

POLICY

TITLE:	Council Meetings and Procedures		
DIRECTORATE:	Council		
ADOPTED BY:	Council Resolution:		
DATE OF ADOPTION:	29 November 2024	DATE OF REVIEW:	29 November 2026
POLICY NUMBER:	104		
LEGISLATIVE REF:	<i>Local Government Act 2019; Chapter 6 (the Act)</i> <i>Local Government (General) Regulation 2021</i>		

1. INTRODUCTION

1.1. Purpose

Councils are required to have protocols in place as to how the Council runs Council meetings. This Policy outlines the protocols around how Barkly Regional Council ('BRC', 'Council') runs its Council meetings, in accordance with legislated requirements.

1.2. Scope

The scope of this Policy applies to BRC Council meetings only.

The establishment of Council executive, advisory and audit committees is dealt within the *Council Committee Terms of Reference Policy*.

For Local Authority meetings, please refer to the *Local Authority Policy*.

1.3. Policy Objective

The objective of this Policy is to provide a clear, transparent framework for the effective conduct of the business of the Council meetings.

2. POLICY STATEMENT

It is the aim of this Policy document to ensure that Council meetings are convened in accordance with the Requirements of the Act and Regulations. These protocols provide the overarching framework which applies to Council meetings.

3. MEETING ETIQUETTE

The Council shall make every effort to make members of any delegation or presenters feel welcome and to extend courtesy to them.

Questions shall be framed and asked, and answered, in a polite manner.

When addressing the Council, presenters shall, at all times, be polite and shall keep the presentation as brief as possible, in observance of the following guidelines:

- Keep the presentation as brief as possible and avoid, wherever possible, repeating what has already been provided in writing;
- Be clear and precise as to what you are seeking;
- Provide advance copies of materials or handouts.

It is requested that all attendees at a Council meeting refrain from the use and operation of mobile telephones. Should there be a need to receive urgent calls, phones must be turned to silent mode and the person must leave the room.

4. ROLE AND OBJECTIVES OF COUNCIL MEETINGS

4.1 Council meetings are held to enable Council to meet its function and objectives as outlined below:

- To act as a representative, informed and responsible decision maker in the interests of its constituency; and
- To develop a strong and cohesive social life for its residents and allocate resources in a fair, socially inclusive, and sustainable way; and
- To provide and coordinate public facilities and services; and
- To encourage and develop initiatives for improving quality of life; and
- To represent the interests of its area to the wider community; and
- To exercise and perform the powers and functions of local government assigned to the Council under this Act or another Act.
- To provide open, responsive and accountable government at the local level;
- To be responsive to the needs, interests, and aspirations of individuals and groups within its area;
- To cooperate with Territory and national governments in the delivery of services for the benefit of its area.

4.2 Functions of Council

- Plan for the future requirements of its area for local government services;
- Provide services and facilities for the benefit of its area, its residents and visitors;
- Make prudent financial decision;
- Manage the employment of the CEO;
- Provide for the interests and well-being of individuals and groups within its area;
- Carry out measures to protect its area from natural and other hazards; to plan and develop Council facilities and services in its area in a sustainable way;
- Plan and develop Council facilities and services in its area in a sustainable way;
- Plan the use of Council resources for the benefit of its area; and
- Other functions assigned to the Council under this Act or another Act.

5. COUNCIL MEETINGS

Council must hold a meeting of its members (**an Ordinary Meeting**) at least once in each successive period of two (2) months.

An Ordinary Meeting may deal with business of any kind, but a Special Meeting may deal only with the business for which the Special Meeting was convened, unless all members present unanimously decide, by resolution, to deal with other business.

The first Ordinary Meeting of Council to be held after a general election must:

- i. Be held within 21 days after the conclusion of that general election; and
- ii. Set the schedule for the holding of Ordinary Meetings for the term of Council (4 years).

The schedule for the holding of Ordinary Meetings may be altered at a subsequent meeting.

- iii. Council may hold a meeting to deal with a particular item of business (a Special Meeting) whenever circumstances require.

5.1. Convening of Council Meetings

Ordinary Meetings of Council are to be convened by the Chief Executive Officer (CEO).

The CEO must convene a Special Meeting of Council at a specified time and place to deal with specified business if:

- I. the principal member (Mayor) or three or more other members request the CEO **in writing** to convene the meeting; or
- II. Council resolves that the Special Meeting should be convened.

If the CEO fails to convene the meeting, it may be convened by any member of the Council.

