# Title: Code of Practice for Meeting Procedures

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<th>DOC/19/82138</th>
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<td>Deputy CEO</td>
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<td>Applicable Legislation:</td>
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<td>5 August 2019</td>
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2. **Order of Business for Committees**  
3. **Order of Business for Special Meetings**  
4. **Mayor’s Introduction – Questions from the Gallery**  
5. **Petitions**  
6. **Deputations**
1. INTRODUCTION

The Mount Barker District Council conducts its meetings according to the rules and procedures in:
- The Local Government Act 1999 (Chapter 6); and
- Local Government (Procedures at Meetings) Regulations 2013

These Regulations allow Council to establish a Code of Practice for Meeting Procedures that can add to, or vary, aspects of some of the Regulations and supplements to both the Act and the Regulations. The Regulations that can be varied relate to:
- 10 (2) Petitions
- 12 (9), (10), (11) Motions
- 13 (1), (3), (4), (5) Amendments to motions
- 15 (1), (2) Addresses by members
- 16 (3) Voting
- 16 (3) Divisions
- 19 Adjourned business
- 21 Chief Executive Officer may submit report recommending revocation or amendment of Council decision

This Code will specify any discretionary procedures that Council has adopted and provides information on other matters not covered by Regulation (included in a table underneath the relevant Regulation).

2. CODE OBJECTIVES

The primary policy objectives of this Policy are to:
- Ensure consistency of approach;
- Provide clarity in processes
- To assist in an improved understand of meeting practices used.

This is achieved by:
- providing the information within the Regulations
- provide information on discretionary procedures that Council has adopted (noted under the relevant heading in a box)
- provides information on Council practices for matters both covered by Regulation and not covered by Regulation (noted under the relevant heading in a box)

The Code is applicable to Council and Committee meetings.
3. OPERATING PROCEDURES PRIOR TO THE MEETING

3.1 Ordinary Meetings

The legislative requirements that allow Council to hold meetings are determined by Section 81 of the Local Government Act 1999 (the Act), with a similar provision for Committees at Section 87.

3.2 Special Meetings

Section 82 and 83 of the Act specifies requirements for special meetings, with Section 87 providing a similar provision for Committees.

The Chief Executive Officer must at the request of:
- the Presiding Member of Council or a Committee; or
- at least three Council Members (two members if a Committee)
call a Special Meeting which may be held at any time.

3.3 Notice of Agendas for Meetings – Ordinary and Special Meetings

Section 83 & 84 of the Local Government Act 1999 establishes the legislative frameworks for providing Council Members and the public with notice of Council meetings. Council has also determined that this will also apply to Committee meetings.

One copy of the agenda, reports and attachments is provided at the Local Government Centre for public viewing and is also available on Council’s website www.mountbarker.sa.gov.au One (1) copy of the agenda will be available per group or per person free of charge. Three (3) copies of the agenda, reports and attachments are provided in the Gallery at the Council and Committee meetings.

Reports from Council officers included in the agenda will generally be accompanied by a recommendation from the relevant officer. A recommendation is not a motion, and has no status until moved and/or seconded. A recommendation forms the starting point for deliberations of the Council. The Council may adopt the recommendation, vary it, or adopt another approach entirely.

The Council or Committee may, by resolution, amend the order of business as set out in the agenda. The Presiding Member (at their own initiative or at the request of a Member of Council) may bring forward items for debate and resolution where, for example, a large gallery is present for the item, or contractors or consultants are present to make presentations. The adoption of this practice will be kept to a minimum to ensure minimum disruption to the meeting and to members of the public.
3.4 **Conflict of Interest**

The provisions in relation to a Council Member’s interest are set out in Sections 73- 75B of the Act. The provisions of Sections 73- 75B apply to meetings of Council and Council committees and apply to Council Members and any other person appointed to a Council Committee.

It is a Council or Committee Member’s responsibility to ensure they are aware of, and understand, the provisions of Sections 73-75B of the Act in relation to declarations of interest.

A Council or Committee Member who has an interest in a matter before the Council must disclose to the Council or Committee whether the interest is material, actual or perceived and the nature of the interest and what action they intend to take.

A separate information sheet is available on each Council Members’ desk to assist them in their decisions regarding conflict of interest during a Council Meeting.

Council or Committee Members may seek advice about a possible interest before a meeting by contacting the Chief Executive Officer or the Risk and Governance Officer. If necessary, the Chief Executive Officer will assist the Member to contact the Council’s lawyers directly for advice, at Council’s expense.

3.5 **Public Access**

Council has adopted a ‘Code of Practice for Access to Council and Committee Meetings and Documents’ which outlines Council’s commitment to conducting meetings in a place open to the public unless the Council or Committee makes an order to exclude the public to discuss a matter in confidence under Section 90 and 91 of the Act.

3.6 **Late Items**

Council will avoid the presentation of late agenda items.

If a late agenda item is unavoidable, every effort will be made to email these items to Council or Committee Members and to post them on Council’s website as soon as possible.

