

Roper Gulf Regional Council

LA002 – Local Authority Meeting Administration Policy

1. POLICY CERTIFICATION

Policy title:	Local Authority Meeting Administration Policy
Policy number:	LA002
Category:	Policy
Classification:	Local Authority
Status:	Approved OCM 28th May 2014

2. PURPOSE

The Local Authority Meeting Administration Policy provides an authoritative overview and structure for the orderly and efficient proceedings of meetings for Local Authorities in the Roper Gulf Regional Council local government area.

3. ORGANISATIONAL SCOPE

This policy applies to all Local Authority meetings of Roper Gulf Regional Council.

4. POLICY STATEMENT

Local Authorities are established to perform functions such as: involving local communities in issues relating to local government, provide a forum for local communities to have the opportunity to express their opinion on questions affecting local government, a voice in formulating policies for their locality as well as for the area and region, to advocate and provide local views back to Council, contribute to the development of the regional plan, make recommendation to Council on their budget and review expenditure relevant to the local authority area and perform other duties as assigned by the Minister.

5. DEFINITIONS

Agenda	A list of items for consideration at the meeting together with reports and other attachments relating to those items.
Authorising Manager	For the purposes of this Policy the Authorising Manager is the Manager responsible for the administration of Council and Governance functions. The Authorising Manager is a function, not a position title, and outlined in the Organisational Structure.
CEO	Chief Executive Officer.
Council	Roper Gulf Regional Council.
Closed Session	A session of the Local Authority Meeting from which the media and the public has been excluded by a resolution carried in accordance with the <i>Local Government Act 2019</i> and statutory instruments.
Chair	Chairperson of the Local Authority.
Meeting Room	A location inside the doors of the room being used for the meeting, but does not include any area set aside for the public, media

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	representatives or guests.
Minutes	Formal, legal record of the proceedings and decisions of the Local Authority made at the Meeting.
Motion	A proposal to be considered by the Local Authority 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 the Local Authority.
Quorum	The minimum number of members needing to be present to constitute a valid meeting, i.e. 50% of members plus one (1).
Record	A document including any written or printed material or object (including a sound recording, coded storage device, magnetic tape, compact or floppy disc, microfilm, photograph, film, map, plan or model of a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by Council, its Committees, its Local Authorities, and its staff.
Resolution	A formal decision on an Agenda Item, made by a decision-making body, including a Local Authority.

6. Principles

6.1 Setting time and dates for the meetings

Local Authority meeting dates are prescribed by Council and are convened by the Chief Executive Officer (CEO). The CEO may postpone meetings by up to 21 days, and on request of Council, the Local Authority Chairperson, set additional Meetings.

6.2 Convening a Meeting

A Local Authority Meeting is convened by the CEO subject to the provisions of the *Local Government Act 2019* and its statutory instruments. A Meeting of a Local Authority cannot be held unless lawful notice has been given. A Meeting may be delayed by up to 30 minutes after the appointed commencement time. If a quorum or provisional attendance is not attained, the Meeting is postponed to a time and place fixed and members notified, or cancelled.

6.3 Notice of Meetings

A notice convening a Meeting must be in writing, state the date, time, place and agenda for the Meeting. The Notice of the meeting must occur within the legislated time period before the appointed Meeting takes place and the details published on the Council website within a reasonable time before the appointed meeting and be posted on the notice board of the relevant Council's Service Delivery Centre.

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The notice to Local Authority members may be given notice personally, by telephone, by email, or by or in any other way pre-arranged by the CEO or delegate thereof, with the members of the Local Authority.

Notice of the upcoming Local Authority meeting shall be posted on Council's website.

Generally a meeting of the local authority must be open to the public; however the public may be excluded while business classified by regulations as confidential business is being considered.

6.4 Notice to be given of agenda items for an local authority meetings

The agenda for each Meeting is to be prepared by the Authorising Manager.

6.5 Order of Business

The order in which the agenda is to be prepared must include but is not limited to:

1. Confirmation of the Minutes of the previous Local Authority Meeting;
2. Council's response to local authority issues raised;
3. Business arising from previous minutes, including actionable items as applicable;
4. Report on current Council services in the local authority area;
5. The latest financial report; and
6. A report on complaints received concerning Council's service delivery in the Local Authority area.

Each financial year a local authority agenda must include a review of:

1. Council's Annual Report for the previous financial year;
2. Relevant community plan(s);
3. Council's proposed Regional Plan; and
4. Council's proposed budget priorities for the next financial year.

