

Roper Gulf Regional Council

CL005 – Meetings Administration Policy

1. POLICY CERTIFICATION

Policy title:	Meetings Administration Policy
Policy number:	CL005
Category:	Policy
Classification:	Council
Status:	Approved (OMC 28 July 2021)

2. PURPOSE

The Meetings Administration Policy outlines the administrative dispositions pertaining to the Meetings of Council and its Committees.

3. ORGANISATIONAL SCOPE

This policy applies to all Meetings of Council and its Committees.

4. POLICY STATEMENT

Roper Gulf Regional Council (Council) is a prescribed Local Government body in accordance with the provisions of the *Local Government Act 2019*, and as such, has several core obligations set out by that Act.

Council is a representative, decision-making body, that acts in the interests of its constituents and discharges its duties, without fear or favour, affection or ill-will, as prescribed by the *Local Government Act 2019* and its statutory instruments.

This policy outlines the administrative provisions applicable to the meetings of Council, and that of its Committees.

5. DEFINITIONS

Agenda	means a list of items for consideration at the meeting together with reports and other attachments relating to those items
Amendment	means a motion moved as an alternative to the original motion
CEO	Chief Executive Officer of Roper Gulf Regional Council
Council	means the Council of Roper Gulf Regional Council
Committee	means a Committee established by the Council in accordance with Chapter 5 of the <i>Local Government Act 2019</i> .
Confidential session	is a session of a meeting of Council or a Committee, from which the media and the public has been excluded by a resolution carried in accordance with Section 99 of the <i>Local Government Act 2019</i> .
Councillor	means an Elected Member of Roper Gulf Regional Council.
Deputation	Individuals and groups may request presentation time on the agenda of a Council meeting to make a formal address to the Council. Deputations provide an opportunity for members of the public to address Council on a specific issue.
Deputy Mayor	means the Deputy Principal Member of the Roper Gulf Regional Council
Mayor	means the Principal Member of Roper Gulf Regional Council
Meeting Room	means any location inside the doors of the room being used for the meeting, but does not include any area set aside for the public, media representatives or guests.

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Minutes	means the formal record of the proceedings and resolutions of any meeting of Council and as well as those of its Committees.
Motion	is a proposal to be considered by Council at a meeting. It is a request to do something or to express an opinion about something. A motion formally puts the subject of the motion an item of business for formal consideration for Council or its Committees.
Petition	A petition is a formal request used to lobby a law-making body such as local government. It may request an amendment to general law or the review of an administrative decision. The petition is placed before the law-making body with the object of implementing the particular action or amendment. Petitioning is one of the traditional forms by which people can make requests direct to Council.
Quorum	means the minimum number of members needing to be present to constitute a valid meeting (i.e. 50% of attendees plus one).
Record	means a document including in any written, printed, or electronic medium that is or has been made or received in the course of official duties by a Councillor or an employee of the Council that captures an activity, transaction or undertaking, and, in particular, this includes the minutes of meetings of Council or Committee of Council.
Resolution	is a formal decision of a decision making body (i.e. Council or Committee) that has been passed by a majority of its sitting members. E.g. a motion that has been decided and passed by a majority of councillors at the meeting.

6. Principles

6.1 Setting time and dates for the meetings

The Council will by resolution, set the time date and place of Ordinary Meetings of the Council, Finance Committee and Audit Committee meetings for a period of twelve (12) months at least one (1) month prior to every new calendar year.

6.2 Convening a Meeting

A meeting of Council or a Committee is convened by the Chief Executive Officer and cannot be held unless due notice has been given to all members and a quorum is present.

6.3 Notice of Meetings

A notice of meeting of Council or Committee must be published on Council website and in a newspaper circulating in the area before meeting takes place. The notice must specify the time and place of the meeting.

6.4 Notice to be given of agenda items for an ordinary meeting

Councillors shall give important agenda items to the CEO at least fourteen (14) days before the next meeting. This will allow adequate time for researching the matter. The notice must be in writing and signed by the Councillor who wishes the matter to be considered and may include a petition.

6.5 Order of Business

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The Roper Gulf Regional Council Agenda is run electronically.