Late items will only be considered for matters that arise following the deadline for the preparation of an agenda, and which, in the best interests of Council, should be dealt with prior to the next Council meeting.

3.7 **Addendums**

On occasions additional information is provided eg:

- revised recommendations based on feedback after the release of the agenda;
• further information that may have come to hand about an agenda item after the agenda has been distributed and which is important to bring to the attention of members before they vote on the matter;

3.8 **Ward Donations**

Council Members may nominate members of the community or community groups to receive a donation from their Ward Allowance. Council Members should notify the Minute Secretary in advance of the meeting of the recipient, the amount and the purpose of the donation. The Council resolves on the list of donations to be made.

3.9 **Length of Meetings**

Council Meetings will conclude by no later than 10.30pm or be adjourned to another date and time unless there is a resolution to extend past that time for a maximum of 1 hour. Committee meetings will occur over a maximum of 3.5 hours.

A resolution of Council or a Committee is required to continue with the meeting, or adjourn the remaining business to another time and place. Extensions will usually be for no longer than 30 minutes.
4. OPERATING PROCEDURES DURING THE MEETING

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

Part 1—Preliminary

Regulation 1—Short title
These regulations may be cited as the Local Government (Procedures at Meetings) Regulations 2013.

Regulation 2—Commencement
These regulations will come into operation on 1 January 2014.

Regulation 3—Interpretation
(1) In these regulations, unless the contrary intention appears—

   Act means the Local Government Act 1999;

   clear days—see subregulations (2) and (3);

   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 may be) on a particular matter;

   formal motion means a motion—
   (a) that the meeting proceed to the next business; or
   (b) that the question be put; or
   (c) that the question lie on the table; or
   (d) that the question be adjourned; or
   (e) that the meeting be adjourned1;

   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.
(2) In the calculation of clear days in relation to the giving of notice before a meeting—
   (a) the day on which the notice is given, and the day on which the meeting occurs, 
       will not be taken into account; and 
   (b) Saturdays, Sundays and public holidays will be taken into account.

(3) For the purposes of the calculation of clear days under subregulation (2), if a notice 
    is given after 5 p.m. on a day, the notice will be taken to have been given on the next 
    day.

(4) 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).

Note—

1  See regulation 12 for specific provisions about formal motions.

Regulation 4—Guiding Principles

The following principles (the Guiding Principles) should be applied with respect to the 
procedures to be observed at a meeting of a council or a council committee:

   (a) procedures should be fair and contribute to open, transparent and informed 
       decision-making; 
   (b) procedures should encourage appropriate community participation in the affairs 
       of the council; 
   (c) procedures should reflect levels of formality appropriate to the nature and scope 
       of responsibilities exercised at the meeting; 
   (d) procedures should be sufficiently certain to give the community and decision- 
       makers confidence in the deliberations undertaken at the meeting.

Meeting Protocols

Mobile Phones
Mobile phones will be switched off or silent during Council and Committee meetings.

Expression of Faith and Acknowledgement of Land
A Prayer will be read at the beginning of the Council meeting. It will be provided to 
those Councillors who wish to read it on a rotational basis. Members who wish to stand 
for this reading may do so. Following the reading of the Prayer the Presiding Member 
will read the 'Acknowledgement of Land' to acknowledge the Council meeting is taking 
place in the country of the traditional owners. Members who wish to stand for this 
reading may do so.

Questions from the Gallery
There will be a 15 minute segment at the beginning of the Council meeting. Refer to 
Appendix 4 for information about questions from the Gallery.
PART 2 – MEETINGS OF COUNCILS AND KEY COMMITTEES

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

Regulation 5—Application of Part
The provisions of this Part apply to or in relation to—

(a) the meetings of a council; and
(b) the meetings of a council committee performing regulatory activities; and
(c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

Regulation 6—Discretionary procedures
(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least ⅔ of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).

(2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation.

(3) A council may at any time, by resolution supported by at least ⅔ of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.

(4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.

(5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.

(7) Regulation 12(4) does not apply to a motion under subregulation (3).

(8) This regulation does not limit or derogate from the operation of regulation 201.

Note—

Furthermore, if a matter is not dealt with by the Act or these regulations (including under a code of practice under this regulation), then the relevant procedure will be—

(a) as determined by the council; or

(b) in the case of a council committee where a determination has not been made by the council—as determined by the committee.

(See sections 86(8) and 89(1) of the Act.)
Regulation 7—Commencement of meetings and quorums

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(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.

(3) If at the expiration of 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.

(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.

(5) If a meeting is adjourned to another day, the chief executive officer must—
(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
(b) 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 placed on display at the principal office of the council.

Apologies

Apologies for non-attendance at a Council or Committee meeting should be forwarded to the office of the Chief Executive Officer by email or telephone before the meeting. The apology will be recorded in the Minutes of the meeting.

If no apology has been received and there is no leave of absence, and the Member is not present they will be recorded in the minutes as being Absent.

Leave of Absence

In accordance with the Act, Council Members should seek leave of the Council meeting if they intend being absent for three or more consecutive ordinary meetings of the Council. Failure to seek, and be granted, leave of absence may result in the Council member losing office in accordance with Section 54 of the Act.

