

Code of Practice Proceedings of Council and Committee Meetings

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Related Policies	Code of Practice for Access to Meetings of Council and Committees and Council Documents Code of Conduct for Elected Members Code of Conduct for Council Employees
Related Documents	Confidentiality Guidelines: How to Apply Section 90 of the <i>Local Government Act 1999</i> , LGA(SA) Council Meeting Procedures Handbook 2013 (with amendments 2015) LGA(SA) Conflict of Interest Guidelines – October 2016

Introduction

The provision for the conduct of Council and Committee meetings and the decision-making processes at those meetings are prescribed by the *Local Government Act 1999* Chapter 6 (the **Act**) and the *Local Government (Procedures at Meetings) Regulations 2013* (the **Meeting Regulations**) Parts 1, 2, 3 & 4.

Council has resolved that Parts 1 to 4 shall apply to both Council and Council Committee meetings. The meeting practices in this Code therefore apply to both Council and Council Committee meetings unless stated otherwise in a Committee Terms of Reference. For example, Coorong Assessment Panel (**CAP**) are established in accordance with the provisions of the South Australian *Planning, Development & Infrastructure Act 2016*, and therefore the provisions of the *Local Government Act 1999* do not apply to CAP meetings.

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Note: Council's [Code of Practice for Access to Meetings of Council and Committees and Council Documents](#) complements this document.

Discretionary Meeting Practices

In order to provide councils with a degree of flexibility in meeting procedures, the Regulations in some instances provide for some provisions of Part 2 of the Regulations to be varied at the discretion of the council.

Regulation 6 states that if a provision in the Regulations is expressed to be capable of being varied, the council may, by resolution supported by at least two-thirds of the Members present, determine that the Code of Practice be prepared or adopted that establishes its own procedures to apply in substitution for the relevant provision.

In addition, Section 86 (8) and 89 (1) of the Act provides Council with the opportunity to make its own meeting procedures, where practices are not otherwise stipulated in the Act or the Regulations.

Scope

This Code of Practice reflects the 4 Parts of the Meeting Regulations:

Part 1 is applicable to both **Council and Council Committee meetings**.

Part 2 is applicable to **Council meetings and Special Council meetings** only and highlights those procedures varied by Council and additional practices where the legislation is silent.

Part 3 is applicable to **Council Committees meetings only** and highlights other meeting practices, set by Council, for application to Council Committees.

Part 4 is applicable to both **Council and Council Committee meetings** and highlights additional meeting practices applicable to Council and/or a Council Committee.

Public Notice of Council Meetings

The notice of meeting and agenda is required to be placed on public display at the principal office of the Council.

1. Interpretation

(1) In these procedures, unless the contrary intention appears—

Act means the *Local Government Act 1999*;

clear days—see sub-clauses (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

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- (e) that the meeting be adjourned¹;

Guiding Principles—see clause 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 the 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 which includes either legibly hand written or typed and either in paper or electronic form.

- (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 sub-clause 3 (2), if a notice is given after 5:00pm on a day, the notice will be taken to have been given on the next day.
- (4) For the purposes of these procedures, a vote on whether **leave of the meeting** is granted may be conducted by a show of hands (but nothing in this clause prevents a division from being called in relation to the vote).

Note—

¹ See clause 12 for specific provisions about formal motions.

2. 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.

Part 2 - Applicable to Council & Key Committee Meetings

3. 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.

4. 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 clause, then a council may, by a resolution supported by at least two-thirds 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 clause.
- (3) A council may at any time, by resolution supported by at least two-thirds 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 clause, take into account the Guiding Principles.
- (5) A person is entitled to inspect (without charge) the code of practice of a council under this clause 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 sub-clause (3).
- (8) This clause does not limit or derogate from the operation of clause 20¹.

Note—

- 1 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.)

Division 2—Prescribed procedures

5. 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.

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- (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.

Note:

The quorum for a Council or Committee meeting is ascertained by dividing the number of members in office or Committee membership by two (2) ignoring any fraction resulting from the division and adding one (1).

No business can be transacted at a Council or Committee meeting unless a quorum is present.

If a quorum is lost because a member cannot participate in a particular matter pursuant to section 74 of the *Local Government Act 1999* (disclosure of material interest), the matter must be adjourned (so that the remainder of the meeting can proceed).