The order in which the agenda is to be prepared shall include:

- a) Present/Staff/Guest
- b) Formal opening of the meeting by Mayor
- c) A formal reading of the Council pledge to be read by Councillors and staff.
- d) **Apologies and leave of absence** – this section considers the submissions of Councillors who are not in attendance however they have formally informed the Mayor, or Chief Executive Officer, or delegate thereof, of their absence, and have given reasons why they cannot attend the meeting. Council shall decide whether the notification and reasons are acceptable. A motion will be made to either accept the absence, or to have it refused if Council deems the provided notice and reason(s) to be unacceptable.

Council will **NOT** accept the apologies, and therefore absence of Councillors who have not provided notice of absence noting that it cannot accept that which it has not received. Councillors who provide reasons of an absence after it occurs will have their submissions considered by Council at its next meeting.

- e) **Confirmation of previous minutes** - a motion will be given that the previous minutes are a true and correct record of that meeting and its decisions (resolutions).
- f) **Notification of previous Committee meeting minutes** – a motion will be given that tables previous minutes Committee minutes for Council's notification and reference. The Minutes themselves will be confirmed by the respective Committee's themselves. If the Committees are, for whatever reason, unable to confirm the minutes, they will be tabled separately to Council for its review and confirmation.
- g) **Call for items of General Business** – this item provides meeting participants an opportunity to put forward new items to Council or its Committee for formal consideration.
- h) **Questions from the Public** – with or without notice.
- i) **Disclosure of interest** - a declaration of conflict of interest with any one agenda item at the meeting must as soon as practicable after a member becomes aware of the conflict of interest must disclose the personal or financial interest that gives rise to the conflict.
- j) **Business arising from previous minutes** - any business arising out of the last minutes/action list. Business arising will not be discussed until the previous minutes have been confirmed.
- k) **Incoming and Outgoing correspondence** - the correspondence received for, or written on behalf of Council since the last Council meeting. If action is required as a result of the correspondence, a motion should be taken on each separate item otherwise a motion is recorded as receiving and noting the incoming and outgoing correspondence for the period specified.
- l) **Ward Reports** – a report is presented for each ward within the Regional Council area to Council with a motion to receive and note the report. Separate motions in relation to the ward are also put forward as part of this report.
- m) **Executive Directorate Reports:** Report from the Mayor and Chief Executive Officer (CEO).
- n) **Divisional Reports – Corporate Services and Sustainability**
- o) **Divisional Reports – Community Services and Engagement.**

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- p) **Divisional Reports – Infrastructure, Services, and Planning.**
- q) **Deputations/Petitions** – The Mayor must determine whether the deputation may be heard and a petition may be presented to the Council meeting by a Councillor.
- r) **General Business** – any matter not otherwise dealt with can be raised in general business, subject to any rules requiring notice. Presentations and question time will be maintained by the Mayor. A presentation should not exceed 30 minutes, followed by a 15 minute question period.
- s) **Confidential Session** – the confidential session of a Meeting of Council or its Committees excludes members of the public and media as it deals confidential matters in accordance with Chapter 6 of the *Local Government Act 2019* and Part 3 of the *Local Government (General) Regulations 2021*.
- t) **Close of Meeting** - confirmation of date and time of the next meeting; and the Mayor will formally declare the meeting closed.

Copies of the agenda must be made available to the public at the Council website, Council offices and other determined places, as soon as practicable before each meeting.

The order of business is the ordinary process of holding a Council or Committee meeting. This process may be altered for exceptional cases, with the agreement of Council or the applicable Committee, affirmed via resolution.

6.6 Deciding Business Items

Council and its Committees decide individual business items by means of a vote from individual members. Members **must** vote in favour of, or against, or for an amendment of a business item once a mover and seconder have called a motion.

Members **cannot** abstain from voting.

The Mayor or Committee Chair shall, in the event of an equality of votes, have a casting vote that decides the matter.

Matters are decided by way of a majority of votes, and a decision of on a matter is a formal Resolution.

6.7 Procedures for general business at an Ordinary Meeting of Council

When the Mayor calls for General Business items, the CEO or a Councillor may make a request for items to be discussed during general business.

Before requesting for General Business, Councillors or the CEO must have regard to the nature of the matter and whether it requires a decision or is for information only.

If a General Business item requires reasonable consideration or analysis, Council shall consider deferring it to the next meeting.

6.8 Petitions

A petition may be presented to a Council meeting by a Councillor. Before presenting the petition the Councillor must, as far as practicable, become acquainted with the subject matter of the petition.