Leave of absence will be recorded in the minutes of the Council meetings for the period required.
Regulation 8—Minutes

(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.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will—

(a) initial each page of the minutes, which pages are to be consecutively numbered; and
(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and
(b) in relation to each member present—

(i) the time at which the person entered or left the meeting; and
(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
(c) each motion or amendment, and the names of the mover and seconder; and
(d) any variation, alteration or withdrawal of a motion or amendment; and
(e) whether a motion or amendment is carried or lost; and
(f) any disclosure of interest made by a member; and
(g) an account of any personal explanation given by a member; and
(h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
(i) 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
(j) details of any adjournment of business; and
(k) a record of any request for documents to be tabled at the meeting; and
(l) a record of any documents tabled at the meeting; and
(m) a description of any oral briefing given to the meeting on a matter of council business; and
(n) any other matter required to be included in the minutes by or under the Act or any regulation.


**Discussion by Members**
Discussion by Members will not be recorded in the minutes.

**Majority Vote**
As the majority vote is all that is required to have a motion carried (other than where stipulated that two thirds of the numbers present is required), a unanimous vote will not be recorded.

**Personal Explanations**
Where a Member has made a personal explanation only the topic and a limited description of the explanation will be included in the minutes.

**Recording of the Meeting**
The meetings of the Council and Council Committee will be electronically recorded by staff to assist in minute preparation and are disposed of immediately after the minutes are confirmed.

**Projection of Recommendations/Motions/Amendments**
Recommendations/Motions/Amendments are projected on the screens within the Chamber during the Council meeting. While this is available for the Gallery to view it is provided primarily to assist Council Members to ensure they are clear on the wording of a motion or an amendment.

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(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

**Regulation 9—Questions**

(1) *A member may ask a question on notice by giving the chief executive officer written notice of the question at least 5 clear days before the date of the meeting at which the question is to be asked.*

(2) *If notice of a question is given under subregulation (1)—*

(a) *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*

(b) *the question and the reply must be entered in the minutes of the relevant meeting.*

(3) *A member may ask a question without notice at a meeting.*

(4) *The presiding member may allow the reply to a question without notice to be given at the next meeting.*
(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.

(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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<th>Questions on Notice</th>
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<tr>
<td>Questions on Notice will be used by Members of the Council or Committee where the answer does not warrant extensive investigation or reports being prepared. Questions are to be provided by 5pm the Tuesday prior to the Council meeting or 5 clear days prior to a Committee meeting. The Question must relate to their role as a Council Member.</td>
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<td>The Presiding Member may rule the question improper if it is ultra vires and although placed on Council’s agenda it will not be answered. The Presiding Member will provide reasons for any decision that a question not be answered.</td>
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<td>Council staff will provide a written answer to be included in the agenda where time permits.</td>
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<td>In circumstances where the Chief Executive Officer determines that extensive investigation or reports will need to be prepared, the matter will be referred to the Council for its consideration and determination on whether the question should be answered.</td>
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<tr>
<td>Council staff are available to provide assistance to Council or Committee members in drafting a question on notice. Requests for assistance can be directed by telephone or email to the Chief Executive Officer, or relevant General Manager or Risk and Governance Officer with cc to Executive Assistant to CEO &amp; Mayor.</td>
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<td>While council staff are able to provide assistance on appropriate wording of a question on notice, ultimate responsibility for the wording of a question on notice rests with the Council or Committee member placing the question on notice.</td>
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<td>Council Staff are available to answer questions of Members before meetings.</td>
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<tr>
<td>If a Member asks a question at a meeting without notice, unless there is a specific motion, Council meeting minutes will only show which Council Member asked the question, the topic and which staff (if any) provided a response.</td>
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</table>
(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

**Regulation 10—Petitions**

(1) A petition to the council must—
   (a) be legibly written or typed or printed; and
   (b) clearly set out the request or submission of the petitioners; and
   (c) include the name and address of each person who signed or endorsed the petition; and
   (d) be addressed to the council and delivered to the principal office of the council.

(2) If a petition is received under subregulation (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.

(3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.

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**Petitions**

Pursuant to Regulation 10(2) the petition (including on-line petitions) must be placed on the agenda of the next Council or a Committee (whichever is the most appropriate).

The Chief Executive Officer will ensure that the report to the Council (or Committee) contains:
   - a summary of the petition including a statement as to the nature of the request or submission,
   - the number of signatures;
   - how many of the signatories live within the District; and
   - the first page of the petition as an attachment

A copy of the full petition will be made available to all Council or Committee Members upon request, and will be provided at the meeting for perusal.

If the petition does not relate to a report for that meeting, a separate report on the petition request will be presented to a future meeting.

**Timing of Petition**

If a petition is received after the agenda has been distributed but before the meeting is held it will only be tabled at the meeting. At the following Council meeting the petition will be received.

**What is not a petition**

A letter with multiple signatures is not regarded as a petition.
Tabled Petitions
A Council member may table a petition at a Council meeting. The following Council meeting will provide a report to receive the petition.