5.2. Notice for a Meeting

A notice convening a Council Meeting (Ordinary or Special):

- a. must be in writing
- b. must state the date, time, place, and agenda (including any confidential business) for the meeting
- c. must include any business papers to be considered at the meeting (including any business paper for confidential business)
- d. must be given to the Members:
 - i. in the case of an Ordinary Meeting – at least 3 business days before the date of the meeting; and
 - ii. in the case of a Special Meeting – at least 4 hours before the time appointed for the meeting.
- e. The notice may be given to a Member personally, by post, by email, by any other electronic means or in any other way arranged by the CEO with the Member.

5.3. Publication of Notice

The Notice for an Ordinary Meeting:

- a. Must be published on Council's website at least 3 business days before the date of the meeting; and
- b. Must be posted on a noticeboard at Council's public office at least 3 business days before the date of the meeting.

The Notice for a Special Meeting:

- c. Must be published on Council's website at least 4 hours before the time of the meeting; and
 - d. Must be posted on a noticeboard at Council's public office at least 4 hours before the time of the meeting.
- 1) If business that deals with confidential information is to be considered at the meeting, the notice available to the public must contain a statement of that fact and the provision of this Act under which the information is confidential.
 - 2) Please refer to Council's *Confidential Information & Business (Council Meetings) Policy* for further information on confidential business of Council.
 - 3) If it is not practicable to do so, the business papers for the meeting may not be posted with the copy of the notice posted on the notice board, however the notice must contain information on how to otherwise access the business papers on the Council's website.
 - 4) If the business papers considered at the meeting are different to the business papers published and posted for the meeting, the business papers considered at the meeting must be published on Council's website at the same time the minutes of the meeting are published.

5.4. Meetings

It is expected that all elected and appointed members will attend all scheduled meetings.

All meetings are subject to the confidential business clauses regarding types and declassification timeframes

Council has a Policy in place regarding remote attendance at meetings via audio or audiovisual. See *Remote Attendance at Meetings (Members) Policy* on Council's website.

The Chairperson's casting vote adoption process is detailed in Council's *Casting Vote Policy*.

6. ORDINARY MEETINGS TO BE OPEN TO THE PUBLIC

- 1) All Ordinary Meetings of Council are open to the public. The capacity of Council's Chamber will allow a maximum number of 10 members of the public.
- 2) Under the Regulations, a Council meeting may be closed while confidential business is being considered. The confidential section follows the open section of the meeting.
- 3) If confidential business is considered at a meeting, the agenda for the meeting must identify the type of matter that is to be considered at the meeting.
- 4) Members of the public attending the open sections of Council meetings must adhere to the conditions of entry before entering Council meetings areas, both on and off Council premises.
- 5) Visitors and guests are required to sign the visitors log and provide photo identification to the Authorised Officer.
- 6) Despite the above requirement, if all members of the Council are attending a meeting by means of an audio or audiovisual conferencing system, the meeting must be accessible to the public by means of the audio or audiovisual conferencing system.
- 7) Council live webcasts the open section of Ordinary Meetings to enable greater community access and involvement in Council business. Webcasting provides the opportunity for our community to view proceedings without the need to attend, and also raises community understanding of the decision making process in Council.
- 8) Confidential sessions of Council meetings will not be broadcast.

7. HOW TO ATTEND VIA WEBCAST

- 1) Ordinary Meetings will be webcast via Microsoft Teams, with the details of how to access the meeting posted on the front page of the Agenda.
- 2) Council hereby issues a disclaimer to advise meeting attendees that audio-visual recording equipment has been configured to avoid coverage of the public gallery area, and Council will use its best endeavours to ensure images in this area are not webcast. However, Council expressly provides no assurances to this effect and in the event an individual's image is webcast, the individual will, by remaining in the public gallery area, be taken to have given Council a non-exclusive license to copy and broadcast the image worldwide for no reward.

8. PROCEDURES AT COUNCIL MEETINGS

8.1 General Proceedings

- 1) The Chairperson of a Council meeting is:
 - a. if the principal member is present – the principal member (Mayor); or
 - b. if the principal member is not present but the deputy principal member is present – the deputy principal member (Deputy Mayor); or
 - c. if neither the principal member nor the deputy principal member is present, but an acting principal member is present – the acting principal member; or
 - d. if neither the principal member nor the deputy principal member is present and there is no acting principal member or the acting principal member is not present – a member chosen, by resolution, by the members present at the meeting to chair the meeting
- 2) A quorum at a meeting of Council consists of a majority of Council's elected members holding office at the time of the meeting.
- 3) A member who is not physically present at a meeting of a Council is taken to be present at the meeting if the member's attendance at the meeting is by means of an audio or audiovisual conferencing system, and such attendance conforms with Council's *Remote Attendance at Meetings (Members) Policy*.
- 4) Subject to the Act, a decision carried by a majority of the votes of the members present at a meeting of Council is a decision of the Council.

