeting will be extended.

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## 8. The Secretary

The Secretary is responsible for:

- administration of the Precinct
- assisting the Chairperson with the preparation of the Agenda for the meeting including the setting of meeting dates
- taking the minutes and ensuring any proposed resolution is clearly articulated to the meeting before it is voted upon
- attending to incoming and outgoing correspondence
- the management, maintenance and monitoring of the attendance book
- preparing and forwarding the Minutes to the Precinct Coordinator electronically, no later than 10 working days after the meeting, and

- notifying the Precinct Coordinator of any changes to meeting dates or events as soon as they are known, or at least 10 working days prior. This is essential to meet advertising deadlines.

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## 9. The Agenda

The Chairperson, in consultation with the Secretary, should prepare an Agenda for each meeting. The Agenda sets out the order of business for the Chairperson to follow and should be circulated prior to the meeting.

The attendance register is to be signed on arrival and verified by the Secretary prior to the end of the meeting.

The order of business is as follows:

- Welcome by the Chairperson
- Apologies
- Declaration of pecuniary and nonpecuniary interest
- Ratification of previous minutes
- Business arising from the minutes (any matter/s that were raised at the previous meeting which required action to be followed-up)
- Address by local ward Councillors
- Incoming and outgoing correspondence
- Business arising from the correspondence
- Treasurer's report
- Other reports (sub-committees)
- General business
- Next meeting date
- Meeting close.

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## 10. The Minutes

Minutes of the Precinct meeting should be recorded on the template provided at Appendix 3 and contain the following information:

- the number of attendees at the meeting, with the number of apologies
- all correspondence to and from the Precinct is to be tabled and noted in the minutes
- any declarations of pecuniary and non-pecuniary interest
- any motions that have been passed, including the number of votes for and against the motion, as well as any abstentions, and
- a copy of the minutes is to be sent to the Precinct Coordinator within 10 working days of the meeting.

Minutes are ratified at the following Precinct meeting by two people who can verify the accuracy of those minutes. The minutes of a Precinct Meeting are a public record of a community meeting, and as such, are available to residents, property owners and tenants. Minutes

containing resolutions only, in addition to the meeting agenda and Council's response, will be posted on Council's website.

The Chair or Secretary may request for the meeting to be audio recorded to assist with preparation of the minutes; this recording can also be used in the case of any disputes over the minutes whilst seeking ratification at the next meeting. Prior to the commencement of recording, the Chair is to inform the meeting of the intention to do so and seek unanimous approval. Voice recording cannot occur unless unanimous approval has been received from meeting attendees. Once the minutes are confirmed at the next meeting, the minutes will prevail over any audio recording.

Disputes as to the accuracy of the minutes are to be put to a vote and changed if agreed to by the majority of members in attendance.

The Secretary is to keep an attendance book which must include the date, name, address and signature of all attendees. The attendance book will include a privacy statement (see Attachment 1). This record will be presented to the AGM. The General Manager of Randwick City Council may request to see this record at any time during the year.

Persons attending a meeting who have an interest in a Development Application should declare that interest and abstain from voting. This includes the applicant, their relatives, architects and builders.

Urgent submissions to DAs should be forwarded directly to the Planning Department within the specified time. Confirmation of this submission will still need to be recorded in the minutes of that meeting.

Council would prefer Precincts to forward meeting minutes electronically. Timely receipt of the minutes will ensure that Council is given sufficient time to prepare an appropriately detailed response to the Committee.

Council needs to know if a Precinct has any objections to specific matters forwarded to the Precinct by Council. It is equally important that Council is notified if the Precinct meeting has no objections to, or in fact supports, a specific matter.

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## 11. Matters Referred by Council to Precincts

The following matters are regularly forwarded, in electronic and/or in hard copy, to Precinct Committees for comment and recommendations back to Randwick City Council:

- Council Business Papers
- Major public works proposals
- Traffic management proposals
- Park and reserve improvement proposals
- Community services activities and events
- Zoning changes which affect a specific Precinct area
- Major policies or policy changes which directly affect the whole community
- A list of current development applications (DA)
- Additional information on request.

Precinct Executives may also view the hard copy display DA files relevant to their Precinct at Council's Customer Service Centre during business hours.



Randwick City Council also makes these display files available overnight, on request from a Precinct Executive member, with three working day's prior notice to the Precinct Coordinator. A file may be collected from Council only between 4.45pm and 5pm on the agreed date and must be returned at 8.30am the following working day.

Council provides this service to Precinct Executives in good faith and expect all due care and responsibility to be taken with these files.