Template
Use of the template on Council's website (and attached to this Code of Practice) is encouraged.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

**Regulation 11—Deputations**

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.

2. The chief executive officer must transmit a request received under subregulation (1) to the presiding member.

3. The presiding member may refuse to allow the deputation to appear at a meeting.

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.

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).

6. The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

7. A council may refer the hearing of a deputation to a council committee.

Deputation Requests
If a deputation is requested for the next meeting it must be received prior to finalising the agenda or 5 days prior to the Committee Meeting to enable the matter to be given the appropriate public notice and be listed on the agenda.

If the deputation relates to a matter of business on the agenda, a person or persons wishing to appear as a deputation at a meeting must provide their written request to the Council by 10.00am on the day of the meeting.

A person or persons appearing as a deputation will be allowed to speak on an issue for a maximum of 5 minutes. The Presiding Member may allow additional time.
Members may then ask questions.

**Visual Presentation**

Any visual presentation must be supplied on a USB drive and provided to the Minute Secretary at, or prior to the meeting.

**Multiple speakers**

Where the deputation involves a group of people only new points may be spoken of by other members. The Presiding Member has discretion to determine if the subject matter has been covered by previous speakers.

**Distribution of Notes**

If notes are to be distributed, this may occur electronically prior to the meeting (with a copy provided to the Minute Secretary). If provided at the meeting 12 copies must be provided to the Minute Secretary prior to the commencement of the meeting to distribute and may not be distributed at the meeting by the person making the deputation.

**Minutes**

Only the time taken for the deputation, the speaker's name and the topic will be recorded in the minutes.

**Template**

Use of the template on Council’s website (and attached to this Code of Practice) is encouraged.

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**Presentations**

At times:
- the Mayor will invite an organisation to present relevant information to Council;
- a staff member will present relevant information to a Committee or Council meeting.

Such presentations do not include deputations nor representations.

The duration of each presentation is to be no longer than 20 minutes plus 10 minutes for questions, if required. There is to be a limit of two (2) presentations per scheduled meeting.
Regulation 12—Motions
(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the chief executive officer at least 5 clear days before the date of the meeting at which the motion is to be moved.

(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.

(4) If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—
   (a) until after the expiration of 12 months; or
   (b) until after the next general election, whichever is the sooner.

(5) Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.

(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.

(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).

(8) A motion will lapse if it is not seconded at the appropriate time.

(9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.

(10) A member may only speak once to a motion except—
   (a) 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
   (b) with leave of the meeting; or
   (c) as the mover in reply.

(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) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).

(14) If the formal motion is—

(a) 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

(b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or

(c) 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

(d) 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

(e) 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.

(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).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost—

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) 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 1 member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.
(20) The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.

(21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

**Motions**

Pursuant to Regulation 12 (21) The Presiding Member may seek a mover of a motion (which may or may not be the recommendation included in the report) and then a seconder.

The mover or seconder of a motion may reserve their right to speak to a motion at the time of moving or seconding.

**En Bloc Motion**

Normally, only multiple reports that are for noting will be moved en bloc.

**Committee Recommendations**

Committee recommendations for Council to resolve will be considered individually by Council and will not be moved en bloc. This will ensure any possible future rescission motion will only affect one resolution rather a block of resolutions.

**Questions for Clarification Prior to the Meeting**

Members are encouraged to contact Council staff prior to Council and Committee meetings to clarify matters appearing on the agenda. The preferred method of contact is by email or telephone. As per Council’s Access to Information Policy emails should be directed to a Manager and include a copy to the relevant General Manager, and all Council/Committee Members, and the Executive Assistant to Chief Executive Officer and Mayor.

**Notice of Motion**

Requests for assistance in wording the Motion can be directed by telephone or email to the Chief Executive Officer or relevant General Manager or Risk and Governance Officer with cc to Executive Assistant to CEO & Mayor.

Inclusion of some background information assists members with the rationale behind the motion.

While council staff are able to provide assistance on appropriate wording of a notice of motion, ultimate responsibility for the wording of a notice of motion rests with the Council or Committee member placing the motion on notice.

Where deemed appropriate (and if time permits) the Chief Executive Officer, may include ‘Officer Comment’ in order to facilitate informed decision making.
If the Member moving the Motion is absent and has not advised the Presiding Member if they wish it withdrawn and resubmitted to a future meeting:
- another Member may Move the motion; or
- the meeting resolve to include the Motion in the next agenda when the member is present

**A Moved Motion Which is Lost**
Other than the circumstance as detailed in Regulation 12(3) a lost motion can be brought back to Council at another time.

**Motions Without Notice – Regulation 12 (5)**
Motions without notice have not been advertised to the broader community and will therefore be restricted to business that is:
- a request that a report on a particular topic be presented at a future meeting;
- a simple matter, requiring little information to be considered, and the impact is deemed to be minor; and
- a matter of such urgency and importance that failure to consider it at the meeting would be likely to result in detriment to the Council.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

**Regulation 13—Amendments to motions**

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.

