



## Code of Practice – Meeting Procedures at Council and Council Committee Meetings

Policy Type	Governance		
Responsible Department	Office of the Chief Executive Officer		
Responsible Officer	Chief Executive Officer		
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## Code of Practice – Meeting Procedures at Council and Council Committee Meetings

### Part 1 – Preliminary

#### 1. Title

- 1.1 This document is titled the District Council of Elliston Code of Practice – Meeting Procedures at Council and Council Committee Meetings.

#### 2. Commencement

- 2.1 These procedures commence on the date this document is endorsed by at least two thirds of the Members of Council entitled to vote on the resolution.
- 2.2 Refer to the last page of this document for a history of its adoption and subsequent reviews, as well as other document control information.

#### 3. Interpretation

- 3.1 The role of Council is to manage its local area by acting as an informed representative and responsible decision-maker in the best interests of its community. Council can only make decisions and act through a majority vote of the Council (or Committee). The effectiveness of Council and Council Committee Meetings directly contributes toward accountability to the community.
- 3.2 Council meeting procedures are largely determined by the Local Government (Procedures at Meetings) Regulations 2013 (the Regulations). In addition to the requirements of the Regulations, this Code of Practice identifies a number of discretionary procedures adopted by Council for Council and Council Committee meetings.
- 3.3 Definitions:
- 3.3.1 In this Code of Practice, the following definitions apply unless the contrary intention appears:-

**Act** means the Local Government Act 1999;

**clear days** – in the calculation of clear days in relation to the giving of notice before a meeting:

the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and

Saturdays, Sunday and public holidays will be taken into account.

If a notice is given after 5.00pm on a day, the notice will be taken to have been given on the next day;

**deputation** means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case



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may be) on a particular matter;

**formal motion** means a motion –  
that the meeting proceed to the next business; or  
that the question be put; or  
that the question lie on the table; or  
that the question be adjourned; or  
that the meeting be adjourned<sup>1</sup>;

**Guiding Principles** – see regulation 4;

**member** means a member of the council or council committee (as the case may be);

**point of order** means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

**presiding member** means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

**written notice** includes a notice given in a manner or form determined by the council.

3.3.2 For the purposes of these regulations, a vote on whether leave of the meeting is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote).

### 4. Guiding Principles

Council's approach to the conduct of its meetings adopts the Guiding Principles contained within the Local Government (Procedures at Meetings) Regulations 2013 which state:

- 4.1 Procedures should be fair and contribute to open, transparent and informed decision-making;
  - 4.2 Procedures should encourage appropriate community participation in the affairs of the Council;
  - 4.3 Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
  - 4.4 Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.
5. Discretionary Procedures - Application to the District Council of Elliston

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<sup>1</sup> See regulation 12 for specific provisions about formal motions.



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- 5.1 Procedures at Council and Committee meetings are regulated by the Local Government (Procedures at Meetings) Regulations 2013. In accordance with these Regulations, Council is able to set discretionary procedures pursuant to Regulation 6. This Code of Practice is made pursuant to this Regulation and has been passed by a two thirds majority of Council Members.

This Code of Practice – Procedures at Meetings applies to ordinary and special Council meetings and the meeting of the following Council Committees:

- 5.1.1 Audit and Risk Committee
- 5.1.2 CEO Review Panel
- 5.1.3 CEO Selection Panel

### Part 2 – Meetings of Council and Council Committees

#### **6. Additional procedures for District Council of Elliston:**

- 6.1 In addition to the mandatory procedures as set out in the Regulations, the following procedures have been adopted by Council to ensure meetings are conducted in the best interests of the Elliston Community.
- 6.1.1 The order of business on the Agenda may, in the interest of good governance be changed by the leave of the meeting.

#### **7. Commencement of meetings and quorums**

- 7.1 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- 7.2 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.
- 7.3 If at the expiration of thirty (30) minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the Chief Executive Officer will adjourn the meeting to a specified day and time.
- 7.4 If a meeting is adjourned for want of a quorum the Chief Executive Officer will record in the minute book the reason for the adjournment, the names of any members present and the date and time to which the meeting is adjourned.
- 7.5 If a meeting is adjourned to another day, the Chief Executive Officer must –
- 7.5.1 Give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
  - 7.5.2 Give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be



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placed on display at the principal office of Council.

