



# 1.12 Council Meetings Policy

<b>Council Resolution:</b>	2023/06/20/13
<b>Date to take effect:</b>	20/06/2023
<b>Legislative reference:</b>	<i>Local Government Act 2019</i>
<b>Review Date:</b>	June 2025

## 1. Purpose

The purpose of this policy is to guide the operation and conduct at all meetings and to ensure that meetings of Council operate in a transparent manner to ensure efficient, effective, and accountable decision making.

## 2. Scope

This policy applies to all Council meetings, special meetings, and meetings of council committees, in accordance with the provisions of the *Local Government Act 2019 (NT) and its Regulations 2021* to guide proceedings at Council meetings.

## 3. Policy Statement

The Council Meetings Policy will determine the date, time and meeting place for Council and Committee meetings as well as detailing the structure of the agenda, the decision-making processes within the meeting and the record management of outcomes of the meetings.

### 3.1 Date and Time of Ordinary General Meetings

An Ordinary General Meeting of Council will generally be held on the third Tuesday of each month. A meeting may be rescheduled to another time and date if circumstances determine, and the majority of members agree.

The majority of members may determine not to hold a monthly meeting if it is determined that there is insufficient business to warrant the calling of a meeting.

If Council does not hold a monthly Council meeting it must still hold a monthly Finance Committee meeting. The members of the Finance Committee will be a quorum of the members. The meeting may be conducted at an agreed venue or electronically via a video or teleconference.

Meetings will normally commence at 3.00pm and will finish by 8.00pm. Council must resolve to extend the closing time if they wish to deal with business after 8.00pm.

Council allows presentations at 2:00pm. The Ordinary General Meeting will commence at the advertised time of 3:00pm after the conclusion of the presentation.

## 3.2 Location of Ordinary General Meetings

Ordinary General Meetings, meetings of committees and special meetings will be held in the Council Chambers at 22 Cameron Road, Batchelor. Members may resolve to hold meetings at other locations from time to time.

## 3.3 Agenda Papers of Meetings

In preparing agenda papers, the Chief Executive Officer and the President will set the agenda for the meeting.

- Notice of Meeting
- Persons Present
- Apologies and Leave of Absence
- Electronic Meeting Attendance
- Declaration of Interest
- Petitions and Deputations and Questions - With notice
- Confirmation of the Minutes of the Previous Meeting
- Reports Requiring Decisions of Council
  - (a) Use of the Common Seal
- Reports for Receiving and Noting
  - (a) Presidents Report
  - (b) CEO Report
  - (c) Councillor Reports
  - (d) Review of Action Items List
  - (e) Complaints Register
  - (f) Incoming and Outgoing Correspondence
- Monthly Finance Reports
- Late Items and Urgent Business
- General Business
- Confidential Items
- Decisions arising from the Confidential Section of the Council Meeting
- Next Meeting
- Closure of Meeting

Reports are to be written in clear English to ensure maximum understanding of the matter presented.

The agenda will be circulated to Members by email three business days in advance of the meeting to be held on the following Tuesday. Hard copies will be made available at the same time. Agenda and supporting information will be placed in an individually named envelope. The envelopes will be placed in the Council Office external safe for collection by individual Council Members.

The Council Agenda for the Ordinary General Meeting is to be uploaded to the website three business days in advance of the meeting to be held on the following Tuesday.

### **3.4 Late Reports and Urgent Business**

Late Reports and Urgent Business are not ideal as they are not included in the agenda and available in advance. The Members and the public do not have an opportunity to view the report on the matter prior to the meeting.

Council may receive and deliberate on late reports to the meeting if it is considered that the matter is urgent and needs to be tabled at that meeting and will not wait until the next meeting. Where an urgent matter arises that cannot reasonably be delayed until the next Council meeting, it may be considered and determined by Council Members at a Special Meeting in accordance with this policy and the *Local Government Act 2019*.

### **3.5 Deputations and Presentations to Council**

Persons requesting to address the Council either as a deputation or a presentation must contact the Chief Executive Officer via email or writing one week prior to the meeting. Council will allow deputations or presentations from 2:00 – 3:00 pm on the day of the Ordinary General Meeting.

The CEO, on receiving the request, must notify the President of the request.

The President must determine whether the deputation or presentation may be heard and notify the CEO accordingly.

A hard copy of any presentation material is to be provided the week before the meeting so that it can be circulated to Members with the meeting Agenda. Electronic presentations should be supplied to the Chief Executive Officer prior to the meeting.

As a general rule each deputation/presentation will be allowed 15 minutes followed by 15 minutes of questions and discussions. The Council may allow more time should it determine.

### **3.6 Quorum**

A quorum at a meeting of a Council consists of a majority of the members.

A quorum must be present within 30 minutes after the time appointed for a meeting. If a quorum is not present, the meeting will be postponed in accordance with the provisions of the *Local Government Act 2019* and its *Regulations 2021*.

A quorum is to be maintained for the whole of the meeting. If the meeting attendance drops below the quorum at any time during the meeting this is to be noted in the minutes.

### **3.7 Apologies**

If a member is unable to attend a meeting, the member needs to notify for the President or CEO at least 3 days in advance where possible.