2. An amendment will lapse if it is not seconded at the appropriate time.

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.

4. If an amendment is lost, only 1 further amendment may be moved to the original motion.

5. If an amendment is carried, only 1 further amendment may be moved to the original motion.

6. Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.
Amendments
Amendments are not permitted to be a direct negative to the motion. Amendments are only meant to alter or provide a minor change not to substantially modify.

Although there is a restriction on who can move and second an amendment (Regulation 13 (1) and (3)), other members may speak in the amendment debate.

There is no right of reply with the Mover of an amendment because it is not a motion and has no standing on its own. The right of reply rests with the mover of the original motion.

A Division cannot be called on an amendment as it is not a motion.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

Regulation 14—Variations etc

(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.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

Regulation 15—Addresses by members etc

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

(2) A member may, with leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

(6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.
Regulation 16—Voting

(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.

(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.

(3) A person who is not in his or her seat is not permitted to vote.

(4) Subregulation (3)—
   (a) may be varied at the discretion of the council pursuant to regulation 6; and
   (b) 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.

Addresses by Members

Council: Members will raise their hand and wait for recognition from the Presiding Member prior to standing and addressing the Council.

Committees: Members will raise their hand and wait for recognition from the Presiding Member before speaking and may remain seated.

Forms of Address

The Mayor shall be addressed as Your Worship or Mayor.

Councillors should be referred to as ‘Councillor’ followed by their surname.

Independent Members should be referred to by the relevant prefix followed by their surname.

Staff Members should be referred to by the relevant prefix followed by their surname.

Interaction with the Gallery

Council Members will not speak to members of the gallery during the meeting or accept notes from those present in the Gallery.
Election Process for Council Appointments
The process for determining a Council appointment to a particular position is as follows:

Nominations
1. Council Members should consider whether they have a conflict of interest when nominating and whether they should participate in the vote.

2. If Council Members wish to nominate but will be absent from the meeting they may notify the Chief Executive Officer or the Executive Assistant to the CEO and Mayor via email or letter of their desire to nominate;

3. The Presiding Member will call for nominations, this does not require a seconder as it is not a motion.

4. If there are more nomination(s) than positions the Presiding Member will allow up to 2 minutes each for those members to explain why they are the most appropriate nominee.

Voting Options
5. Council will need to determine whether it wishes to vote via:
   • Show of hands; or
   • Secret Ballot; or
   • By a motion for a specific Council Member.

6. To determine the preferred method it is recommended that the Presiding Member seek a show of hands on the above three voting options.

7. All members in the Chamber including the Presiding Member shall be eligible to vote via a show of hands as this is not a motion, it is to gauge the preferred voting option.

8. Once the preferred voting option is clear, the Presiding Member will then seek a motion in the normal manner to formalise that.

9. Show Of Hands
   If via Show Of Hands is the preferred voting option, the Presiding Member will read out the name of the Councillor who has been nominated and ask Council Members to vote once for their preferred nominee. The Presiding Member is eligible to vote as this is not a motion it is to gauge the level of support for each of the nominees. The counting will be first past the post, majority vote. This will be followed by a request from the Presiding Member for a formal motion to confirm who is to be appointed.

OR
10. **Secret Ballot**
   Each Council Member in the Chamber including the Presiding Member will complete their voting slip with the name of the preferred Council Member. These will be collected and counted by a Council Officer present and an additional Council Officer acting as scrutineer.

11. The counting will be first past the post, majority vote.

12. The Presiding Member will announce the result of the ballot process and will call for a motion to formalise that.

13. Council Members will not be able to see the ballot papers after the vote is completed and the ballot papers will be destroyed by the scrutineers.

OR

14. **A Motion**
   If via a motion is the preferred voting option (without following an informal process first), the Presiding Member will ask the Council for a motion (i.e. that Council appoint Councillor X and if seconded, members will vote on that motion in the normal manner. If that motion is lost, a further motion will be called for being for a different nominee(s).

15. **Tied Vote**
   If there is a tie for the most votes using either (a) Show of Hands or (b) Secret Ballot, but there are also votes for other nominees, Council will undertake a further process (using the same voting option) with this then being restricted only to the two tied nominees who received the most votes.

16. If the subsequent result is a tied vote between candidates using either (a) Show of Hands or (b) Secret Ballot and no other candidates received any votes, the result will be decided by the scrutineer placing the Council Member names in a box and with the first name drawn out by the Presiding Member being the Council Member who is eliminated until there is only one name remaining. This will be followed by a motion and resolution.

17. Tied vote for Deputy Mayor will follow the requirements in the Local Government Act 1999 S 51(8) in that if the votes for two or more candidates for the office are equal, lots must be drawn to determine which candidate or candidates will be excluded.

**Use of Telephone or Electronic Means to Participate in Committee Meetings – Regulation 16 (4).**
Members of a Committee (other than the Chairperson) can participate in the meeting via electronic means provided advance notice has been provided to the Chairperson and Minute Secretary.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)
**Regulation 17—Divisions**

(1) A division will be taken at the request of a member.