The Councillor must state the nature of the petition and then read the petition. The petition must be worded in respectful language. Each page of the petition must restate the whole of the petition.

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A person must not attach to a petition:

- a) a signature purporting to be that of another person; or
- b) the name of another person

If a petition is presented at an ordinary meeting and was not included in the agenda for the meeting:

- a) a person present at the meeting and associated with the petition, may make a statement, explanation, submission, or comment regarding the petition only if first invited to do so by the Mayor; and
- b) no debate on, or in relation to the petition must be allowed and the only motion that may be moved is that:
 - (i) the petition be received and noted; and
 - (ii) be referred to a committee or specific Council staff member through the CEO for consideration and a report be given to the Council at the following Council meeting.

6.9 Deputations

A deputation wishing to attend and be heard at a meeting must apply in writing to the CEO no less than five (5) working days before the next scheduled Council meeting.

The application must state why the deputation wishes to attend and be heard.

The CEO, upon receiving the application, must inform the Mayor of the contents. The Mayor must determine whether the deputation may be heard and notify the CEO accordingly. If the Mayor has determined to hear the deputation, arrange a convenient time for the deputation to be heard at a Council meeting through the Agenda.

Only two (2) people in the deputation may address the meeting unless the Councillors determine otherwise by resolution.

A person in the deputation who is addressing the meeting must be temperate in speech and manner, and must not use insulting or offensive language.

The deputation must be given adequate opportunity and facility to explain the purpose of the matter.

The Mayor may halt an address by a person in a deputation if:

- a) the Mayor is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors; or
- b) the person is severe in speech or manner or uses insulting or offensive language

6.10 Motions to be dealt with in the order they appear in the agenda unless otherwise determined

The motions shall be dealt in the order they appear in the agenda. If, for any reason, the sequence of agenda items are to be altered, Council will pass resolution to move the motion and then will make a separate resolution to resolve the motion.

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6.11 Motions to have a mover and a seconder

The Mayor will read out the agenda item and will ask the relevant member to speak on the agenda item. The member will not take more than five (5) minutes to explain the report and after that Councillor may have question and answer time on the agenda item and report. The Mayor will then read the motion and will invite Councillors to move a motion. If Councillors are happy with the motion, Councillor will first show their hand and then move a motion. If any councillor deems to have amendment in motion, then the amendment will be discussed and the Mayor will invite Councillors to move the amended motion. Once Councillor moves the motion, the Mayor will invite Councillors to second the motion. Councillor will first show their hand and second the motion.

The Mayor shall only allow debate on a motion if it is seconded, requesting initially for a Councillor that may wish to speak against the motion to speak for a maximum of five (5) minutes for, or against the motion.

A motion that is not seconded must be recorded in the minutes as having lapsed.

A Councillor speaking about a motion must confine his or her remarks to the matter being considered.

6.12 Motions not to be withdrawn without consent

When a motion has been moved and seconded, it becomes subject to the control of the Ordinary Meeting and may not be withdrawn without the consent of Councillors.

6.13 A Councillor may move an amendment to a motion so long as it still relates to that motion

When a motion has been moved and seconded, a Councillor may move an amendment to it.

A Councillor who moves or seconds a motion must not move or second an amendment to a motion.

Any amendment so moved, must not negate the intent of the original motion.

The Mayor shall rule that any proposed amendment that attempts to negate a motion, or replace an amended motion with the original motion, is rejected.

6.14 Council may only deal with one (1) amendment to a motion at a time

Once an amendment has been moved, no further amendment can be considered until that amendment is disposed of, either because it lapses, or is seconded and put to the vote.

6.15 The amendment, if voted on and carried, becomes a motion

Once an amendment is put to the vote and carried, the motion, as amended, then becomes the motion before the ordinary meeting. Following the carriage of an amended motion to the vote from Councillors present at the meeting.

6.16 Dealing with further amendments to motions

If an amendment to a motion is lost, then further amendments may be considered until a motion is carried (be it the original motion or some variation of it) or all motions are exhausted.

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6.17 Limitation as to the number and duration of speeches

The mover of an original motion, in his or her opening speech, must not speak for more than five (5) minutes.

Except with the consent of the Mayor, a Councillor, other than the mover of the original motion, must not speak for more than five minutes at any one time. The Mayor is responsible to keep the Councillors on time.