If a quorum at a meeting cannot be formed because a member proposes to exclude himself or herself from the meeting in a particular matter pursuant to section 75A of the Act (disclosure of actual or perceived conflict of interest), the member will not be taken to have contravened the Act by participating (including by voting) in the meeting in relation to the matter if the attendance of the member, together with any other required number of members, for a quorum for the meeting.

6. 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

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- (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; and

Council Practice

- (o) each motion without notice, not accepted by the Mayor, will have its title and the name of the Councillor bringing the motion, recorded in the minutes, along with the decision made.

Note:

Minutes are a formal record of decisions made at Council and Committee meetings. They are not a transcript of the meeting.

Other matters can be recorded in the minutes if resolved by the meeting.

Council Practice

Apologies for non-attendance at Council and Committee meetings are also recorded in the minutes of the meetings. Apologies for non-attendance should be forwarded to the Chief Executive Officer or the Executive Assistant/Committee Minute Taker before the commencement time of the meeting to facilitate recording and determining whether a quorum will be achieved.

Minutes of Council and Committee meetings are currently retained on Council's website indefinitely.

7. Questions

- (1) A member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least 7 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 sub-clause (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.

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- (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.

Council Practice

Questions should generally relate to operational, strategic or policy matters of Council.

The Mayor may rule that a question with or without notice not be answered if it is vague, irrelevant, insulting, improper or defamatory.

Staff are available to answer questions before meetings and during usual business hours.

A subject heading denoting the nature of a Question without Notice and the name of the officer who provides the reply will be entered in the minutes.

Council must resolve to record an answer within the minutes.

8. 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 sub-clause (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) Sub-clause (2) may be varied at the discretion of the council pursuant to regulation 6 of the Regulations.

Council practice

A petition is a formal tool that provides individuals or groups in the community with an opportunity to present their opinions to the meeting. Petitions are received at Ordinary Council meetings only.

The petition should include, for each person who has signed the petition, their name, address and normal signature.

Petitions received addressing Development Applications will be referred for the information of the Coorong Assessment Panel (CAP).

Following the receipt of a petition, an item will be listed on the Agenda for the next Ordinary Meeting of Council addressing the matter raised by the petitioners.

The first page of the petition will be included as an attachment to the report. The complete petition will be tabled at the meeting.

If the petition is received after the agenda has been finalised, it will be presented at the following meeting.

A request for a petition to be withdrawn from the Agenda will be accepted if received from the Head Petitioner before the agenda has been finalised.

The petition will be reviewed by Council staff for errors, duplicate names and invalid entries.

9. 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 sub-clause (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.

Council practice

A Deputation may be made by a person or persons who wish to appear personally before a Council or Council Committee meeting in order to speak on a particular matter.

Deputations are limited to a maximum of three (3) per Council Meeting.

A request for a Deputation must be received at the Principal Office of the Council by mid-day on the day of the meeting at which the Deputation wishes to appear. Any request for a Deputation received after this time will be treated as a request to appear at the next ordinary meeting of the Council.

The hearing of a Deputation may be referred to the relevant Council Committee unless the person(s) seeking the deputation request to be heard at a Council meeting.

Attendance or non-attendance must be notified in writing with details of the date and time of the meeting as well as the length of time to speak (if approved). Persons are allocated a 10 minute time limit in which to address the meeting excluding questions. This time can be extended by a resolution of the Council or Committee.

Council Members will be invited to ask questions after the Deputation.

10. 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 7 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 sub-clause (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,

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whichever is the sooner.

- (5) Subject to the Act and the 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.

Note:

To maintain an open and transparent approach to governance these motions should be restricted to matters closely related to agenda items, house-keeping issues or matters of urgency. Members have an obligation to be fully informed in their decision making and this is not always possible to achieve with motions presented without notice from the floor.

When, in the opinion of the Presiding Member, the motion will require action involving the expenditure of unbudgeted resources, a Motion on Notice may be requested.

- (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.

A variation to (9) above –

A member seconding a motion may elect to either speak to the motion at the time of seconding or may reserve their right to speak to the motion until a later stage of the debate. Where a member seconds a motion and reserves their right to speak to it, they will not be considered to have spoken to 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.