(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.

(3) The division will be taken as follows—
   (a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and
   (b) the members voting in the negative will, until the vote is recorded, sit in their seats; and
   (c) the presiding member will count the number of votes and then declare the outcome.

(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).

(5) Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6.

**Regulation 18—Tabling of information**

(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 documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(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.

**Regulation 19—Adjourned business**

(1) If a formal motion for a substantive motion to be adjourned is carried—
   (a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
   (b) the debate will, on resumption, continue from the point at which it was adjourned.

(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)
(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

**Adjourned business**

To ensure that debate can commence from the point of the interruption if a formal motion that ‘the question lie on the table’ or “the question or meeting be adjourned” as per 14 (c), (d) and (e) is carried, the minutes shall record those that have spoken in the debate.

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

**Regulation 20—Short-term suspension of proceedings**

(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 informal discussions, the presiding member may, with the approval of at least ⅔ 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.

(2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).

(3) If a suspension occurs under subregulation (1)—

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) 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; and

(ii) no act or discussion will have any status or significance under the provisions 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

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) 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 ⅔ of the members present at the meeting resolve that the period should be brought to an end.

Note—
1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

Regulation 21—Chief executive officer may submit report recommending revocation or amendment of council decision

(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.

(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.

(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

(below is an extract from the Local Government Procedures at Meetings Regulations 2013)

Regulation 22—Application of Part
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 Part 2.

Regulation 23—Notice of meetings for members
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) to (10) of that section provided as follows:

(a) 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; and
(b) that notice need not be given for each meeting separately; and
(c) 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; and
(d) 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.
Regulation 24—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), (3) and (4) provided as follows:

(a) that public notice need not be given for each meeting separately; and
(b) 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.

Regulation 25—Minutes

(1) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and
(b) each motion carried at the meeting; and
(c) any disclosure of interest made by a member; and
(d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
(e) 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.

(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

Regulation 26—Quorum for committees

(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.

(2) For the purposes of this regulation, the prescribed number of members of a council committee is—

(a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or
(b) a number determined by the council.

Note—See also section 41(6) of the Act.
Regulation 27—Voting at committee meetings

(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.

(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.

(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.

Regulation 28—Points of order

(1) The presiding member may call to order a member who is in breach of the Act or these regulations.

(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.

(3) A point of order takes precedence over all other business until determined.

(4) The presiding member will rule on a point of order.

(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.

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.

(7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—

(a) the ruling has no effect; and

(b) the point of order is annulled.

Regulation 29—Interruption of meetings by members

(1) A member of a council or council committee must not, while at a meeting—

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking.

(2) Subregulation (1)(b) does not apply to a member who is—

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.
Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.

If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—

(a) censure the member; or
(b) suspend the member for a part, or for the remainder, of the meeting.

A member who—

(a) refuses to leave a meeting in contravention of subregulation (4); or
(b) enters a meeting in contravention of a suspension under subregulation (5), is guilty of an offence.

Maximum penalty: $1,250.

Regulation 30—Interruption of meetings by others

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

(a) behave in a disorderly manner; or
(b) cause an interruption.

Maximum penalty: $500.

Other Matters not covered by Regulation

Recommendations From Committees
The Audit and Risk Committee and Community Grants Assessment Committee do not have delegated authority and their minutes will be received and any recommendations provided to the following Council meeting for a decision.

Mayor’s Report
The Mayor may provide a written report on duties undertaken in the role since the last Council meeting which will be included as dot points within the minutes.

Council Members’ Reports
Council Members may provide a written report on duties undertaken to be lodged with the Minute Secretary before the start of the Council meeting which will be included as dot points within the minutes.
5. **REVIEW**
This Code of Practice will be reviewed annually (as required under S 6(2) of the Local Government Act (Procedures at Meetings) Regulations 2013 or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Risk & Governance Officer.

6. **ACCESS TO THE CODE OF PRACTICE**
The Code of Practice is available for public inspection at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia and on the Council’s website [www.mountbarker.sa.gov.au](http://www.mountbarker.sa.gov.au)

7. **FURTHER INFORMATION**
For further information on this Code of Practice, please contact:
Title: Ros McDougall, Risk & Governance Officer
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8391 7231
Email: rmcdougall@mountbarker.sa.gov.au
Templates

1. Order of Business for the Council Meetings
2. Order of Business for the Audit and Risk Committee, and Community Grants Assessment Committee Meetings
3. Order of Business for a Special Meeting
4. Questions from the Gallery
5. Template for Petitions
6. Template for Deputations
Appendix 1:

Template for Order of Business for Ordinary Council Meetings

1. Council Opening
   - Expressions of Faith
   - Acknowledgement of Land
   - Apologies/Leave of Absence

2. Questions from the Gallery

3. Confirmation of Minutes

4. Conflict of Interest Declaration

5. Deputations
   Name of person undertaking the deputation and topic

6. Questions with Notice
   Name of Council Member and Topic of Question

7. Questions without Notice
   Name of Council Member and Topic of Question

8. Motions on Notice
   Topic and Name of Councillor

9. Motions Without Notice
   As previously agreed to by the Mayor

10. Petitions
    Petition Title and Purpose

11. Recommendations from Committees
    Name of Committee and Date

12. Reports by Officers
    Report Title and Purpose

13. Information Reports
    Report Title and Purpose

14. Quarterly Reports
    Report Title and Purpose

15. Mayor’s Report

16. Members’ Reports

17. Questions Arising from the Council Meeting

18. Confidential Reports
    Report Title
Appendix 2

Template for Order of Business for the Audit and Risk Committee and the Community Grants Assessment Committee

1. Committee Opening
   - Apologies/ Leave of Absence
2. Confirmation of Minutes
3. Conflict of Interest Declaration
4. Deputations
5. Questions with Notice
6. Questions without Notice
7. Motions on Notice
8. Motions Without Notice
9. Petitions
   Petition Title and Purpose
10. Reports by Officers
    Report Title and Purpose
11. Information Reports
    Report Title and Purpose
12. Confidential Reports
    Report Title and Purpose
Appendix 3:

Template for Order of Business for a Special Meeting:

1. Council Opening
   - Expression of Faith
   - Acknowledgement of Land
   - Apologies/Leave of Absence

2. Conflict of Interest Declaration

3. Reports by Officers
   Report Title and Purpose
Appendix 4 – MAYOR’S INTRODUCTION -QUESTIONS FROM THE GALLERY

Question Time is a 15 minute segment at the beginning of the meeting to allow the members of the public in the Gallery to ask questions. It is not a time to make a deputation, have intense discussion or debate – it is simply to ask questions.

The questions must be presented with courtesy and respect and must not be of a personal, intimidating or vexatious nature.

The questions are not restricted to those regarding agenda items but they must be relevant to this Council or be within the jurisdiction of this Council.

Any questions outside of this policy will be disallowed.

The minutes will reflect who asked a question and the topic.

Should the question not be able to be answered, the question will be noted by the minute secretary for further investigation and responded to by administration staff at a later date.

It is the responsibility of the person asking the question to provide their name and contact details to the minute secretary.

At the end of the meeting there is an opportunity for questions regarding items on tonight’s agenda.

Members of the public are advised that Elected Members and staff appreciate opportunities to respond to questions outside of council meetings, as this can allow for a considered response to complex questions, or questions requiring investigation.
Appendix 5:

Template for Petitions
PETITION TO COUNCIL

Please note the following guidelines:

1. A petition is a formal submission to the Council signed by many residents. Typically, a petition draws the attention of Council to a particular matter or asks the Council to consider making a particular decision.

2. The Local Government (Procedures at Meetings) Regulations 2013 (R10) provide that a petition to the Council must:
   - be legibly written or printed
   - clearly set out the request or submission of the petitioners and
   - include the name and address of each person who signed or endorsed the petition
   - be addressed to the Council and delivered to the Principal Office of the Council.

   Petitions received by the Mount Barker District Council, in addition to the legislative requirements must:
   - include the name and address of the person submitting the petition (the head petitioner)
   - the purpose and reason must be on each page of the petition
   - the petition must be directed to Council either by mail, fax, attached as documents and emailed to council@mountbarker.sa.gov.au

   A suggested format for petitions follows.

3. Receipt of your petition will be acknowledged. Petitions received in the correct form (as per 2 above) will be placed on the agenda for the next ordinary Council meeting in accordance with the Regulations.

4. Normal practice is that a petition is simply received (not debated). It is not necessary for you to attend the Council meeting but you are most welcome to if you wish.

5. Your request will be considered and, if so determined by Council, a further report will then be prepared for Council consideration. You will be advised by letter when this is to occur. Additionally, you are encouraged to check Council’s website www.mountbarker.sa.gov.au and go to Council Meetings for what action Council resolved to take and the date at which the further report on this matter may be considered if so determined by Council.

6. For further information please contact Sue Miller, Executive Assistant to Chief Executive Officer and Mayor, on 8391 7264 or smiller@mountbarker.sa.gov.au
   Mount Barker District Council
   PO Box 54
   MOUNT BARKER SA 5251
   council@mountbarker.sa.gov.au
   Fax 8391 7299

7. Social media petitions are to be addressed to the Head Petitioner.

Doc/16/76021
To the Mount Barker District Council

We the undersigned, petition the Council to (define purpose)

For the following reasons:

The contact person for this petition is:

Name:

Office Use Only

Total Signatures ______
Total within District ______
Total outside District ______

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PETITION TO COUNCIL

Additional Pages

Copy as required with details completed and attached to Petition Cover Page

To the Mount Barker District Council

We the undersigned, petition the Council to (define purpose)

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For the following reasons:

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Appendix 6:

Template for Deputations:
REQUEST FOR DEPUTATION

Please note the following guidelines:

1. Deputations (R11) are an important part of community participation in the decision-making process, providing individuals or groups in the community with an opportunity to present their opinions to the meeting.