### 8. Minutes

- 8.1 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
- 8.2 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
- 8.3 On the confirmation of the minutes, the presiding member will –
- 8.3.1 initial each page of the minutes which pages are to be consecutively numbered; and
  - 8.3.2 place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 8.4 The minutes of the proceedings of a meeting must include –
- 8.4.1 the names of the members present at the meeting; and
  - 8.4.2 the name of any member who is not present because the member is suspended or taken to have been granted leave of absence from the office of member of council; and
  - 8.4.3 in relation to each member present –
    - the time at which the person entered or left the meeting; and
    - unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
    - if, during the meeting, the member is excluded under section 86(6b) of the Act, a statement that the member was excluded and the period for which the member was excluded; and
  - 8.4.4 each motion or amendment, and the names of the mover and seconder; and
  - 8.4.5 any variation, alteration or withdrawal of a motion or amendment; and
  - 8.4.6 whether a motion or amendment is carried or lost; and
  - 8.4.7 any disclosure of interest made by a member; and
  - 8.4.8 an account of any personal explanation given by a member; and



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- 8.4.9 details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
- 8.4.10 a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and
- 8.4.11 details of any adjournment of business; and
- 8.4.12 a record of any request for documents to be tabled at the meeting; and
- 8.4.13 a record of any documents tabled at the meeting; and
- 8.4.14 a description of any oral briefing given to the meeting on a matter of Council business; and
- 8.4.15 any other matter required to be included in the minutes by or under the Act or any regulation.

### 9. Questions

- 9.1 A member may ask a question on notice by giving the chief executive officer written notice of the question at least seven (7) clear days before the date of the meeting at which the question is to be asked.
- 9.2 If notice of a question is given under sub-clause 9.1 –
  - 9.2.1 the Chief Executive Officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and
  - 9.2.2 the question and the reply must be entered in the minutes of the relevant meeting.
- 9.3 A member may ask a question without notice at a meeting.
- 9.4 The presiding member may allow the reply to a question without notice to be given at the next meeting.
- 9.5 A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.
- 9.6 The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.



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### 10. Petitions

- 10.1 A petition to the Council must –
- 10.1.1 be legibly written or typed or printed; and
  - 10.1.2 clearly set out the request or submission of the petitioners; and
  - 10.1.3 include the name and address of each person who signed or endorsed the petition; and
  - 10.1.4 be addressed to the Council and delivered to the principal office of the Council.
- 10.2 If a petition is received under sub-clause 10.1 the Chief Executive Officer must ensure that the petition or, if the Council has so determined as a policy of the Council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the Council or, if so provided by a policy of the Council, a committee of the Council.
- 10.3 Sub-clause 10.2 may be varied at the discretion of the Council pursuant to Regulation 6.
- 10.4 A petition must be received seven (7) clear days prior to the commencement of the meeting.

### 11. Deputations

- 11.1 A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the Council) a written request to the Council.
- 11.2 The Chief Executive Officer must transmit a request received under sub-clause 11.1 to the presiding member.
- 11.3 The presiding member may refuse to allow the deputation to appear at a meeting.
- 11.4 The Chief Executive Officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
- 11.5 If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the Council or Council Committee (as the case may be).
- 11.6 The Council or Council Committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.
- 11.7 Council may refer the hearing of a deputation to a Council Committee.





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- 11.8 Written requests for a deputation must be received seven (7) clear days prior to the commencement of the meeting.

### 12. Motions

- 12.1 A member may bring forward any business in the form of a written notice of motion.
- 12.2 The notice of motion must be given to the Chief Executive Officer at least seven (7) clear days before the date of the meeting at which the motion is to be moved.
- 12.3 A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the Council must be brought by written notice of motion.
- 12.4 If a motion under sub-clause 12.3 is lost, a motion to the same effect cannot be brought -
- 12.4.1 until after the expiration of twelve (12) months; or
- 12.4.2 until after the next general election,
- whichever is the sooner.
- 12.5 Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.
- 12.6 The presiding member may refuse to accept a motion without notice, if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
- 12.7 The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the Council or Council Committee (as the case may be).
- 12.8 A motion will lapse if it is not seconded at the appropriate time.
- 12.9 A Member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.
- 12.9.1 Members speaking (including the mover and seconder) to the motion can speak for no longer than two (2) minutes. If further time is required, Members may seek the leave of the meeting for additional time, to a total maximum of five (5) minutes.
- 12.10 A Member may only speak once to a motion except –
- 12.10.1 to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or



