

CLAUSE **CL05**

TITLE **Model Code of Meeting Practice Policy**

FROM **Leanne Austin, Governance Manager**

TRIM REF **19/17811**

SUMMARY

Amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (Phase 1 amendments) provide for a model code of meeting practice (Model Meeting Code) to be prescribed by the Regulation.

Following an extensive consultation process, a Model Meeting Code has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed. The new Model Meeting Code including supplementary provisions is attached for Council's consideration and endorsement to proceed to public exhibition.

RECOMMENDATION

- (a) Council endorse the draft Model Code of Meeting Practice as attached to this report including supplementary provisions (Attachment (a)).**
- (b) The draft Model Code of Meeting Practice be placed on public exhibition 28 days and provide members of the community at least 42 days in which to comment on the draft Code.**
- (c) If any submissions are received, a further report be prepared for Council.**
- (d) If no submissions are received, the draft Model Code of Meeting Practice policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.**

REPORT

The new Model Meeting Code contains mandatory provisions (black font) that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.

It also contains non-mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what the Office Local Government sees as being best practice for the relevant area of practice.

Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. Council's adopted

Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

Council's adopted Meeting Code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by Council.

The draft Meeting Code of Practice is provided in Attachment (a) for endorsement by Council.

There are certain provisions within the Code which require Council to make a choice between either provisions. These are itemised in the table below. The recommended option will be included in the draft Code for public exhibition. The highlighted option within the table is included in the draft Code attached to this report.

Model Code Options	Comments	Accepted/Not accepted
<p>Timing of ordinary council meetings</p> <p>3.1 Ordinary meetings of the council will be held on the following occasions: <u>the second and fourth Tuesday of every month unless otherwise resolved by Council.</u></p> <p>3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.</p>	<p>Note: Councils must use <u>either</u> clause 3.1 <u>or</u> 3.2</p>	<p><input type="checkbox"/></p> <p>or</p> <p><input type="checkbox"/></p>
<p>Giving notice of business</p> <p>3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.</p> <p>3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:</p> <p>(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or</p> <p>(b) by written notice sent to all</p>		<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

	councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.		
3.32	Pre-meeting briefing sessions	Not mandatory and not included in draft Code.	
4	Public Forums	See Supplementary Provisions for Public Participation at Meetings.	
Quorum for a meeting			<input type="checkbox"/>
5.14	Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.		<input type="checkbox"/>
5.15	Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.		<input type="checkbox"/>
7	Modes of Address – non mandatory	Included in Draft Code	
Order of Business		Note: Councils must use <u>either</u> clause 8.1 <u>or</u> 8.2.	<input type="checkbox"/>
8.1	At a meeting of the council, the general order of business is as fixed by resolution of the council.		<input type="checkbox"/>
8.2	The general order of business for an ordinary meeting of the council shall be:		or
01	Council Prayer and Acknowledgement of Country		<input type="checkbox"/>
02	Apologies and Requests for Leave of Absence by Councillors		
03	Confirmation of minutes		
04	Business Arising		
05	Declarations of interests		
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07	Mayoral minute(s)		
08	General Manager's Reports		

<p>09 Information Reports</p> <p>10 Adoption of Committee Minutes</p> <p>11 Business with Notice – Rescission Motions</p> <p>12 Business with Notice – Other Motions</p> <p>13 Outstanding Action Report</p> <p>14 Matters to be dealt with by Closed Council</p>		
<p>Mayoral Minutes</p> <p>9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.</p>		<input type="checkbox"/>
<p>Motions requiring the expenditure of funds</p> <p>10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.</p>		<input type="checkbox"/>
<p>Voting at Council meetings</p> <p>11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p> <p>Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.</p>	Not Mandatory and not included in Draft Code	
<p>Dealing with Items by Exception</p> <p>13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.</p> <p>13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items</p>		<input type="checkbox"/>

<p>of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.</p> <p>13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.</p> <p>13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.</p> <p>13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.</p> <p>13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.</p> <p>13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.</p>		
<p>Expulsion from meetings</p> <p>15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.</p> <p>15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.</p>	<p>Note: Councils may use <u>either</u> clause 15.14 <u>or</u> clause 15.15.</p> <p>15.15 is highlighted as this condition applies to the current Code of Meeting Practice.</p>	<p><input type="checkbox"/></p> <p>or</p> <p><input type="checkbox"/></p>
<p>Rescinding or altering council decisions</p> <p>17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 10 am the day after the meeting at which the</p>		<p><input type="checkbox"/></p>