Note:

Council Members may ask and answer questions regarding a motion for the purpose of clarification (not debate) and this will not be considered as speaking to the motion. Members should ensure that it is clearly a question and not an opportunity to contribute to debate.

- (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.

Note:

Formal motions are procedural, and are moved/seconded during the course of the debate on a motion. If seconded, a formal motion takes precedence and will be put by the Mayor or Chairperson without discussion.

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

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- (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 sub-clause (14)(c) lapses at the next general election.
- (20) The Chief Executive Officer must report on each question that lapses under sub-clause (19) to the council at the first ordinary meeting of the council after the general election.

Note:

Items of business that are “laid on the table” or remain “on the table” require no further staff action in relation to reviewing those items of business other than recording the names of those who have already spoken. It requires a motion from a Council Member (and subsequent resolution by the Council) for the item to be “lifted from the table”. A Member who has already spoken may not speak again except as a right of reply or with leave of the meeting.

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

Council Practice

All speakers must address the Chair (“speaking through the Chair”).

Members must refer to each other by the respective titles (eg. Cr Bloggs).

A member must move a motion before commencing their five (5) minutes of speaking.

Motions with or without notice and amendments should be clearly written down and be presented to the Chair and the minute taker for clarity and accuracy of minute taking.

Once a seconder is identified the Chair will invite the mover of the motion to speak to the motion. The mover of the motion can speak at this time or reserve their right to speak later. The seconder may reserve their right to speak to the motion at the time of seconding.

Once the motion has been moved and seconded, balanced debate should ensue. The Mayor or Chairperson may ask if there are any members who wish to speak for or against the motion. If there are none, then the motion may be put to the vote.

A member who has moved a motion may 'close the debate' by replying to those who have spoken on the motion. After that right is exercised, the debate is closed and the motion must be put to vote. The reply should not introduce new material to the debate.

With leave of the meeting a variation may be requested of the mover by a member who has already spoken in the debate.

The mover of a motion can also speak to an amendment without losing the right of reply in relation to the original motion.

11. 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.

Note:

An amendment to a motion is an alteration to the wording of a motion – it is not a motion in its own right (unless carried). The purpose of an amendment is to refine or modify the substantive motion but not to substantially change the intent of the motion or to contradict it.

- (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) Sub-clauses (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

Council practice

In the interest of practicality, and in acknowledgement of the small number of Members taking part in the debate, Council has determined that the following discretionary principles will be applied to the debate of amendments:

A member (other than the mover or seconder of the motion) who has spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

A member who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment), will not, in so doing be taken to have spoken to the motion to which the amendment relates.

A member (other than the mover or seconder of the motion or a previous amendment) who has spoken to a motion at an earlier stage of the debate may move or second another amendment to the motion, if the first amendment is lost.

Members are requested to indicate an intention to move an amendment early in the debate, and can then reserve the right to speak at a later time.

12. 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.

Council Practice

Where the intent of a motion is clear and all that is needed is some “massaging” of words to satisfy that intent, the Mayor or Chairperson allows some relaxation of formal processes to facilitate “word smithing” of a motion by Members and/or staff to satisfy the intent and provide clarity.

13. Addresses by members etc.

- (1) A member must not speak for longer than 5 minutes at any one 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) Sub-clauses (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

14. 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) Sub-clause (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.
- (5) The presiding member, or another member presiding in their absence at a meeting of Council, does not have a deliberative vote on a question arising for decision at the meeting but has, in the event of an equality of votes, a casting vote.

Council Practice

The Minute Taker will record the names of Members who voted in the affirmative and the negative, and whether the vote was carried (or carried unanimously), lost, lapsed or tied.

- a) Members voting in the affirmative will raise their hand until the voted is recorded.
- b) Members whose hands are not raised will be recorded as voting in the negative.
- c) All Members are responsible for checking that their name is correctly recorded on the screen displayed at the meeting before moving to the next item of business.

The result of a tied vote is that the Motion lapses because it is neither carried nor lost.

When a vote on a Motion is tied at a Council Committee the Committee Chairperson will declare that the result of the vote was tied. The Committee Chairperson will then call for the matter to be voted upon again. If the vote again is tied the Committee Chairperson will advise the meeting “as a result of the tied vote the matter will (in accordance with Council Policy) be referred to the Council for determination”.