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- 12.10.2 with leave of the meeting; or
- 12.10.3 as the mover in reply.
- 12.11 A Member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.
- 12.12 A Member who has not spoken in the debate on a question may move a formal motions.
- 12.13 A formal motion must be in the form of a motion set out in sub-clause 12.14 (and no other formal motion to a different effect will be recognized).
- 12.14 If the formal motion is –
- 12.14.1 that ***the meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or
- 12.14.2 that ***the question be put***, then the effect of the motion, if successful, is that the debate is terminated and the question put to the vote by the presiding member without further debate; and
- 12.14.3 that ***the question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
- 12.14.4 that ***the question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
- 12.14.5 that ***the meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
- 12.15 If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
- 12.16 A formal motion does not constitute an amendment to a substantive motion.
- 12.17 If a formal motion is lost –



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- 12.17.1 the meeting will be resumed at the point at which it was interrupted; and
- 12.17.2 if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least one (1) member has spoken on the question.
- 12.18 A formal motion for adjournment must include the reason for the adjournment and the details for resumption.
- 12.19 Any question that lies on the table as a result of a successful formal motion under sub-clause 12.14.3 lapses at the next general election.
- 12.20 The Chief Executive Officer must report on each question that lapses under sub-clause 12.19 to the Council at the first ordinary meeting of the Council after the general election.
- 12.21 Sub-clauses 12.9, 12.10 and 12.11 may be varied at the discretion of the Council pursuant to regulation 6.

### **13 Amendments to motions**

- 13.1 A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
- 13.2 An amendment will lapse if it is not seconded at the appropriate time.
- 13.3 A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing be taken to have spoken to the motion to which the amendment relates.
- 13.4 If an amendment is lost, only one (1) further amendment may be moved to the original motion.
- 13.5 If an amendment is carried, only one (1) further amendment may be moved to the original motion.
- 13.6 Sub-clauses 13.1, 13.3, 13.4 and 13.5 may be varied at the discretion of the Council pursuant to regulation 6.

### **14 Variations etc**

- 14.1 The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
- 14.2 The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.



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### 15 Addresses by members etc

15.1 A member must not speak for longer than five (5) minutes at any one (1) time without the leave of the meeting.

15.1.1 Members are to speak through the Presiding Member of the meeting when speaking.

15.2 A member may, with leave of the meeting, raise a matter of urgency.

15.3 A member may, with leave of the meeting, make a personal explanation.

15.4 The subject matter of a personal explanation may not be debated.

15.5 The contribution of a member must be relevant to the subject matter of the debate.

15.6 Sub-clauses 15.1 and 15.2 may be varied at the discretion of the Council pursuant to regulation 6.

### 16 Voting

16.1 The presiding member, or any other member, may ask the Chief Executive Office to read out a motion before a vote is taken.

16.2 The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

16.3 A person who is not in his or her seat is not permitted to vote.

16.4 Sub-clause 16.3 –

16.4.1 may be varied at the discretion of the Council pursuant to regulation 6; and

16.4.2 does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the Council or council committee for the purposes of section 89 of the Act.

### 17 Divisions

17.1 A division will be taken at the request of a member.

17.2 If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

17.3 The division will be taken as follows;



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- 17.3.1 the members voting in the affirmative will, until the vote is recorded, stand in their places or may indicate their affirmative vote by raising a hand;
- 17.3.2 the members voting in the negative will, until the vote is recorded, sit in the seats or may indicate their negative vote by raising a hand
- 17.3.3 the presiding member will count the number of votes and then declare the outcome.
- 17.4 The Chief Executive Officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).
- 17.5 Sub-clause 17.3 may be varied at the discretion of the Council pursuant to regulation 6.

### 18 Tabling of information

- 18.1 A member may require the Chief Executive Officer to table any documents of the Council relating to a motion that is before a meeting (and the Chief Executive Officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the document are tabled, then the matter must not be put to the vote until the documents are tabled).
- 18.2 The Chief Executive Officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

### 19 Adjourned business

- 19.1 If a formal motion for a substantive motion to be adjourned is carried –
- 19.1.1 the adjournment may either be to a later hour of the same day, to another day, or to another place; and
- 19.1.2 the debate will, on resumption, continue from the point at which it was adjourned.
- 19.3 Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
- 19.4 The provisions of this regulation may be varied at the discretion of the Council pursuant to regulation 6.