Failure to comply with these conditions will result in permanent or temporary withdrawal of this borrowing privilege to Precincts.

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## 12. Precinct Funding

Each year Council allocates an amount of money to Precincts to assist with offsetting costs associated with running each Precinct meeting. Such expenses may include the hiring of a Post Office Box, phone calls made for the purposes of Precinct business and other associated expenditure. Please note, receipts must be presented and minuted at each meeting before reimbursement can be made.

Funding is subject to compliance with Council's Precinct Rules and Procedures. To receive funding precincts must provide Council with minutes of their AGM, an Executive Update Sheet showing the newly appointed executive, a financial statement which includes a summary of income and expenditure as tabled at the AGM, and current bank details.

Council also provides in-kind assistance to support the Precincts. This includes:

- The Precinct Coordinator position and resources
- A copy of all relevant Council documents including copies of all Council Business Papers and DA lists
- The allocation of a ream of paper per month for each Precinct
- Hall hiring fees
- Advertising of meetings in the local newspaper
- Reasonable printing volumes of flyers and posters promoting.

Precincts A summary of how the funds were allocated throughout the year is to be tabled at the Annual General Meeting using the template provided at Appendix 2.

Council may elect not to provide funding to Precincts should they have in excess of one year's funding in reserves from previous years or have not used their funds appropriately.

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## 13. Conflicts of Interest

### **What is a conflict of interest?**

A conflict of interest occurs where a personal interest, such as a business interest, family relationship or friendship, could influence the way in which an individual forms an opinion on a matter being considered by a Precinct meeting.

Another way of considering whether a conflict of interest exists is where a person has difficulty in making a fair and impartial decision on some issue as a result of divided loyalties or of being likely to benefit personally if the issue is decided one way rather than another way.

A conflict of interest would also occur when a reasonable person might believe that an individual could be influenced by a personal interest.

### **What to do if there is a real or perceived conflict of interest?**

In managing a conflict of interest, the first responsibility is to the Precinct meeting. It is important that if a conflict of interest exists or could be seen to exist, the situation is managed effectively. It is also important that both the community and Council are confident that conflicts of interest can be managed and resolved by Precincts.

In the cases of conflicts of interest, the proper procedure is for the person concerned to:

- Declare any interest
- Make known the way in which those interests may conflict
- If the meeting considers that there is an actual conflict of interest, abstain from taking part in the decision making process
- If considered appropriate, leave the room while the issue is discussed
- Ensure that the declarations of a conflict or possible conflict or perceived conflict are recorded in the minutes of the Precinct Committee meeting.

In Precinct Committee meetings, the meeting may decide that it is appropriate for the person with the conflict of interest to speak on the issue before general discussion takes place.

Some examples where a conflict of interest may exist:

- The Precinct meeting is considering a draft policy on alcohol free zones and an individual or their immediate family has shares in a liquor retail company that operates in the Randwick City Council area.
- The Precinct is considering a development application lodged by a Precinct attendee or a close family member.
- An attendee or a close family member's property is directly impacted on by a development proposal.
- A Precinct attendee is asked by the Precinct meeting to represent the Precinct's views to Council on an issue where they have or could be reasonably perceived to have a conflict of interest on the matter.

In considering development applications, it is important to distinguish between direct impacts on a property or properties and broader community impact of a development.

Where people are not sure whether a conflict exists, they should seek guidance from the Precinct meeting or from Council.

Examples of when individuals could seek guidance are:

- Deciding whether a relative or a friend is close enough to create a conflict or the perception of a conflict of interest
- Distinguishing between direct and broader community impacts of a development proposal.

When considering whether or not a conflict of interest or the perception of a conflict of interest exists, Precincts should always err on the side of caution.

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## 14. Precincts and the Media

### 1. Recording and reporting of Precinct meetings

Precinct meetings are forums for residents to discuss local and Council related issues in a safe environment. While open to the public, they are not public meetings, as there are clear restrictions on who may attend and who may speak at meetings.

Recording and photographic devices can only be used at a Precinct meeting when prior written consent has been given by those being recorded or photographed, and the Precinct chair rules that such equipment can be used.

Members of the media are free to attend their local Precinct in their capacity as local residents.

When media representatives attend a Precinct meeting in a work or reporting capacity:

- They must declare this at the beginning of the meeting
- The chair may determine whether or not the media representative can attend and report on the Precinct meeting.

Individuals speaking at a meeting can only be quoted with consent.

Council staff cannot provide a briefing or presentation to the Precinct when members of the media are present and reporting on the proceedings of the meeting.