When a vote on an Amendment is tied at a Council Committee the Committee Chairperson will declare that the result of the vote was tied. The Committee Chairperson will then call for the Amendment to be voted upon again. If the vote again is tied the Committee Chairperson will advise the meeting “as a result of the tied vote the Amendment will (in accordance with Council Policy) lapse”. The Motion will then be put or a further Amendment moved (provided that there are no more than a total of two (2) Amendments).

15. Divisions

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

Note:

There are two purposes for a division:

- 1) To achieve a new vote on a question, in which case the previous decision on the question of the motion being ‘carried’ or ‘lost’ is set aside; and
- 2) To achieve the recording in the minutes of the names of the members voting for and against the question.

- (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;
 - (b) the members voting in the negative will, until the vote is recorded, sit in their seats;
 - (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) Sub-clause (3) may be varied at the discretion of the council pursuant to regulation 6.

16. 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).

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- (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.

Council practice

Requests for the tabling of information should be reasonable and:

- 1) accurately specify the document or documents being sought to enable them to be identified and located; and
- 2) establish the relevance of the document or documents to the motion that is before the meeting.

If a Member is unable to satisfy these criteria, the Mayor or Chairperson can refuse to accede to the request and not defer the vote on the motion.

Unless otherwise determined by the meeting, the information requested is to be provided to the next ordinary meeting of Council.

17. 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.
- (3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
- (4) The provisions of this clause may be varied at the discretion of the council pursuant to regulation 6.

Note:

Items of business that are adjourned must be recorded with a reason for the adjournment and a trigger of either a date or a set of circumstances for resumption. Staff then list the item on a Council meeting agenda when the date or set of circumstances is reached.

Where Council or a Committee has been meeting for an extended period of time without an adjournment, the Mayor or Chairperson may, with leave of the meeting, adjourn the meeting for a short period of time.

18. 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 two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.
- (2) The Guiding Principles must be taken into account when considering whether to act under sub-clause (1).
- (3) If a suspension occurs under sub-clause(1)—
 - (a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

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- (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 observed¹; 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 two-thirds 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.

19. 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 clause may be varied at the discretion of the council pursuant to regulation 6.

Note:

A recommendation from the Chief Executive Officer to revoke or amend a resolution of Council will be dealt with in the same way had the recommendation been proposed by an Council Member.

If the motion is lost the provisions of regulation 12 (4) would apply, in that a recommendation to the same effect cannot be brought –

- a) Until after the expiration of 12 months; or
- b) Until after the next General Election of Council.

Part 3 - Meetings of other Committees

20. 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.

21. 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;
- (b) that notice need not be given for each meeting separately;
- (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;
- (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.

22. 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.

23. 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.

Council Practice

- (f) When a question without notice is raised in a Committee meeting, the following details will be entered in the minutes:
 - (i) Councillor's name who asked the question and a subject heading denoting the nature of the Question without Notice
 - (ii) Name of the officer (or presiding member) who provides the reply, and short, concise description of the reply.

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- (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.

Note:

Minutes are a formal record of decisions made at Council and Committee meetings. They are not a transcript of the meeting.

Other matters can be recorded if requested by the meeting.

Minutes of Council and Committee meetings are currently retained on Council's website indefinitely.

Council Practice

Apologies for non-attendance at Council and Committee meetings are also recorded in the minutes of the meetings. Apologies for non-attendance should be forwarded to the Chief Executive Officer or the Executive Assistant/Committee Minute Taker before the commencement time of the meeting to facilitate recording and determining whether a quorum will be achieved.

The Minutes of Committee meetings are placed on the next available Council Agenda in accordance with the Committee Terms of Reference. An accompanying report highlights matters for Council to note and/or adopt specific recommendations.

Adoption of recommendations from a Committee to Council en-bloc is discouraged. Any substantive recommendations from a Committee should be considered by the Council individually to demonstrate that Council members have 'turned their mind to' and fully considered the content and implications of each recommendation. Council may adopt, vary or reject the recommendations of a Committee.

"Substantive recommendations" are recommendations that require an action or decision, commitment of resources or compliance by Council with a legislative obligation.

Part 4 - Miscellaneous

24. 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 clause, 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.

25. Voting at committee meetings

- (1) Subject to the Act and the 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.