### 20 Short-term suspension of proceedings



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- 20.1 If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate information discussion, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.
- 20.2 The Guiding Principles must be taken into account when considering whether to act under Sub-clause 20.1
- 20.3 If a suspension occurs under Sub-clause 20.1 –
- 20.3.1 a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
  - 20.3.2 the meeting may proceed provided that a quorum is maintained but, during the period of suspension –
    - i. the provisions of the Act must continue to be observed<sup>2</sup>; and
    - ii. no act or discussion will have any status or significance under the provision which have been suspended; and
    - iii. no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and
  - 20.3.3 the period of suspension should be limited to achieving the purpose for which it was declared; and
  - 20.3.4 the period of suspension will come to an end if –
    - i. the presiding member determines that the period should be brought to an end; or
    - ii. at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.
    - iii.

### **21 Chief Executive Officer may submit report recommending revocation or amendment of council decision.**

- 21.1 The Chief Executive Officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.
- 21.2 The Chief Executive Officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

<sup>2</sup> See particularly Part 4 of Chapter 5 and Chapter 6 of the *Local Government Act 1999*.



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- 21.3 The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

### Part 3 – Meetings of Other Committees

#### 22 Application of Part

- 22.1 The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Pat r2.

Notice of meetings for members

- 22.2 Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) and (10) of that section provided as follows:
- 22.2.1 that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;
  - 22.3.2 that notice need not be given for each meeting separately;
  - 22.3.3 that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;
  - 22.3.4 that it is not necessary for the Chief Executive Officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

#### 23 Public notice of committee meetings

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2 and (3) provided as follows:

- 23.1.1 that public notice need not be given for each meeting separately; and
- 23.1.2 that public notice may be given by displaying a notice and agenda in a place or places determined by the Chief Executive Officer after taking into account the nature and purpose of the committee.



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### 24 Minutes

- 24.1 The minutes of the proceedings of a meeting must include –
- 24.1.1 the names of the members present at the meeting; and
  - 24.1.2 each motion carried at the meeting; and
  - 24.1.3 any disclosure of interest made by a member; and
  - 24.1.4 details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
  - 24.1.5 a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.
- 24.2 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

### Part 4 - Miscellaneous

#### 25 Quorum for committees

- 25.1 The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.
- 25.2 For the purposes of this regulation, the **prescribed number** of members of a council committee is –
- 25.2.1 unless 25.2.2 applies – a number ascertained by dividing the total number of members of the committee by two (2), ignoring any fraction resulting from the division, and adding one (1) or
  - 25.2.2 a number determined by the Council.

**Note:** See also section 41(6) of the *Local Government Act 1999*.

#### 26 Voting at committee meetings

- 26.1 Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.





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- 26.2 Each member of a Council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- 26.3 The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

### **27 Points of order**

- 27.1 The presiding member may call to order a member who is in breach of the Act or these regulations.
- 27.2 A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.
- 27.3 A point of order takes precedence over all other business until determined.
- 27.4 The presiding member will rule on a point of order.
- 27.5 If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.
- 27.6 The presiding member is entitled to make a statement in support of the ruling before a motion under Sub-clause 28.5 is put.
- 27.7 A resolution under Sub-clause 28.5 binds the meeting and, if a ruling is not agreed with –
- 27.7.1 the ruling has no effect; and
- 27.7.2 the point of order is annulled.

### **28 Interruption of meetings by members**

- 28.1 A member of a council or council committee must not, while at a meeting-
- 28.1.1 behave in an improper or disorderly manner; or
- 28.1.2 cause an interruption or interrupt another member who is speaking.



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- 28.2 Sub-clause 28.1.2 does not apply to a member who is –
- 28.2.1 objecting to words used by a member who is speaking; or
  - 28.2.2 calling attention to a point of order; or
  - 28.2.3 calling attention to want of a quorum.
- 28.3 If the presiding member considers that a member may have acted in contravention of Sub-clause 28.1, the member must be allowed to make a personal explanation.
- 28.4 Subject to complying with Sub-clause 28.3 the relevant member must leave the meeting while the matter is considered by the meeting.
- 28.5 If the remaining members resolve that a contravention of Sub-clause 28.1 has occurred, those members may, by resolution –
- 28.5.1 censure the member; or
  - 28.5.2 suspend the member for a part, or the remainder, of the meeting.
- 28.6 A member who –
- 28.6.1 refuses to leave a meeting in contravention of Sub-clause 28.4; or
  - 28.6.2 enters a meeting in contravention of a suspension under Sub-clause 28.5, is guilty of an offence.