Agenda items should be set out as:

- a) **Present/Elected Member/Local Authority members/Staff/Visitors and Guest**
- b) **Formal opening of the meeting by the Chairperson**

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- c) **Apologies and leave of absence** – Local Authority members who have given prior notice as to why they cannot attend the meeting. The Local Authority is to consider tendered apologies and decide whether or not to accept them. A Local Authority **cannot** accept that which has not been tendered, and as such, if no apologies have been given, they will not be accepted.
- d) **Confirmation of previous minutes** – the Local Authority must confirm the minutes of the Local Authority Meeting at its next Meeting. The Local Authority must formally resolve that the previous minutes are a true and correct record of the proceedings and decisions of the previous Meeting.
- e) **Business arising from previous minutes** – any business arising out of the previous minutes, including actionable items. Business arising should not be discussed until the previous minutes have been confirmed.
- f) **Incoming and Outgoing correspondence** – correspondence to or from the Local Authority.
- g) **Call for items of General Business** – this item provides Meeting participants an opportunity to put forward new items that are not included in the agenda, to the Local Authority for 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. A member has a conflict of interest in a question arising for decision by the Local Authority member or an associate of the member has a personal or finance interest in how the question is decided. If a conflict of interest is disclosed the details need to be recorded in minutes of that Local Authority Meeting.
- j) **General business** – business that is otherwise not captured in the formal Agenda. General Business can be raised, subject to any rules requiring notice. Presentations and question time will be maintained by the Chair. A presentation should not exceed 10 minutes, followed by a five (5) minute question period.
- k) **Closed Session** – the business that must, in accordance with the *Local Government Act 2019*, its statutory instruments, or some other legislated requirement, be kept confidential and not disclosed to the public.
- l) **Close of Meeting** – confirmation of date and time of the next meeting. The Chair will formally declare the meeting closed.

The Agenda is publicly available on Council's website, and can, on request, be provided in printed form to members of the public for a prescribed fee. Local Authority Members are provided with printed forms of the Agenda at the Meeting.

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6.6 Procedures for general business at a Local Authority Meeting

When the Chair calls for the General Business items, the Local Authority members and members of the public may make a request for items to be discussed during general business.

Before requesting for general business, the Local Authority member or member of the public must have regard to the nature of the matter and whether it requires a decision or is for information only.

Local Authority members must only give notice of matters for decision by the Local Authority in the event of the matter not requiring much deliberation. Where a matter requires reasonable consideration or analysis, the Local Authority shall consider deferring it to the next meeting.

6.7 Petitions

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

The member 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.

- 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 Chair; and
- b) no debate on, or in relation to, the petition is allowed and the only motion that may be moved is that:
 - (i) the petition be received and noted; and
 - (ii) be referred to Council for consideration.

6.8 Deputations and Presentations

A deputation wishing to attend and be heard at a meeting must notify the Authorising Manager and business unit **no less than ten (10) business days** before the next scheduled meeting.

The application must state, in writing, the nature of their proposed deputation or presentation, and why the matter is requested to be put to the Local Authority.

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

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

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

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

The decision on whether to consider a deputation or presentation is made by the Local Authority.

Council does not guarantee that deputations or presentations will be accepted by the Local Authority.

6.9 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 motion is to be altered, the Local Authority committee will pass resolution to move the motion and then will make a separate resolution to resolve the motion.

6.10 Motions to have a mover and a seconder

The Chair will read out the agenda item and will ask the relevant Local Authority member to speak on the agenda item. The member will not take more than five (5) minutes to explain the report and after that Local Authority members may ask questions pertaining to the agenda item and report.

The Chair or Local Authority members may request Council staff to provide clarification of agenda items.

The Chair will then read the motion and will invite Local Authority members to move a motion. If committee members are happy with the motion, committee members will first show their hand and then move a motion. If a committee member deems to have an amendment to the motion, then the amendment will be discussed and the Chair will invite Local Authority members to move the amended motion. Once a Local Authority member moves the motion, the Chair will invite committee members to second the motion. The Local Authority member will first show their hand and second the motion.

The Chair shall only allow debate on a motion if it is seconded, requesting initially for a Local Authority member 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 Local Authority member speaking about a motion must confine his or her remarks to the matter being considered.

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6.11 Motions not to be withdrawn without consent

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

6.12 A Local Authority member 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 Local Authority member may move an amendment to it.

A Local Authority member 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 Chair shall rule that any proposed amendment that attempts to negate a motion, or replace an amended motion with the original motion, is rejected.

6.13 The Local Authority 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.

6.14 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 local authority meeting. Following the carriage of an amended motion to the vote from committee members present at the meeting.

6.15 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.

6.16 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.

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Except with the consent of the Chair, a Local Authority member (other than the mover of the original motion) must not speak for more than five (5) minutes at any one time. The Chair is responsible to keep the Local Authority member on time.