Council Practice

When a vote on a Motion is tied at a Council Committee the Committee Chairperson will declare that the result of the vote was tied. The Committee Chairperson will then call for the matter to be voted upon again. If the vote again is tied the Committee Chairperson will advise the meeting “as a result of the tied vote the matter will (in accordance with Council Policy) be referred to the Council for determination”.

When a vote on an Amendment is tied at a Council Committee the Committee Chairperson will declare that the result of the vote was tied. The Committee Chairperson will then call for the Amendment to be voted upon again. If the vote again is tied the Committee Chairperson will advise the meeting “as a result of the tied vote the Amendment will (in accordance with Council Policy) lapse”. The Motion will then be put or a further Amendment moved (provided that there are no more than a total of two (2) Amendments).

26. Points of order

- (1) The presiding member may call to order a member who is in breach of the Act or these clauses.
- (2) A member may draw to the attention of the presiding member a breach of the Act or these clauses, 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.

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- (6) The presiding member is entitled to make a statement in support of the ruling before a motion under sub-clause (5) is put.
- (7) A resolution under sub-clause (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.

27. 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) Sub-clause (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 sub-clause (1), the member must be allowed to make a personal explanation.
- (4) Subject to complying with sub-clause (3), the relevant member must leave the meeting while the matter is considered by the meeting.
- (5) If the remaining members resolve that a contravention of sub-clause (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.
- (6) A member who—
 - (a) refuses to leave a meeting in contravention of sub-clause (4); or
 - (b) enters a meeting in contravention of a suspension under sub-clause (5),is guilty of an offence.

Maximum penalty: \$1,250.

28. 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.

29. Other Legislative Considerations

29.1 Leave of Absence

Members should seek leave of the Council meeting ('Leave of Absence') if they intend being absent for any substantive period and particularly if the leave is for three (3) or more consecutive Ordinary Council meetings.

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Legislative requirement

A Member who is absent without leave for three (3) or more consecutive meetings may trigger action under section 54 (1)(d) of the *Local Government Act 1999* (casual vacancy).

Council practice

Council Members seeking a Leave of Absence should provide a motion with notice which includes the dates of the planned absence, eg.:

Cr. Bloggs moves that Council grant a leave of absence to Cr. Jo Bloggs from 5 December 2019 for a period of 3 months.

Or

Cr Bloggs moves that Council grant a leave of absence to Cr Jo Bloggs from 1 December 2019 to 22 March 2020 during which time the member will be overseas.

This provides a record of attendance that may be of evidential value if questions ever arise under section 54 of the Act.

29.2 Conflict of Interest

Legislative requirement

It is a Member's responsibility to make sure they are aware of and understand the provisions of Sections 73 to 75A of the *Local Government Act 1999* in relation to declaration of interest, conflict of interest and disclosure.

A Member who has an interest in a matter before the Council must disclose the interest to the Council or Committee and deal with the interest in accordance with the provisions of the *Local Government Act 1999* (material, actual and perceived conflicts of interest are all dealt with differently).

Council practice

If a Council or Committee member identify that they have a Conflict of Interest in relation to an item on the agenda, they must declare that interest before consideration of that item commences, explain the nature of the interest and indicate how they are going to deal with the interest (eg. leave the meeting, stay and debate but not vote, stay and debate as well as vote). The name of the Member, timing of the declaration, nature of the declaration and the intentions of the member shall be recorded in the minutes.

If Council Members wish to seek advice about a possible conflict of interest before a meeting they should contact the Chief Executive Officer.

29.3 Confidential items

Legislative requirement

Confidential items are managed in accordance with Section 90 of the *Local Government Act 1999*.

When a resolution is passed to consider an item in confidence:

- members of the public gallery (and staff when required) shall be asked to leave the Chamber
- the doors of the Chamber are closed.

Once the item has been considered, the meeting is re-opened and the public invited to return to the Chamber.

Council practice

Confidential reports are scheduled toward the end of the agenda.

All confidential items will be clearly identified as confidential. A secure bin will be provided in the Council Chamber for Members to discard confidential papers after the meeting.