Maximum penalty: \$1,250

### **28A Exclusion of Member from Meeting by Presiding Member**

- 28A.1 For the purposes of section 86(6b) of the Act, before giving a direction under that subsection, the presiding member must allow the member to make a personal explanation.
- 28A.2 If a member is excluded from a meeting for a contravention of section 86(6a) of the Act, action cannot be taken under regulation 29 in respect of the contravention.



## Code of Practice – Meeting Procedures at Council and Council Committee Meetings

28A.3 A member will not be taken to contravene section 86(6a) of the Act merely because the member is –

28A.3.1 objecting to words used by a member who is speaking; or

28A.3.2 calling attention to a point of order; or

28A.3.3 calling attention to want of a quorum.

28A.4 For the purposes of section 86(6e) of the Act, if a member the subject of a direction excluding them from a meeting under section 86(6b) of the Act refuses to comply with the direction or enters the meeting in contravention of the direction, the remaining members at the meeting may, by resolution-

28A.4.1 censure the member; or

28A.4.2 suspend the member for a part, or for the remainder, of the meeting.

### **29 Interruption of meetings by others**

29.1 A member of the public who is present at a meeting of a council or council committee must not –

29.1.1 behave in a disorderly manner; or

29.1.2 cause an interruption.

Maximum penalty: \$500



## Code of Practice – Meeting Procedures at Council and Council Committee Meetings



### Agenda for the Ordinary Council Meeting to be held on Tuesday (date), at 9:00 am at the Elliston Council Chambers

1	<b>Opening of Meeting</b>	Page
2	<b>Apologies</b>	Page
3	<b>Questions from Members of the Public</b>	Page
4	<b>Confirmation of Minutes – Previous Meeting</b>	Page
	4.1 Minutes from Ordinary Meeting held Tuesday (date)	
	<b>RECOMMENDATION</b>	
	<b>That the minutes of the District Council of Elliston Council Meeting, held Tuesday (date), as previously circulated to Councillors, be taken as read and confirmed as a true and accurate record.</b>	
5	<b>Business Adjourned</b>	Page
6	<b>Declaration of Interest</b>	Page
	An Elected Member with one of the following Conflicts of Interest is asked to declare it at the start of each meeting and complete a Conflict of Interest form.	
	<i>Material</i> - where any of a defined list of persons (list as per LGA Conflict of Interest Guidelines February 2016) would gain a benefit, or suffer a loss (whether directly or indirectly, personal or pecuniary) depending on the outcome of the consideration of the matter at the meeting.	
	<i>General</i> – where from the perspective of an impartial, fair-minded person it could reasonably be considered that a Member's private interests might result in the member acting in a manner that is contrary to their public duty.	
7	<b>Report by Members (including the Mayor)</b>	Page
8	<b>Questions With or Without Notice</b>	Page
9	<b>Petitions</b>	Page
10	<b>Deputations</b>	Page
11	<b>Motions on Notice</b>	Page
12	<b>Recommendations from Committees</b>	Page
13	<b>Reports from Officers</b>	
14	<b>Other Urgent Business</b>	Page
15	<b>Closure of the Meeting</b>	Page



## **Code of Practice – Meeting Procedures at Council and Council Committee Meetings**



## Code of Practice – Meeting Procedures at Council and Council Committee Meetings

### Document Review

This policy will be available for inspection at the Council office, Beach Terrace, Elliston during ordinary business hours and available to be downloaded, free of charge, from Council’s website: [www.elliston.sa.gov.au](http://www.elliston.sa.gov.au)

Copies will be provided to interested parties upon request. Email [council@elliston.sa.gov.au](mailto:council@elliston.sa.gov.au)

### Version Control

Version no.	Date adopted by Council	Synergy Record	Amendments Made	Prepared by:
1	20 September 2010			
2	7 April 2020 Minute #2020.63		Policy amended to provide for the Public Health Emergency: Electronic Participation in Council Meetings	Executive Assistant
3	21 February 2023 Minute #2023.35	NGR234359  9.63.1/2	Policy reworded in accordance with the Behavioural Standards and based on the Local Government (Procedures at Meetings) Regulation 2013 Version 17.11.2022. Public Health Emergency: Electronic Participation in Council Meetings removed	Executive Assistant