<p>resolution was adopted.</p> <p>17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:</p> <p>(a) a notice of motion signed by three councillors is submitted to the chairperson, and</p> <p>(b) a motion to have the motion considered at the meeting is passed, and</p> <p>(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.</p> <p>17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.</p> <p>17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).</p>		
<p>Recommitting resolutions to correct an error</p> <p>17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:</p> <p>(a) to correct any error, ambiguity or imprecision in the council's resolution, or</p> <p>(b) to confirm the voting on the resolution.</p> <p>17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution</p> <p>17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.</p> <p>17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.</p> <p>17.19 A motion of dissent cannot be moved</p>		<input type="checkbox"/>

<p>against a ruling by the chairperson under clause 17.15.</p> <p>17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.</p>		
18 Time Limits on Council Meetings	Not Mandatory and not included in Draft Code	
<p>Minutes of council committee meetings</p> <p>20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p>	Not Mandatory and not included in Draft Code	
Proposed Supplementary Provisions		
<p>Webcasting and Recording of Meetings</p> <p>1.1 All meetings of the council and committees of the council are to be webcast on the council's website.</p> <p>1.2 Webcasting will comprise of an audio recording of the meeting which will be uploaded to Council's website the day after the meeting.</p> <p>Meetings are to be livestreamed as an audio visual recording of the meeting and will be available on Council's website following the meeting.</p>		<input type="checkbox"/> or <input type="checkbox"/>
Petitions		<input type="checkbox"/>
Lay on Table/Defer Items		<input type="checkbox"/>
Public Participation at Meetings		<input type="checkbox"/>
Committees of Council under S355		<input type="checkbox"/>
Order of Extraordinary Council Meeting		<input type="checkbox"/>
Council Workshop Guidelines		<input type="checkbox"/>

Webcasting of Meetings

Note that in relation to the webcasting of meetings, Councils will be required to webcast meetings of Council and Committees of which all members are Councillors from 14 December 2019. Council must specify in the Code whether meetings are to be livestreamed or uploaded to Council's website at a later time.

Griffith City Council currently meets the required provision in the new Model Code of Meeting Practice via its audio recording of the Council Meeting which is uploaded to Council's website.

Councils are at liberty to make provisions of its Code of Meeting Practice which exceed the minimum standard.

Councillor Question Time

Questions with Notice

In relation to Councillor Question Time, the Model Code stipulates that a councillor may, by way of a Notice of Motion submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of Council.

Questions without Notice

In accordance with section 9.14 of the Model Code, Questions must not be asked at a meeting of Council unless it concerns a matter on the agenda or notice has been given in accordance with clauses 3.10 and 3.14 (Notice of Motion).

The new Model Code has no provision for Councillor Questions without Notice. This is a mandatory requirement as specified by the Office Local Government. Councillors should forward issues of operational concern to the responsible Director or the relevant authorised contact officer for inclusion in the Customer Request Management System. For matters of urgency, the Mayor may put to the meeting without notice any matter that is within the jurisdiction of Council as a Mayoral Minute (refer to 9.6 – 9.9).

OPTIONS

OPTION 1

As per the recommendation in this report.

- (a) Council endorse the draft Model Code of Meeting Practice as attached to this report including supplementary provisions (Attachment (a)).
- (b) The draft Model Code of Meeting Practice be placed on public exhibition 28 days and provide members of the community at least 42 days in which to comment on the draft Code.
- (c) If any submissions are received, a further report be prepared for Council.
- (d) If no submissions are received, the draft Model Code of Meeting Practice policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.

Council must adopt a Model Code of Meeting Practice by 14 June 2019. Council's adopted Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

POLICY IMPLICATIONS

The Model Code of Meeting Practice will replace Council's current Code of Meeting Practice Policy (GOV-CP-413).

FINANCIAL IMPLICATIONS

Enquiries into costings for video livestreaming of Council meetings was quoted at \$17,000 for software and \$1,300 per month for editing/admin costs when last reviewed. If this option is preferred, this needs to be noted and included in the draft budget.

LEGAL/STATUTORY IMPLICATIONS

Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. Council's adopted Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

Under the transitional provisions of the LGA, Council must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the next ordinary elections.

Until Council adopts a new a Code of Meeting Practice its existing Code of Meeting Practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed, (14 December 2018 – 14 June 2019). If Council fails to adopt a new a Code of Meeting Practice within this period, under transitional provisions contained in the Regulation and the LGA, any provision of Council's adopted meeting code that is inconsistent with a mandatory provision of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Meeting Code.

Council and committees of Council of which all the members are Councillors must conduct their meetings in accordance with the Code of Meeting Practice adopted by Council.

Before adopting a new a Code of Meeting Practice, under section 361 of the LGA, Council is still required to exhibit a draft of the Code of Meeting Practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

ENVIRONMENTAL IMPLICATIONS

Nil.