29.4 Information/Briefing Sessions

Legislative requirement

Section 90A of the *Local Government Act 1999* recognises that on occasion councils and committees may hold informal briefings and discussions (either in confidence or in the presence of the public). Information/briefing sessions may include –

- Planning sessions in relation to strategy, budget or policy
- Briefings
- Training Sessions
- Workshops
- Guest speakers

An information/briefing session shall not result in decisions being made that in the normal course of business would be made at a Council meeting. Council is not required to hold a policy in this regard, however must publish prescribed information to the public as a means of transparency.

Council practice

Briefings for Council Members on a variety of topics relevant to the business of Council are arranged as necessary or requested by Council. These sessions do not aim to obtain a decision on a matter outside a formally constituted Council or Committee meeting.

Briefings or workshops are generally held twice a month, occurring on the first and third Tuesday of the month. Members are provided with a session outline within three days of the session which incorporates an outline of the matters for discussion.

Where possible, information/briefing sessions will be held in the same location and same day as the Council meeting.

29.5 Special Council Meetings

Legislative requirement

Special meetings of Council may be held at any time in accordance with the provisions of Section 82 of the *Local Government Act 1999*.

A request for a Special Meeting must be made to the Chief Executive Officer. It may be made by:

- the Mayor
- at least three (3) Members of the Council
- a Council Committee at which three members of the Council vote in favour of making the request.

An agenda is required to be provided to the Chief Executive Officer at the time of request.

At least four (4) hours notice is required for a Special Meeting of Council.

29.6 Special Committee Meetings

Legislative requirement

Special meetings of Committees may be held at any time in accordance with the provisions of Section 87 of the *Local Government Act 1999*.

A request for a Special Meeting must be made to the Chief Executive Officer. It may be made by:

- the Chairperson of the Committee
- at least two (2) Members of the Committee.

At least four (4) hours notice is required for a Special Meeting of Committee.

29.7 The Presiding Member (Mayor or Chairperson)

Legislative requirement

In accordance with Section 86(1) of the *Local Government Act 1999*, when the Mayor is present at an Ordinary Council meeting they must Chair the meeting. In the absence of the Mayor, the Deputy Mayor will Chair the meeting. If the Deputy Mayor is not available, a Member of the Council is chosen by resolution of those present.

Council practice

The Mayor is elected by electors. The Deputy Mayor of Council is appointed for a term as resolved by Council.

30. Coorong District Council Meeting Protocols

Council meetings will be held at the Coorong Civic Centre Chambers, 95 - 101 Railway Terrace, Taillem Bend as determined by resolution of Council and will commence at 5:00pm on the third Tuesday of each month (unless otherwise resolved by Council).

30.1 Addressing the Chair

In Council meetings the following form of address should be used:

- Mayor – Mayor and last name, eg. Mayor Bloggs
- Council Member – Councillor and last name, eg. Councillor Bloggs

At Council meetings the Mayor will stand to introduce visitors.

30.2 Order of speaking

At Council and Committee meetings Council Members (and other Committee appointments) will raise their hand and wait to be acknowledged by the Chair of the meeting.

This will apply for:

- questions on reports
- determining the order of speaking on an agenda item.

Staff will respond to questions from the floor by invitation of the Mayor.

30.3 Meeting conduct for Council Members and staff

Council Members are expected to abide by the principles of Council's Code of Conduct for Elected Members, and staff, according to the Code of Conduct for Council Employees.

In the Chamber and during Committee meetings, Council Members and staff should:

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- be respectful in their language and behaviour
- show respect to the Meeting and members of the community
- be appropriately attired

“Appropriately attired” means, as a minimum standard, dressed in smart casual attire which is in good condition and appropriate to the circumstances of a council meeting conducted in the presence of a public gallery. (eg. collared shirt for males; casual jackets; trousers, shorts, dresses, skirts or jeans [excluding designer frayed or torn clothing]; no sporting apparel; no thongs, Ugg boots, slippers or Crocs; no hats or beanies; no attire with obscene or offensive messages)

- speak clearly for the benefit of the gallery
- limit the amount of distracting activities such as passing of notes, speaking to other Members etc.
- turn to silent any mobile/electronic devices, unless permission has been sought from the Chair, eg. for security or emergency requirements
- respond to questions from the floor at the request of the Chair and acknowledge the Chair

30.4 Leaving the Meeting

A Member who leaves either a Council or Council Committee meeting must indicate this to the Chair, eg. by standing, facing the chair and making eye contact before leaving the meeting. This will also allow the Minute taker to note the absence. If leaving the meeting permanently, a brief explanation should be provided.

