

1.12 MEETINGS OF COUNCIL

Policy Number	1.12	Date Commenced	17/04/2013
Date Adopted	16/04/2013	Resolution Number	16/04/2013/010
Review Timeframe	4 years		
Last Review Date	21/04/2020	Next Scheduled Review Date	21 April 2022
Policy Responsibility	Council and Chief Executive Officer		

Document History

Version	Date Amended	Details Comments e.g. Resolution Number
		Resolution of Council 297/95: That Council introduce a curfew upon its OGM's of 10.30 pm as from November 1995
	14/05/2006	14/05/06 That council resolve that Council meetings will commence at 6.00pm
	07/12/2011	Resolution of Council 07/12/2011/003- Procedure for taking minutes.
	21/02/2012	Resolution of Council 21/02/2012/016 Council resolve to pay \$1/km for OGM travel form home to the meeting and return within the Council Shire to the driver of the vehicle.
	16/04/2012	Resolution of Council 16/04/2012/003 Council will allow the Chair to exercise a casting vote.
	Sept 2016	Reviewed
	November 2017	RESOLUTION 21/11/2017/016:
	16/07/2019	RESOLUTION 16/07/2019/010
	21/04/2020	Amendments regarding participation by teleconferencing and amendments in accordance with the <i>Local Government Act 2019</i> .

INTRODUCTION

This document sets out the Council's policy for Council meetings and protocol for delegations to Council/Committees and for making presentations to Council.

All Council meetings must be carried out in compliance with the NT Local Government Act and the Local Government Administration Regulations.

This policy has been amended in accordance with the *Local Government Act 2019*.

POLICY STATEMENT

Council will hold Meetings of Council in accordance with the provisions of the *Local Government Act*, Regulations and the provisions of this policy.

PROCEDURES

Date of Regular Ordinary General Meeting

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

The majority of Councillors may determine not to hold a monthly meeting if they determine 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 all the Councillors. The meeting may be conducted at an agreed venue or electronically via teleconference.

Time of Regular Ordinary General Meeting

Meetings will normally commence at 5.00pm and will finish by 10.30pm. Council must resolve to extend the closing time if they wish to deal with business after 10.30pm.

Council sometimes allows presentations at 6.00pm. These may be outside of the business of the meeting. The meeting will commence immediately after the conclusion of the presentation. This will be considered the appointed meeting commencement time.

Location of Ordinary Council Meetings

Ordinary Council Meetings will be held in the Council Chambers at 141 Cameron Road Batchelor. Council may resolve to hold Council meetings at other locations from time to time

Special Council Meetings

A Special Council meeting may be called in accordance with the provisions of the Local Government Act and Regulations

Quorum

A quorum at a meeting of a council consists of a majority of the council's members.

If 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 and Regulations.

Participation by Electronic Means

A Member of Council 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 establishing a policy 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; and
- (c) the member has the same or substantially the same opportunity to participate in debate, and to register an opinion, on questions arising for decision as if the member were physically present at the meeting.

Agenda Papers and Minutes of Meetings

In preparing agenda papers the Chief Executive Officer shall have regard to the following structure:

- Notice of meeting
- Persons present or via telephone
- Apologies
- Declaration of interest
- Petitions and Deputations and Questions - With notice
- Confirmation of the minutes of the previous meeting
- Operation Managers Reports
- Chief Executive Officers Report
- Reports that require decisions of Shire Council
- Finance Managers Report
- Community Recreation Reports
- Councillor reports
- Reports requiring the Common Seal
- General business of an urgent nature
- Reports to be dealt section of the council Meeting closed to the Public.
- Decisions arising from the closed section of the Meeting
- Next meeting
- Closure

Reports are to be written in clear English to ensure maximum understanding of the issue at hand.

Agenda will be circulated to Council by email on the Wednesday (subject to workload / staff availability) prior to the meeting to be held on the following Tuesday. Hard copies will be made available at the same time. Agendas and supporting information will be placed in an individually named envelope. The envelopes will be placed in the Council office outside safe for collection by individual councillors.