The apology needs to be accepted by the majority of members. If not accepted the apology will be recorded as absent.

A member is disqualified from office if absent from 2 consecutive meeting of council without permission.

### **3.8 Participation by Electronic Means**

A Member who is not physically present at a meeting is taken to be present at a meeting if:

- (a) the member's attendance at the meeting by means of an audio or audiovisual conferencing system is authorised in accordance with a council resolution for attendance in such a manner; and
- (b) communication is established by means of the conferencing system, at or around the commencement of the meeting, between the member and the members present at the place appointed for the meeting.

### **3.9 Requests for Agenda Items**

Members may request an agenda item to the CEO or President at least 5 days before the agenda circulation and in writing. To be prepared for a future meeting in the General Business Section of an Ordinary General Meeting. General Business is not to be used for operational matters, such as complaints or service requests.

### **3.10 Confidential Information and Business**

The default position for Council is transparency and accountability, however there may be times when Council has to consider confidential information in accordance with Section 293 (1) of the Act and regulations 51. Members and staff are expected to be careful and prudent about how they collect and use information. Judgements should balance the interests of the community and its right to information with the potential adverse impacts.

The disclosure of information must not cause significant damage or distress to a person or cause significant damage to the interests of the Council or a person or cause unfair commercial or financial advantage.

After the conclusion of the consideration of an item of confidential business, Council will decide whether confidential information is:

- a) the type of confidential information that should no longer be confidential after a specified period of time; or
- b) the type of confidential information that should be subject to periodic review to determine if it should no longer be confidential.

If Council resolves a specified period of time for the information to remain confidential, that information is to be publicly released after the expiry of that period of time.

If Council resolves that confidential information should be subject to periodic review to determine if it should no longer be confidential, that information will be added to the confidentiality review list.

Council will maintain a list of confidential information and review that list once every 6 months to determine whether any matters are to no longer confidential after a specified period or are to remain confidential for review at a subsequent date.

All confidential papers to be returned to the CEO after a meeting.

Each individual report must detail the reason for the confidential item being listed in confidential and the reason to be published within the Confidential Agenda Content List. The following statements are to be included in the header of the confidential item, in reference to the relevant reasons for listing an agenda item in confidential:

- a) cause commercial prejudice to, or confer an unfair commercial advantage on, any person; or
- b) prejudice the maintenance or administration of the law, or
- c) prejudice the security of the council, its members, or staff; or
- d) prejudice the interests of the council or some other person.
- e) embarrassment to the council, members, or the council's staff; or
- f) a loss of confidence in the council; or
- g) discussion of a matter that is controversial in the council area; or
- h) the council to be susceptible to adverse criticism.

### **3.11 Conflict of Interest and Disclosure of indirect or direct Interest**

Members, Committee Members and Staff are to declare all direct and indirect interest that may give rise to a conflict or may be perceived as giving rise to a conflict at the start of the meeting or as soon as they realise that they may have a conflict of interest.

If a, Member, Committee Member or Staff declares that they have a personal, direct, indirect real or perceived conflict of interest on a particular item, they must leave the Chamber or meeting room and not participate in the discussion or vote.

Council will have on hand at each meeting the Conflict-of-Interest Register.

Indirect interest due to conflicting duties mean an interest occurs when a member is a Director, Partner, Resident of the members household, Agent, Trustee, Manager, Office holder or employee of a person or entity including a non-profit association that is a direct interest as to the ACT.

### **3.12 Decision Making Process and Casting Vote**

Decisions at Council meetings are made by resolution following a motion being moved and seconded by Council Members.

If the motion is not seconded, the minutes will note the mover of the motion and that the motion 'lapsed for want of a seconder'. When the motion has been moved and seconded, a member may move an amendment to it.

The Chair may call for debate for or against the motion and the motion cannot be withdrawn without the consent of the council.

All members can speak only once to the motion and once only to an amendment proposed to it.

The Chair may, at any time during the debate of a matter at a meeting, indicate an intention to speak and, on so doing, all council members are to cease speaking until the Chair has been heard.

A member who moves and seconds a motion must not move or second the amendment to a motion.

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

The Chair may reject any proposed amendment that attempts to negate a motion or replace an amended motion with the original motion.

Resolutions require a majority of Members present to vote in favour of the motion.

Voting will be by a show of hands.

Council has determined that the Chair will not hold a casting vote. In the event of a tied vote the matter will be deferred to the next meeting for further consideration.