- 5) Each member present at a meeting has and must exercise one vote on a question arising for decision at the meeting and, the Chairperson must exercise, in the event of an equality of votes, a second or 'casting' vote. Please refer to the *Casting Vote Policy* for further information.
- 6) Unless Council decides unanimously to take a vote by secret ballot, voting is to be by show of hands.
- 7) Subject to the Act, any by-laws regulating the procedure at a meeting, a Council may determine its own procedures.

8.2 Postponement of a Council Meeting

- 1) If a quorum is not present within 30 minutes of the start time for a meeting of Council, the following may postpone a meeting to a time later on the same day:
 - a. the Chairperson
 - b. if the Chairperson is not present but 2 or more members are present – the majority of members present
 - c. if the Chairperson is not present and fewer than 2 members are present – the CEO or a person authorised by the CEO
- 2) If a meeting is postponed, the CEO must, in writing, record the fact that the meeting was postponed and the record must be:
 - a. published on Council's website; and
 - b. posted on the notice board at Council's public office.
- 3) If it is impracticable for a meeting to be postponed to a time later on the same day under subsection, the CEO may postpone the meeting for up to 21 days.
- 4) The person who postpones a meeting must ensure, as far as practicable, that each member receives notice of the postponement and of the time and place to which the meeting has been postponed.
- 5) If a meeting is postponed, the notice of the postponement and of the time and place to which the meeting has been postponed must be, within the timeframe prescribed by regulation:
 - a. published on the council's website; and
 - b. posted on the notice board at the council's public office.

8.3 Apologies and Leave of Absence

- 1) Single Meeting – A Member of a Council Meeting who becomes aware of a situation or circumstance that will prevent that member's attendance at a meeting should notify the CEO to register their apology for the meeting.
- 2) Multiple Meetings – A member of a Council Meeting who is aware of circumstances that will prevent that member's attendance at more than one meeting may:
 - a. Submit a written request for leave of absence, with such request detailing the inclusive dates of the absence.
 - b. The written request will be included on the Agenda or tabled at a meeting of the Council prior to the period of absence commencing.
 - c. Notify the CEO of their absence on a meeting-by-meeting basis as an apology for a single meeting.
- 3) Council has an expectation that, for a range of operational reasons, members will, wherever possible, seek leave of absence for multiple meetings in advance.

8.4 Mayor and Deputy Mayor Absences

In order to comply with the Act and appoint an Acting Mayor when it becomes known that both the Mayor and the Deputy Mayor will be unavailable, Council shall be made aware of the known absence or other inability to perform the functions of Mayor or Deputy Mayor in sufficient time to enable the Council to consider and appoint a Councillor to be Acting Mayor.

9. MEETING OF ELECTORS

9.1 Calling a Meeting of Electors

- 1) Council may call a meeting of the electors for its area or a ward within its area.
- 2) A local authority may call a meeting of the electors for its local authority area.
- 3) A meeting of electors is called by giving notice of the time and place of the meeting:
 - a. on Council's website; and
 - b. by notice displayed at Council's public office; and
 - c. by notice published in a newspaper circulating generally in the area.

9.2 Meeting Procedure

- 1) The Chairperson of a meeting of electors is to be a person nominated by the Council or the local authority (as the case requires) to chair the meeting.
- 2) The procedure at the meeting is subject to any direction by the Council or the local authority, to be as determined by the Chairperson.
- 3) Each elector is entitled to one vote on a question arising for decision at the meeting.
- 4) The Chairperson may determine the qualification of a person present at the meeting to vote.
- 5) A question arising for decision at the meeting must be resolved by majority vote.
- 6) A resolution passed at a meeting of electors does not bind Council.

10. RELEVANT POLICIES

Policies to be read in conjunction with this Policy are:

- 1) Council Committee Terms of Reference Policy
- 2) Local Authority Policy
- 3) Casting Vote Policy
- 4) Caretaker Policy
- 5) Remote Attendance at Meetings (Members) Policy
- 6) Confidential Information & Business (Council Meetings) Policy
- 7) Allowances (Elected Members) Policy
- 8) Codes of Conduct
- 9) Conflict of Interest Policy
- 10) Gifts & Benefits (Elected Members) Policy

11. IMPLEMENTATION AND REVIEW

11.1 Implementation

Relevant personnel will be made aware of this Policy, and it will be published on the Barkly Regional Council website together with the notices and minutes of meetings held.

11.2 Review

This Policy will be reviewed on or before 29 November 2026.

12. VARIATIONS, REVOCATIONS AND/OR CHANGES

Barkly Regional Council reserves the right to revoke and/or amend this policy from time to time as is considered necessary to better manage its business and/or to comply with any legislative requirements.

13. APPROVAL

This policy is approved.

Chris Kelly
Chief Executive Officer


Signature

29 Nov 2024
Dated

END