The Council Agenda for the Ordinary General Meeting is to be uploaded to the website on the Wednesday (subject to workload / staff availability) prior to the Tuesday meeting. The hardcopy of all agenda items to be considered in the closed section of the Council meeting will be handed back to the CEO at the end of the meeting for destruction.

Minutes of the Council meetings are to be circulated by e-mail, to Councillors within ten business days of the meeting. These minutes are then subject to confirmation and once this has occurred, they are to be placed on the Shire's Website in an accessible form for all Shire Councillors and members of the community to access.

Where a resolution is made to change the minutes of a meeting the minutes shall be changed in accordance with the resolution, in the Shire's records.

Requests for Items to be Included in the Agenda

Councillors may request the CEO to include an item in the agenda. Requests should be made one week before the meeting to allow a report to be prepared and included in the Agenda.

Late Reports and Urgent Business

Late Reports and Urgent Business are not ideal as they are not included in the Agenda. The community does not have an opportunity to view the report on the matter prior to the meeting.

Council may receive and consider late reports to the meeting if it is considered that the matter needs to be considered at that meeting and will not wait until the next meeting. Late items usually refer to comments regarding Development Applications where the NT Government only allow two weeks for comment.

Councillors may request that individual matter not listed on the agenda to be raised and discussed if the Council consideration the matter is of an urgent nature and will not wait until the following meeting.

Urgent Business Outside of Ordinary Council Meetings

Where an urgent matter arises that cannot reasonably be delayed until the next Council meeting, it be may be considered and determined by Councillors at a Special Meeting. In accordance with the Local Government Act Part 6.1 Council meetings

90 Nature and timing of council meetings

(5) The council may hold a meeting to deal with a particular item of business (a *special meeting*) whenever circumstances require.

91 Convening of meetings

(2) The CEO must convene a special meeting of the council at a specified time and place to deal with specified business if:

- (a) the principal member or 3 or more other members request the CEO in writing to convene the meeting; or
- (b) the council resolves that the special meeting should be convened.

92 Notice for meeting

(1) A notice convening a council meeting:

- (a) must be in writing; and
- (b) must state the date, time, place and agenda (including any confidential business) for the meeting; and
- (c) 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; and

(2) 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.

94 Business to be considered at a meeting

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 are present at the special meeting and unanimously decide, by resolution, to deal with other business.

Decision Making Process

Decisions at Council meetings are made by resolution following a motion being moved and seconded by Councillors. Resolutions require an absolute majority of councillors present to vote in favour of the motion.

Voting will be by show of hands unless by resolution Council decides otherwise on a case by case basis. In the event of a tied vote the current Council has determined that the Chairperson will hold a casting vote. The Chairperson will use the casting vote in a manner in which the Chairperson sees fit.

Council may resolve to determine standing orders for the running of a meeting or aspects within a meeting. In the absence of standing orders normal principles of good meeting procedures will apply.

Use of Information

Councillors and staff are to handle all information in a sensitive manner. Material of a confidential nature shall not be disclosed to outside parties.

The usage of confidential information for financial or other personal advantage is illegal.

Councillors 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.

Conflict of Interest

Councillors and staff are to ensure that there is no conflict of interest between their personal interests and the impartial fulfilment of their professional duties.

Councillors must seriously consider if they may be subject to a perceived conflict of interest. This may include a perception within the wider community that the Councillor or staff member may not be impartial when considering an item

Councillors and Staff will comply with provisions of the Local Government Act Regulations and guidelines produced by the Department of Local Government.

Disclosure of Interest

Shire Councillors and staff will disclose at the relevant meeting any interests which has the capacity to be in conflict with their public or professional duties.

If a Councillor declares that they have a real or perceived conflict of interest on a particular item they must leave the room and not participate in the discussion or vote.

Delegations and Presentations of Council

Persons requesting to address the council either as a delegation or a presentation must contact the CEO by email or writing one week prior to the meeting.

The CEO will determine that the presentation or delegation relates to the normal business of Council or will impact directly on the community within the council area prior to inclusion in the agenda.

Resources

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

Time Allowed

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