30.5 Order of business

The order of business shall be in accordance with the published agenda (as resolved by a new Council at its first ordinary meeting). However the Council or Committee may, by resolution or by leave of the meeting amend the order of business as set out in the agenda.

The Mayor or Chairperson may (at their own initiative or at the request of a Member of Council) seek leave of the meeting to bring forward items for debate and resolution where for example:

- a large gallery is present for the item
- contractors or consultants are present to make presentations.

The agenda will be developed in accordance with the following format:

30.6 Civic Affirmation

‘We gather today to duly and faithfully carry out our duties to the best of our judgement and ability for the advancement of this district and the benefit of all of our community and fellow citizens.’

30.7 Acknowledgement of Country

When meeting on the Ngarrindjeri People’s ancestral lands:

“Coorong District Council Members acknowledge and pay respect to the Traditional Custodians of the land and waters, the Ngarrindjeri People whose ancestral lands are on which we meet today.”

“We acknowledge the deep feelings of attachment and relationship of Aboriginal people to country and pay our respects to Elders past and present. We also extend that respect to all First Nation People.”

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When meeting on the Ngarkat People's ancestral lands:

“Coorong District Council Members acknowledge and pay respect to the Traditional Custodians of the land and waters, the Ngarkat People whose ancestral lands are on which we meet today.”

“We acknowledge the deep feelings of attachment and relationship of Aboriginal people to country and pay our respects to Elders past and present. We also extend that respect to all First Nation People.”

These acknowledgments also apply to meetings of Committees.

30.8 Acknowledgements

The Mayor will briefly acknowledge any item(s) of significance relating to Coorong District Council or the local government industry at large (eg. events of local/state/national/international significance, passing of a former Council Member, staff member or resident who made a significant contribution to Council).

30.9 Apologies

Apologies for non-attendance at Council and Committee meetings will be recorded in the minutes of the meetings. Apologies for non-attendance should be forwarded to the Chief Executive Officer or the Executive Assistant/Committee Minute Taker before the commencement time of the meeting to facilitate recording and determining whether a quorum will be achieved.

30.10 Conflict of Interest

In accordance with section 74 of the Local Government Act 1999, Council Members who have an interest in a matter before the Council must disclose their interest, providing full and accurate details of the relevant interest.

30.11 Confirmation of Minutes

Minutes of previous meeting(s) will as circulated to Council Members will be taken as read and adopted.

30.12 Adjourned Business

Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

30.13 Reports from Council Members

The Mayor is required to provide a report each month for distribution with the agenda. The report should include events of a civic nature that have occurred since the last report, and information about future important activities or other civic matters of interest to the community.

Council Members are required to provide a summary list of meeting attendances for distribution with the agenda at least every three (3) months. Additional reports including other relevant documentation and information are encouraged to advise Council on activities undertaken by Council Members during the course of their business. Reports are required to include the members' method of attendance (whether in person or electronically).

In the interest of efficient meeting practice, Members are not expected to speak to their reports at the meeting, but can be asked questions from the floor.

30.14 Petitions

Petitions received in accordance with clause 8 of this code must be tabled for inclusion on the agenda.

30.15 Deputations

Deputation requests received in accordance with clause 9 of this code must be listed as an item of business on the agenda.

30.16 Public Question Time

To promote community participation and engagement in the business of Council and to improve openness, transparency and accountability there shall be a public open forum/question time at each ordinary meeting of Council.

The guidelines for Public Question Time are available to view under **Appendix 1**.

30.17 Decision Reports

A report will be provided by Officers on each agenda item listed which subsequently requires a decision of Council. All reports include a recommendation(s). These recommendations are **not** a resolution; they have no status until moved and seconded by the meeting.

Members may reject the report recommendation altogether and move a motion with their own words.

Authors of reports will ensure that:

- reports contain recommendations which are complete statements and which may form part or all of a resolution able to be adopted at the meeting
- recommendations are outcome oriented and provide clear direction
- requirements such as signing and sealing of documents and the appropriate delegations and authorisation are clearly identified

When a recommendation in a report refers to another document:

- the document or an extract will be attached
- the complete name of the document will be cited.

If a recommendation has several parts a Member may request the Chair to handle one or all parts as separate motions.