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

6.17 Chair to maintain order, to decide who can speak first and to have priority when speaking

The Chair must maintain order, and may, without the intervention of any other Local Authority members, call any Local Authority member to order whenever, in his or her opinion, it is necessary to do so.

If two (2) or more Local Authority members attempt to speak at the same time, the Chair must decide which of the committee members may speak first.

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

If the Chair indicates an intention to speak, a Local Authority member speaking or proposing to speak to the debate must be silent until the Chair has been heard.

6.18 Addressing Local Authority members and others

Local Authority members shall refrain from the use of offensive or inappropriate language, especially in reference to other Local Authority members, Councillors or staff.

Local Authority members shall not make imputations of improper motives or personal reflections on Local Authority members, Councillors or staff.

A Local Authority member who considers that another Local Authority member is out of order may call upon the Chair to maintain order.

The call for order must be dealt with immediately, without further discussion, in accordance with Council's Code of Conduct (as applicable to Elected Members).

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

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6.19 How the Chair shall deal with calls for order from Local Authority members

Where a Local Authority member calls for order, the Chair must rule on the call by determining whether the comments made by a Local Authority member are out of order.

Where the Chair rules that a Local Authority member is out of order on more than three (3) occasions at a meeting, he or she may request the committee member to leave the meeting.

If the Chair 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.

6.20 Motions to improve the handling of matters at a meeting

A Local Authority member may move a motion to have a matter put on the vote only after the Chair has:

- a) first queried whether Local Authority members wish to speak for, or against, the particular motion to do with the matter; and
- b) at least two (2) Local Authority members 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 10 minutes before the Chair 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 Chair must immediately put the motion to do with the matter to the vote.

A Local Authority member may move a motion to have debate on a matter postponed to the next local authority meeting and have the meeting move to the next agenda item of business:

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

A Local Authority member 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 Chair must not accept a similar motion within 30 minutes after the motion was lost.

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6.21 Local Authority member absences from, and attendances at, local authority meetings

If a quorum or provisional attendance is not attained within 30 minutes of the prescribed commencement of the Meeting, the Chair must, in accordance with the *Local Government Act 2019* and its statutory instruments, postpone the meeting to a date, time and place as he or she thinks fit, within 21 days of the prescribed Meeting, or, cancel the Meeting and notify members.

If the Chair is unable to do so, the postponement or cancellation of the Meeting shall be done by the CEO.

Local Authority members may attend 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 Local Authority members by members of the public during the meeting.

6.22 Public attendance and participation at meetings

Members of the public, including journalists, shall be allowed to attend Local Authority meetings unless the Local Authority chooses to exclude 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 local authority unless invited to do so by the Chair.

A member of the public who wishes to ask a question or make a submission or comment must seek approval through the Chair.

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

6.23 Grounds for closure to public

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

- a) information prescribed by the *Local Government Act 2019* or its statutory instruments as being confidential;
- b) information prescribed by applicable law as being confidential.

6.24 Closure of Resolution to Close

The Local Authority must 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.

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6.25 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.

6.26 Details to be specified

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 6.24.

6.27 Confidentiality Requirements

A person who discloses confidential information acquired as a member of the Local Authority is guilty of an offence if:

- a) the person makes the disclosure intentionally or recklessly; and
- b) the person knows or ought to know that the information is confidential.

A Local Authority member makes improper use of the information if the member uses it to gain some private benefit, or to inflict harm on another.

Disclosure of confidential information can take place for the purpose of carrying out functions as a member of the Local Authority in the case of:

- a) as authorised by the person to whom the duty of confidence is owed; or
- b) to a court or tribunal; or
- c) a law enforcement agency; or
- d) to an inspector.

6.28 The Chair is to maintain order when the public is participating in Local Authority meetings

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

If the Chair considers a question, comment or statement of a member of the public at a meeting of the Local Authority is offensive, irrelevant, and unduly long or deals with a

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confidential matter, the Chair 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 local authority meeting.

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

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

6.29 Procedures for Local Authority minutes

Minutes (unconfirmed) of Local Authority meetings shall be included in the agenda of the following Council meeting as part of the Ward Report as a recommendation for the Council to receive and note or take action as required.

7. Applicable Law

Cited Acts	<i>Local Government Act 2019</i>
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8. DOCUMENT CONTROL

Policy number	LA002
Policy Owner	Governance
Date approved	Council
Revisions	June 2022
Amendments	16 June 2022
Next revision due	2024

9. CONTACT PERSON

Contact person	Manager Corporate Compliance
Contact number	08 8972 9005