#### **4. Meeting Rules and maintaining meeting order**

The following meeting rules are to be used as a guide to maintain meeting order:

- a) A member at a meeting must address and refer to another member or an officer by that member's or officer's official title or designation.
- b) A Member or Staff member, excluding the Chair, at a meeting shall stand when speaking to a matter being considered at the meeting unless prevented doing so by a physical disability.
- c) When a member or staff member speaks at Council they must address the meeting through the Chair. If more than one member indicates their desire to speak, the Chair will ask one to speak and the others must be quiet.
- d) Speakers must address the item of business before the Council.
- e) A Member must not speak for longer than 3 minutes at any one time without leave of the meeting.
- f) When the Chair calls the meeting to order any Member speaking at the time must stop and sit down. The meeting must be silent.
- g) If a Member disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further.
- h) A Member must not behave in an improper manner or cause an interruption or interrupt another Member who is speaking. A Member who interrupts the orderly conduct of a meeting shall on being requested to do so by the Chair, immediately leave the meeting and must be included in the minutes.
- i) At any time, the Chair or Members can call a "Point of Order" to the Chair, if they believe meeting procedures are not being followed. The Chair then invites the Council Member to identify the problem and, after hearing the point, makes a ruling. A point of order takes precedence over all other business until determined. The Chair must rule on the point of order immediately.
- j) If an objection is taken to the ruling of the Chair, a motion that the ruling not be agreed with must be moved immediately. The Chair is entitled to make a statement in support of the ruling before a motion is put. Points of order and basis of the point of order will be recorded in the minutes as a procedural note.

## **4.1 Minutes and Records Management**

The minutes of a meeting are to be kept and must be in a form consistent with the requirements of the *Local Government Act 2019*. This includes the names of the members present, the business transacted and any confidential business that was considered at the meeting. The minutes must include references to any written reports or recommendations considered in the course of the meeting together with information about how to obtain access to the reports and recommendations.

The minutes must be made available to the public within ten business days after the date of the meeting.

The minutes of the proceedings at a meeting must be submitted for confirmation at the Next Ordinary General Meeting.

On the confirmation of the minutes, the Chair's signature and resolution will be added to the minutes.

## **4.2 Recording of Meetings**

All meetings, including those conducted via electronic means, will be recorded for minuting purposes only. Recordings will be stored on the Council's electronic record keeping system and will be retained for a period of six months only.

The Chief Executive Officer will ensure the secure keeping of recordings and access to recordings will only be by approval of the Chief Executive Officer upon written application and/or request.

## **4.3 Public release of information**

When information is no longer confidential, a notation will be put in the relevant document (including the version on the website) that the information is no longer confidential, on what date that decision was made, and where information about the matter that is no longer confidential can be accessed.

## **5. Special Council Meetings**

Council Meeting may be called in accordance with the provisions of Section 92 and 93 of the *Local Government Act 2019* and its *Regulations*.

Reports are to be written in clear English to ensure maximum understanding of the matter presented.

If council decides to hold a special meeting it can be called by the CEO, President, or 3 Members.

The agenda will be circulated to Council Members by email at least 4 hours in advance of the meeting. Hard copies will be made available at the same time.

The Council Agenda for the Special Meeting is to be uploaded to the website at least 4 hours in advance of the meeting.

## 6. Council Committee Meetings

The current Council committee meetings which this policy applies are:

### 1. Risk Management and Audit Committee:

- The RMA committee must maintain and review annually a Council approved Terms of Reference. The Terms of Reference of the Committee of Council must be available on the Council website.

### 2. Coomalie Bush Cemetery Board of Management:

- The Bush Cemetery Board meets twice annually and is made up of the Full Council and the CEO. Policy 4.2 Coomalie Bush Cemetery applies, and the procedure of meetings follow this policy.

<b>DOCUMENT HISTORY</b>		
<b>1.12 Meetings of Council Policy</b>		
<b>Amended</b>	20 June 2023	Resolution: 2023/06/20/13
<b>Amended:</b>	16 March 2023	Resolution: 2023/03/16/06 Meeting schedule amended to the third Tuesday of each month commencing at 3.00pm
<b>Amended:</b>	20 December 2022	Resolution: 2022/12/20/016 Meeting schedule amended to the third Thursday of each month commencing at 3.00pm. Retention of recordings for minuting purposes, including recordings of electronic meetings, to be retained for a period of six months only.
<b>Amended:</b>	20 September 2022	Resolution: 2022/09/20/011 Meeting procedures strengthened including requirements to stand and address other members, and addition of minutes to be consistent with requirements of legislation and regulation.
<b>Amended</b>	19 October 2021	Casting vote, meeting date, time, and duration.
<b>Amended:</b>	21/04/2020	Amendments regarding participation by teleconferencing and amendments in accordance with the <i>Local Government Act 2019</i>
<b>Amended:</b>	November 2017	RESOLUTION 21/11/2017/016
<b>Amended:</b>	September 2016	Reviewed
<b>Amended:</b>	16/07/2019	RESOLUTION 16/07/2019/010
<b>Amended:</b>	16/04/2012	Resolution of Council 16/04/2012/003 Council will allow



		the Chair to exercise a casting vote
<b>Amended:</b>	21/02/2012	Resolution of Council 21/02/2012/016 Council resolve to pay \$1/km for OGM travel from home to the meeting and return within the Council Shire to the driver of the vehicle.
<b>Amended:</b>	07/12/2011	Resolution of Council 07/12/2011/003- Procedure for taking minutes.
<b>Amended:</b>	14/05/2006	That council resolve that Council meetings will commence at 6.00pm
<b>Amended:</b>	November 1995	Resolution of Council 297/95: That Council introduces a curfew upon its OGM's of 10.30 pm as from November 1995