### 2. Media comments by Precincts

From time to time, the media may contact Precinct members for information or comment.

If the Precinct meeting has determined a matter, individuals can speak on behalf of the Precinct, if authorised to do so by the Chair or the Precinct meeting.

If a matter has only been discussed and no resolution passed, individuals can only express personal views, but not the views of the Precinct unless the Precinct has resolved to permit comment on matters where the general view of the Precinct on the matter or related matters has been minuted within the term of the current Executive.

Precinct members cannot make statements to the media or at public events that would lead someone to believe that they are speaking on behalf of Council or expressing Council views or policies.

Media comments by Council are made through Council's Communications Manager.

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## 15. Precincts and their Correspondence

All Precinct correspondence must be a direct result of a resolution of the Precinct Committee and be advising of decisions made by a Precinct Committee. Any correspondence is to reflect the resolutions made at the meeting as they appear in the minutes and state whether a resolution was a majority decision or a unanimous decision.

Precinct correspondence advising of matters going before Council or Committees is to be factually correct and provide what is being recommended in the Council report, the time & date of the meeting, details of any previous recommendations made by the Precinct on that particular matter and a Council contact for more information.

Correspondence under Precinct letterhead is not to be used by the Executive for matters that were not the direct result of a Precinct resolution. Using such letterhead for correspondence

detailing personal views or opinions is strictly prohibited and will be considered a breach of the Code of Conduct.

All Precinct correspondence is to be of a courteous and respectful nature.

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## 16. Non-compliance by Precincts with these Rules and Procedures

Where a Precinct breaches the Rules and Procedures, the issue will be raised by the Council with the Precinct Executive, and Council staff will assist the Precinct in overcoming any problems that may be the cause of the breach.

Where there is persistent non-compliance with the Rules and Procedures and the attempts to rectify the problem do not succeed, a report will be provided to the Council on the matter for the Council to determine what action should be taken.

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## 17. Precinct Coordination Committee

Randwick City Council's Precinct Coordination Committee has been established with the following aims and objectives:

### **Aims**

- To establish an inclusive forum where broad community-wide and local issues can be discussed
- To continue to improve the link between Council and the community and foster improved community engagement
- To promote and engage the community early in Council's planning and decision making processes.

### **Objectives**

- The efficient coordination of Randwick City Council's Precincts
- The establishment of a forum at which both City-wide issues and issues common to Precincts and Council can be raised
- The improvement of Council's consultation processes and the development of better community engagement practices
- Support for accountable decision making
- The creation of a catalyst to revitalise and improve the effectiveness of Precinct meetings.

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## 18. Council's Precinct Coordinator

Randwick City Council's Precinct Coordinator assists Precincts and the Precinct system. The Precinct Coordinator is the prime point of contact for the Precincts.

The role of the Precinct Coordinator includes:

- To co-ordinate and resource the Precinct Coordination Committee

- To provide support to Precincts and to act as a conduit between Council, the Precincts and the community
- To assist Precincts to obtain the necessary information to make informed decisions and recommendations on Council matters
- To liaise with Council officers to ensure that all relevant Council matters are referred to the Precincts
- To ensure that Precinct comments and recommendations are forwarded to the relevant Council officers
- To collate information and respond to Precinct meeting minutes
- To co-ordinate briefing sessions with Council officers and meetings as the need arises
- To provide management guidelines for Randwick City Council's Precincts
- To assist the development of Precincts
- To receive any complaints about the running of Precinct Committees and facilitate a resolution or an investigation if required.

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## A. Voting scenarios

Each precinct member is eligible to vote in line with the following scenarios:

**CASE 1:** A group household, consisting of four residents, attends the precinct meeting and would like to vote at the AGM. How many votes can they have?

Answer: Each person is entitled to one vote each

**CASE 2:** A mother and daughter attend the precinct meeting. They used to live in the precinct but have both moved to Waverley. They share ownership of the house they once lived in but now use this as a residential investment property. How many votes?

Answer: Only one person is entitled to vote, either the mother or the daughter.

**CASE 3:** A couple sign the attendance sheet and want to vote. They have two properties in the precinct, one residential investment property and one property they reside in. The two tenants who share the rent of the investment property are also in attendance. How many votes can the owners and tenants have?

Answer: Each person is entitled to one vote each.

**CASE 4:** A precinct meeting attendee, who lives in the precinct, is part owner of two residential properties and full owner of one commercial property in the precinct. How many votes can this person have?

Answer: This person is entitled to one vote.