A Councillor, who is the mover of an original motion, has a right of general reply (and may speak for up to five (5) minutes once all debate is completed) to all observations which have been made in reference to the motion and every amendment involved in respect of it.

A Councillor, other than the mover of an original motion, has the right to speak once to the motion and any amendment proposed to it. The Mayor has the right to close the debate at anytime he or she deems that there has been ample debate.

6.18 Mayor to maintain order, to decide who can speak first and to have priority when speaking

The Mayor must maintain order, and may, without the intervention of any other Councillors, call any Councillor to order whenever, in his or her opinion, it is necessary to do so.

If two (2) or more Councillors attempt to speak at the same time, the Mayor must decide which of the Councillors may speak first.

The Mayor may, at any time during the debate on the matter, indicate an intention to speak.

If the Mayor indicates an intention to speak, a Councillor speaking or proposing to speak to the debate must be silent until the Mayor has been heard.

6.19 Addressing Council

Councillors may insist that other Councillors address them by their official designation, as Mayor or Councillor, as the case may be.

Councillors shall refrain from the use of offensive or inappropriate language, especially in reference to other Councillor.

Councillors shall not make imputations of improper motives or personal reflections on Councillors or staff.

A Councillor who considers that another Councillor is out of order may call upon the Mayor to maintain order.

The call for order must be dealt with immediately, without further discussion, in accordance with the Elected Members' Code of Conduct (Schedule 1 – *Local Government Act 2019*).

Nothing in this clause affects questions being asked relevant to matters under discussion at the meeting.

6.20 How the Mayor shall deal with calls for order from Councillors

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Where a Councillor calls for order, the Mayor must rule on the call by determining whether the comments made by a Councillor are out of order.

Where the Mayor rules that a Councillor is out of order on more than three occasions at a meeting he or she may request the Councillor to leave the meeting.

If the Mayor decides that any motion, amendment or other matter (including a matter he or she considers is objectionable) is out of order, it must be rejected and not be considered further.

6.21 Rescinding or altering resolutions

A resolution of the Council may be altered or rescinded if a notice of motion is carried at a meeting to have the matter dealt with at another meeting. Resolutions that bind Council by law or by contract may not be altered or rescinded.

The CEO shall ensure that any notices of motion, once carried, are included in the register of resolutions and are available for future meetings of the Council.

6.22 Motions to improve the handling of matters at a meeting

A Councillor may move a motion to have a matter put on the vote only after the Mayor has:

- a) first queried whether Councillors wish to speak for, or against, the particular motion to do with the matter; and
- b) at least two (2) Councillors have had the opportunity to do so

If the motion to put a matter to the vote is lost, debate on the matter must be allowed to continue for at least ten minutes before the Mayor can allow a similar motion for the matter to be put to the vote.

If the motion to put a matter to the vote is carried, the Mayor must immediately put the motion to do with the matter to the vote.

A Councillor may move a motion to have debate on a matter postponed to the next Council meeting and have the meeting move to the next agenda item of business:

- a) if the motion is carried, the CEO must ensure the matter is included in the agenda for the next meeting; or
- b) if the motion is lost, the Mayor must continue to allow debate on the matter until it is put to the vote.

A Councillor may move a motion to have a meeting adjourned for a short period:

- a) if the motion is carried, the meeting must continue with the matter before the meeting at the point where it was delayed; and
- b) if the motion is lost, the Mayor must not accept a similar motion within 30 minutes after the motion was lost.

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6.23 Councillor absences from, and attendances at, ordinary and special meetings

If a quorum of Councillors is not present within 30 minutes at a meeting in accordance with Chapter 6 of the *Local Government Act 2019*, the CEO must postpone the meeting to a date, time and place as he or she thinks fit and notify members.

Councillors may attend ordinary, special or committee meetings by technological means (teleconference etc) so long as there are no members of the public in attendance when confidential matters are discussed and undue influence is not exercised over Councillors by members of the public during the meeting.

6.24 Public attendance and participation at meetings

Members of the public, including journalists, shall be allowed to attend ordinary, special or committee meetings unless Council chooses to close them for confidential reasons.

A member of the public must not take part, or attempt to take part, in the proceedings of a meeting of the Council unless invited to do so by the Mayor.

A member of the public who wishes to ask a question or make a submission or comment must do so in writing to the CEO.

A person other than a member, who interrupts the conduct of a meeting shall, on being requested to do so by the Mayor immediately leave the place where the meeting is being held.