2. The Local Government (Procedures at Meetings) Regulations 2013 (the Regulations) provide that a person who wishes to appear as a deputation and address the Council meeting on a matter must make the request in writing (R11). The Mayor may refuse to allow the deputation, but if so that decision must be reported to the next meeting. The meeting may then resolve to allow the deputation.

   If a deputation is requested for the next meeting it must be received prior to finalising the agenda or 5 days prior to the Committee Meeting to enable the matter to be given the appropriate public notice and be listed on the agenda.

   If the deputation relates to a matter of business on the agenda, a person or persons wishing to appear as a deputation at a meeting must provide their written request to the Council by 10.00am on the day of the meeting.

3. Once the Mayor has granted your request to make a deputation to Council you will be advised in writing.

4. Presenters will be given 5 minutes to do their presentation, followed by questions (if any) from the Council. It would be appreciated if you could be mindful of the time allowed for your presentation.

5. The Council meeting will begin at 7pm and although the exact time for the deputation to commence is difficult to determine it would be best to be present at 7pm. The agenda for the meeting (published 3 clear days in advance of the meeting) will list the name of the person (or community group) making the deputation, and the subject matter only. The agenda will be available on Council’s website www.mountbarker.sa.gov.au and go to Council, Council Meetings.

6. Visual presentations are welcome - please bring your presentation on a USB drive.

7. It is helpful to email your presentation to Sue Miller, Executive Assistant to Chief Executive Officer & Mayor smiller@mountbarker.sa.gov.au prior to the meeting so that it can be loaded on to our system to ensure the presentation will run, and as a back-up, however this is not a compulsory requirement.
8. If you wish to provide hard copies of your presentation, or distribute supporting information, 12 copies will be required (11 Council Members, plus 1 for Council’s electronic records system) which must be provided to the Executive Assistant to Chief Executive Officer & Mayor prior to the meeting. It is your responsibility to provide copies for distribution. You are welcome to distribute your information to Council Members electronically in advance; email addresses for all Council Members are available on council’s website [www.mountbarker.sa.gov.au](http://www.mountbarker.sa.gov.au) and go to Council, Councillors, with a copy to the Executive Assistant to Chief Executive Officer & Mayor.

9. You should be aware that Council meetings are open to the public.

10. There is unlikely to be any legal protection or other privilege in relation to any statements that you may make in this forum. This means that anything you say will be subject to the normal laws of defamation. Consequently you should take care how you make your address.
REQUEST FOR DEPUTATION

I have read and understood the Deputation Information Sheet and acknowledge the above guidelines:

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<th>I/we hereby request to be heard at the next meeting of Council on</th>
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<td>Name:</td>
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<td>Address:</td>
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<td>Contact number:</td>
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<td>Email:</td>
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<td>I will be speaking on my own behalf: Yes</td>
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<tr>
<td>Or</td>
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<td>As the spokesperson of a group of persons: Yes</td>
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(If yes, who or what group are you representing?)

The topic or issue I wish to speak about is: (please give sufficient details of the matter to enable consideration of your request for a deputation):
The relevance to Council in relation to the subject matter is:

What expectations do you have of Council as a result of this deputation?

What benefit will be delivered to the general community as a result of this deputation?

<table>
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<th>Signature</th>
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<td>Print Name</td>
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**Office use only**

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<th>Approved by the Mayor:</th>
<th>Yes</th>
<th>No</th>
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<td>Received (date and time):</td>
<td>at</td>
<td>am/pm</td>
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**Acknowledged by Executive Assistant to Chief Executive Officer & Mayor**

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<th>Approved meeting date:</th>
<th>Deputation time:</th>
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<td>Date deputee notified:</td>
<td>Reference:</td>
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**Information for Deputation:**

Once you have received confirmation of the time and date of the deputation you are approved to speak at the Council meeting as per the approval.

At the appropriate time in the meeting you will be invited by the Presiding Officer (usually the Mayor) to come forward and make your deputation on the topic or issue which you have nominated.

You will be asked to state your name, which will be recorded in the minutes of the meeting and then be given 5 minutes speaking time. After this the Presiding Officer may ask elected members if they have any questions.

You will be expected to conduct yourself in an orderly manner to reflect the level of formality appropriate to the meeting. Please address elected members appropriately i.e. the Mayor is to be addressed as ‘Mayor’ and the elected members as ‘Councillor’.

You should refrain from making defamatory or derogatory comments. Council meetings are open to the general public and there are no privileges protecting you in relation to defamation.

You may find it helpful to prepare brief notes of the matter upon which you wish to speak to the Council and then use those notes when you address the matters at the meeting.

Visual presentations are welcome - please bring your presentation on a USB drive.

Should your deputation require further investigation it will be referred to the appropriate Council Officer.

For further information please contact Sue Miller, Executive Assistant to Chief Executive Officer and Mayor, on 8391 7264 or smiller@mountbarker.sa.gov.au

Mount Barker District Council
PO Box 54
MOUNT BARKER SA 5251
council@mountbarker.sa.gov.au

(This page may be retained by the applicant)