COMMUNITY IMPLICATIONS

Members of the public have the opportunity to provide submissions for consideration in relation to this policy during the public exhibition period.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

CONSULTATION

Senior Management Team

Office Local Government

ATTACHMENTS

(a) Draft Model Code of Meeting Practice

CLAUSE **CL05**

TITLE **Model Code of Meeting Practice Policy**

FROM **Leanne Austin, Governance Manager**

TRIM REF **19/17811**

SUMMARY

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<p>Voting at Council meetings</p> <p>11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p> <p>Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.</p>	Not Mandatory and not included in Draft Code	
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<p>resolution was adopted.</p> <p>17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:</p> <p>(a) a notice of motion signed by three councillors is submitted to the chairperson, and</p> <p>(b) a motion to have the motion considered at the meeting is passed, and</p> <p>(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.</p> <p>17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.</p> <p>17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).</p>		
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Lay on Table/Defer Items		<input type="checkbox"/>
Public Participation at Meetings		<input type="checkbox"/>
Committees of Council under S355		<input type="checkbox"/>
Order of Extraordinary Council Meeting		<input type="checkbox"/>
Council Workshop Guidelines		<input type="checkbox"/>

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Note that in relation to the webcasting of meetings, Councils will be required to webcast meetings of Council and Committees of which all members are Councillors from 14 December 2019. Council must specify in the Code whether meetings are to be livestreamed or uploaded to Council's website at a later time.

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Councils are at liberty to make provisions of its Code of Meeting Practice which exceed the minimum standard.

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Questions with Notice

In relation to Councillor Question Time, the Model Code stipulates that a councillor may, by way of a Notice of Motion submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of Council.

Questions without Notice

In accordance with section 9.14 of the Model Code, Questions must not be asked at a meeting of Council unless it concerns a matter on the agenda or notice has been given in accordance with clauses 3.10 and 3.14 (Notice of Motion).

The new Model Code has no provision for Councillor Questions without Notice. This is a mandatory requirement as specified by the Office Local Government. Councillors should forward issues of operational concern to the responsible Director or the relevant authorised contact officer for inclusion in the Customer Request Management System. For matters of urgency, the Mayor may put to the meeting without notice any matter that is within the jurisdiction of Council as a Mayoral Minute (refer to 9.6 – 9.9).

OPTIONS

OPTION 1

As per the recommendation in this report.

- (a) Council endorse the draft Model Code of Meeting Practice as attached to this report including supplementary provisions (Attachment (a)).
- (b) The draft Model Code of Meeting Practice be placed on public exhibition 28 days and provide members of the community at least 42 days in which to comment on the draft Code.
- (c) If any submissions are received, a further report be prepared for Council.
- (d) If no submissions are received, the draft Model Code of Meeting Practice policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.

Council must adopt a Model Code of Meeting Practice by 14 June 2019. Council's adopted Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

POLICY IMPLICATIONS

The Model Code of Meeting Practice will replace Council's current Code of Meeting Practice Policy (GOV-CP-413).

FINANCIAL IMPLICATIONS

Enquiries into costings for video livestreaming of Council meetings was quoted at \$17,000 for software and \$1,300 per month for editing/admin costs when last reviewed. If this option is preferred, this needs to be noted and included in the draft budget.

LEGAL/STATUTORY IMPLICATIONS

Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. Council's adopted Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

Under the transitional provisions of the LGA, Council must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the next ordinary elections.

Until Council adopts a new a Code of Meeting Practice its existing Code of Meeting Practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed, (14 December 2018 – 14 June 2019). If Council fails to adopt a new a Code of Meeting Practice within this period, under transitional provisions contained in the Regulation and the LGA, any provision of Council's adopted meeting code that is inconsistent with a mandatory provision of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Meeting Code.

Council and committees of Council of which all the members are Councillors must conduct their meetings in accordance with the Code of Meeting Practice adopted by Council.

Before adopting a new a Code of Meeting Practice, under section 361 of the LGA, Council is still required to exhibit a draft of the Code of Meeting Practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

ENVIRONMENTAL IMPLICATIONS

Nil.

COMMUNITY IMPLICATIONS

Members of the public have the opportunity to provide submissions for consideration in relation to this policy during the public exhibition period.

LINK TO STRATEGIC PLAN

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

CONSULTATION

Senior Management Team

Office Local Government

ATTACHMENTS

(a) Draft Model Code of Meeting Practice

CLAUSE **CL05**

TITLE **Model Code of Meeting Practice Policy**

FROM **Leanne Austin, Governance Manager**

TRIM REF **19/17811**

SUMMARY

Amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (Phase 1 amendments) provide for a model code of meeting practice (Model Meeting Code) to be prescribed by the Regulation.

Following an extensive consultation process, a Model Meeting Code has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed. The new Model Meeting Code including supplementary provisions is attached for Council's consideration and endorsement to proceed to public exhibition.