**CASE 5:** The lessee of one of the local cafes has turned up at the meeting. He doesn't own or rent residential property in the precinct. Does he/she get a vote?

Answer: This person is entitled to one vote.

**CASE 6:** Four people (two couples) individually own four houses in the precinct as residential investment properties. How many votes do they get?

Answer: They are entitled to one vote each (i.e. a total of four votes)

**CASE 7:** Two people own four residential investment properties in the precinct, how many votes do they receive?

Answer: Each person is entitled to one vote (i.e. a total of two votes)

**CASE 8:** Four people own four residential investment properties in the precinct. Each person has a 25% share in each property. How many votes do they receive?

Answer: Each person is entitled to one vote each (i.e. a total of 4 votes). There are no circumstances where more than one vote can be given to a person.

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## B. Allocation of Funds Summary - Template

FINANCIAL STATEMENT FOR {name of} PRECINCT

FOR PERIOD {date from and date to}

OPENING BALANCE Amount

**INCOME**

[List Income Items individually such as bank interest, funding received]

Item 1 Amount

Item 2 Amount

Item 3 Amount

Total Income Amount

**EXPENDITURE**

[List Expenditure Items individually such as postage, PO Box fees etc,]

Item 1 Amount

Item 2 Amount

Item 3 Amount

Total Expenditure Amount

CLOSING BALANCE Amount

Signature of Treasurer \_\_\_\_\_ Date \_\_\_\_\_

Signature of Chair \_\_\_\_\_ Date \_\_\_\_\_

# C. Minutes Template

The minutes of precinct committee meetings are to be a record of what happened at the meeting, recording in particular:

- issues discussed at the meeting (but not the detailed discussions)
- resolutions passed and
- actions participants undertook to carry out.

The following template provides an acceptable format for submitting precinct committee minutes to Council. Minutes are to be forwarded to Council’s Community Consultation Coordinator within ten working days of the meeting. Minutes are to be forwarded electronically as word documents unless prior arrangements are made. Precinct Committees should note that the minutes of meetings are public documents.

Precinct	
Date, meeting time and venue	
Chair	
Secretary	
1. Attendance:	List number of attendees in the minutes. A sign on list of attendees is to be kept with the minute book.
2. Apologies:	List
3. Declaration of interests:	Any declaration of a conflict of interest should be recorded. The Precinct Rules and Procedures sets out an explanation of conflict of interest.
4. Finance	Itemise any income and expenditure.
5. Confirmation of previous minutes:	Previous minutes are to be confirmed, subject to any amendments. The mover and seconder of the resolution to accept the minutes should be recorded.
6. Correspondence:	Table all correspondence and list in the minutes, including all material supplied by Council. List the items in the minutes.
7. Business arising from previous minutes:	Council’s response to precinct minutes should be tabled and read to the meeting. Note issues arising from previous minutes that require any further action.
8. General business:	<p>Please number the resolutions.</p> <p>Issues referred to the precinct by Council should be listed even if there is no response by the precinct committee.</p> <p>State clearly and concisely issues discussed which result in a resolution. This will assist in identifying potential ways of resolving an issue.</p> <p>Please include the mover and seconder of resolutions as well as the numbers voting for and against or abstaining.</p> <p>For Example: Item1. Postage Expense Receipt received for \$20.00 postage from Chair</p> <p>RESOLUTION: – Chair be reimbursed. Proposed: (name) Seconded: (name) Carried unanimously OR 7 votes FOR, 5 votes AGAINST, 2 ABSTAIN</p>

### Attendance Sheet and Privacy Statement

Name of Precinct:

Date of meeting:

Name	Street and suburb	Signature	Email address (optional)

**Privacy statement:** Personal details requested on this form will only be used for the purpose of ensuring that participation in Precincts is by residents of the Precinct area. The supply of information by you is voluntary. If you cannot provide, or do not wish to provide the information sought, the Council may not be able to recognise your participation in the meeting to determine if a quorum is present at the Precinct meeting. Access to the information is restricted to Council officers and the Precinct Chair and Secretary. You may make an application for access or amendment to the information held by Council. \* In supplying your email address you consent to the Precinct Executive sending you Precinct related information by email. The use of your personal information for any other purpose, other than stated above, is prohibited. If you have concerns as to how your information is being used please contact Council's Precinct Coordinator on 1300 722 542.



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1300 722 542  
council@randwick.nsw.gov.au  
www.randwick.nsw.gov.au

**Randwick City Council**  
30 Frances Street  
Randwick NSW 2031