Members of the public may, at Council's discretion attend ordinary, special or committee meetings by technological means (teleconference etc) if Council has the technical provision to do so, so long as there are no members of the public in attendance when confidential matters are discussed and undue influence is not exercised over Councillors by members of the public during the meeting.

6.25 Grounds for closure to public

Public will be asked to leave the meeting when Council is dealing on the matters and information following:

- a) prescribed by Part 3 of the *Local Government (General) Regulations* as confidential;
- b) personnel matters concerning particular individuals;
- c) the personal information, or hardship of any resident or ratepayer, or any other person (Information Privacy Principle 4, *Information Act 2002* – Schedule 2, or any Australian Privacy Principle (Cth));
- d) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
- e) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it;
 - (ii) confer a commercial advantage on a competitor of the Council; and;
 - (iii) reveal a trade secret;
- f) Information that would, if disclosed, prejudice the maintenance of law;
- g) Matters affecting the security of the Council, Councillors, Regional Council staff members, or Council property; and

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- h) advice concerning litigation, or advice that would otherwise be privilege from production in legal proceedings on the ground of legal professional privilege (LPP).

6.26 Resolution to Close the meeting to the public

The Council, or a Committee of the Council of which all the members are Councillors or a appointee by Council, may exclude the public from the meeting while business of a classified kind is being considered as deemed by regulations as confidential business, a motion to close part of the meeting to the public should be moved and seconded.

Once confidential business is completed, a motion to move back to the public meeting should be moved and seconded, and the resolutions of the confidential meeting be made available to the public.

6.27 Public rights to make representation

The Council, or a Committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

6.28 Grounds for closing part of meeting to be specified

The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.

The grounds must specify the following:

- a) the subject title of the matter that is to be discussed during the closed part of the meeting; and
- a) the reason why the part of the meeting is being closed, stated in clause 6.25.

6.29 Public access to decisions made in closed sessions

Resolutions or recommendations made at a closed part of a Council meeting must be made public by the Mayor as soon as practical after the closed part of the meeting has ended.

While discussions in the closed part of the meeting remain confidential, the separate nature of a resolution or recommendation allows it to be made public immediately after the closed part of the meeting has ended, whilst ensuring that confidential information are not revealed.

Any person is entitled to inspect minutes containing resolutions or recommendation from the closed parts of the meeting. The resolutions or recommendations from the closed session of Council or Committee of Council meeting shall be available to the public upon request.

6.30 The Mayor is to maintain order when the public is participating in ordinary, special or committee meetings

The Mayor may invite questions, submissions or comments from members of the public at a meeting of the Council but is not obliged to do so.

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If the Mayor considers a question, comment or statement of a member of the public at a meeting of the Council is offensive, irrelevant, and unduly long or deals with a confidential matter, the Mayor may rule the matter out of order and proceed to deal with it or the next item of business.

A question on notice from a member of the public must be included in the agenda for the next Council meeting.

On receiving a comment or submission from a member of the public, the Council must:

- a) refer it to a committee
- b) request it be included in the agenda for the next Council meeting
- c) deal with it under general business at the meeting of the Council; or
- d) note it and take no further action

6.31 Procedures for Council Committee Meetings

Committees of the Council shall follow the same procedures as provided for Council meetings unless the committee resolves otherwise.

Minutes of committee meetings shall be included in the agenda of the following Council meeting as a recommendation for the Council to adopt in whole, or part, or be simply noted with no further action required.

7. Applicable Law

Cited Acts	<ul style="list-style-type: none"> • <i>Local Government Act 2019;</i> • <i>Local Government (General) Regulations 2021;</i> • <i>Information Act 2002;</i>
Applicable Acts (not exhaustive)	<ul style="list-style-type: none"> • <i>Interpretation Act 1978;</i> • <i>Privacy Act 1988 (Cth).</i> •
Cited Case Law	<i>Nil</i>
Relevant Forms	

8. DOCUMENT CONTROL

Policy number	CL005
Policy Owner	Chief Executive Officer
Endorsed by	OCM
Date approved	28/07/2021
Revisions	Nil
Amendments	Replaces CL005 Meeting Procedure Policy prior to July 2021
Next revision due	2025

**Roper Gulf Regional Council
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9. CONTACT PERSON

Contact person
Contact number

**Manager Corporate Compliance
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