RECOMMENDATION

- (a) Council endorse the draft Model Code of Meeting Practice as attached to this report including supplementary provisions (Attachment (a)).**
- (b) The draft Model Code of Meeting Practice be placed on public exhibition 28 days and provide members of the community at least 42 days in which to comment on the draft Code.**
- (c) If any submissions are received, a further report be prepared for Council.**
- (d) If no submissions are received, the draft Model Code of Meeting Practice policy be considered as adopted by Council as at the date of the conclusion of the advertised exhibition period.**

REPORT

The new Model Meeting Code contains mandatory provisions (black font) that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.

It also contains non-mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what the Office Local Government sees as being best practice for the relevant area of practice.

Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. Council's adopted

Meeting Code must not contain provisions that are inconsistent with the mandatory provisions.

Council's adopted Meeting Code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by Council.

The draft Meeting Code of Practice is provided in Attachment (a) for endorsement by Council.

There are certain provisions within the Code which require Council to make a choice between either provisions. These are itemised in the table below. The recommended option will be included in the draft Code for public exhibition. The highlighted option within the table is included in the draft Code attached to this report.

Model Code Options	Comments	Accepted/Not accepted
<p>Timing of ordinary council meetings</p> <p>3.1 Ordinary meetings of the council will be held on the following occasions: <u>the second and fourth Tuesday of every month unless otherwise resolved by Council.</u></p> <p>3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.</p>	<p>Note: Councils must use <u>either</u> clause 3.1 <u>or</u> 3.2</p>	<p><input type="checkbox"/></p> <p>or</p> <p><input type="checkbox"/></p>
<p>Giving notice of business</p> <p>3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.</p> <p>3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:</p> <p>(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or</p> <p>(b) by written notice sent to all</p>		<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

	councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.		
3.32	Pre-meeting briefing sessions	Not mandatory and not included in draft Code.	
4	Public Forums	See Supplementary Provisions for Public Participation at Meetings.	
Quorum for a meeting			<input type="checkbox"/>
5.14	Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.		<input type="checkbox"/>
5.15	Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.		<input type="checkbox"/>
7	Modes of Address – non mandatory	Included in Draft Code	
Order of Business		Note: Councils must use <u>either</u> clause 8.1 <u>or</u> 8.2.	<input type="checkbox"/>
8.1	At a meeting of the council, the general order of business is as fixed by resolution of the council.		<input type="checkbox"/>
8.2	The general order of business for an ordinary meeting of the council shall be:		or
01	Council Prayer and Acknowledgement of Country		<input type="checkbox"/>
02	Apologies and Requests for Leave of Absence by Councillors		
03	Confirmation of minutes		
04	Business Arising		
05	Declarations of interests		
06	Presentations		
07	Mayoral minute(s)		
08	General Manager's Reports		

<p>09 Information Reports</p> <p>10 Adoption of Committee Minutes</p> <p>11 Business with Notice – Rescission Motions</p> <p>12 Business with Notice – Other Motions</p> <p>13 Outstanding Action Report</p> <p>14 Matters to be dealt with by Closed Council</p>		
<p>Mayoral Minutes</p> <p>9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.</p>		<input type="checkbox"/>
<p>Motions requiring the expenditure of funds</p> <p>10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.</p>		<input type="checkbox"/>
<p>Voting at Council meetings</p> <p>11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.</p> <p>Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.</p>	Not Mandatory and not included in Draft Code	
<p>Dealing with Items by Exception</p> <p>13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.</p> <p>13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items</p>		<input type="checkbox"/>

<p>of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.</p> <p>13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.</p> <p>13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.</p> <p>13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.</p> <p>13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.</p> <p>13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.</p>		
<p>Expulsion from meetings</p> <p>15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.</p> <p>15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.</p>	<p>Note: Councils may use <u>either</u> clause 15.14 <u>or</u> clause 15.15.</p> <p>15.15 is highlighted as this condition applies to the current Code of Meeting Practice.</p>	<p><input type="checkbox"/></p> <p>or</p> <p><input type="checkbox"/></p>
<p>Rescinding or altering council decisions</p> <p>17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 10 am the day after the meeting at which the</p>		<p><input type="checkbox"/></p>

<p>resolution was adopted.</p> <p>17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:</p> <p>(a) a notice of motion signed by three councillors is submitted to the chairperson, and</p> <p>(b) a motion to have the motion considered at the meeting is passed, and</p> <p>(c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.</p> <p>17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.</p> <p>17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).</p>		
<p>Recommitting resolutions to correct an error</p> <p>17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:</p> <p>(a) to correct any error, ambiguity or imprecision in the council's resolution, or</p> <p>(b) to confirm the voting on the resolution.</p> <p>17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution</p> <p>17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.</p> <p>17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.</p> <p>17.19 A motion of dissent cannot be moved</p>		<input type="checkbox"/>

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CONSULTATION

Senior Management Team

Office Local Government

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