Decisions of the meeting are expressed in the form of a resolution which is decided by a majority of votes of the Members present (majority is interpreted as half of those present plus one). The Council or Council Committee cannot make a decision, unless it is done by resolution. Once a resolution is reached all Members should respect the Council decision despite their individual opinion.

30.18 Information Reports

The agenda will contain reports that are of information to Members only (eg. items of topical interest in the local, statewide or national sphere and do not require a resolution of Council). Information reports relating to each Council directorate will be tabled.

30.19 Questions – with and without notice

Members may ask a question:

- With notice: in accordance with clause 7(1) of this code
- Without notice: in accordance with clause 7(5) of this code

30.20 Motions – with and without notice

Members may give notice of a motion in accordance with clause 10(1)(2) of this code. Motions without notice will be dealt with clauses 10(5)(6) & (7) of this code.

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30.21 Minute Action List

The minute action list (as updated since the previous Ordinary meeting of Council) will be tabled for Members' information. Members are invited to ask questions on the status of a minute(s), however questions should remain closely related to a specific minute item.

30.22 Confidential Items

Any item(s) having been considered on a confidential basis under section 90 or 91 of the Act will be tabled at the last item of business on the agenda.

30.23 Closure

Ordinary meetings of Council should finish at the end of business but no later than 9:30pm with an extension of time only applied when necessary to conclude the business of the meeting or with the support of a motion of Council.

31. Committee Meetings

The Mayor is an ex-officio member of all Council Committees, with the exception of those Committees where appointment by Council has occurred and the Audit & Risk Committee. The Mayor will be provided with a copy of all Committee agendas and minutes.

Council Members who are not members of a particular Committee may attend as observers only, unless the Committee passes a resolution allowing them to participate in discussion (only) on a particular agenda item.

32. Availability/Accessibility

This Code is available for inspection at Council's offices during normal business hours & Council's website and will be emailed to interested parties on request (please lodge request in writing via email to council@coorong.sa.gov.au)

33. Document History

In accordance with regulation 6(2) of the Local Government (Procedures at Meetings) Regulations 2013, this Code will be reviewed once in every financial year.

Version	Adopted	Minute No	Description of change(s)
1	20 September 2011	279/11	New code
2	18 September 2012	323/12	Cyclical review
3	17 December 2013	455/13	Cyclical review
4	16 December 2014	291/14	Cyclical review
5	15 December 2015	273/15	Cyclical review
6	19 December 2017	257/17	Cyclical review
7	18 December 2018	268/18	Cyclical review
8	15 October 2019	308/19	Cyclical review
9	7 April 2020	060/20	Special review to incorporate <i>Public Health Emergency: Electronic Participation in Council</i>

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			<i>Meetings Notice (No 1)</i> issued 30 March 2020
10	21 April 2020	073/20	Consolidation of procedures and processes arising from emergency powers in section 302B of the Local Government Act 1999 and associated notices (No. 1 & 2) issued by the Minister for Local Government on 8 April 2020
11	21 June 2022	125/22	<p>Removal of all references to <i>Notice No. 1 – Electronic Participation in Council Meetings</i> as a result of the revocation of the state Emergency Declaration issued 24 May 2022</p> <p>Insertion of meeting attendance method (ie. in person or electronically) for Council Members' Reports requirement as per minute 234/21</p>
12	29 November 2022	243/22	<p>Clause 14 – Voting – insertion of deliberative and casting vote rights for the presiding member as a result of the popularly elected Mayor; removal of requirement to record a unanimous vote and voting preference(s) of Council Members.</p> <p>Clause 29.4 – Information/Briefing Sessions - amended to reflect revocation of Informal Gatherings Policy (minute 165/22) and to align with recent local government reforms.</p> <p>Clause 30 – Coorong District Council Meeting Protocols – revised in full and re-ordered where necessary to align meeting protocols with the agenda format adopted by Council after the 2022 Local Government Elections.</p>
13	16 May 2023	125/23	Additional Sub Clause 6(4)(o) inserted.
14	18 July 2023	187/23	Additional Sub Clause 23(1)(f) inserted.

Appendix 1

Public Question Time Guidelines

The following Guidelines apply:

- Council will allocate a maximum of thirty (30) minutes in the Council agenda for each ordinary meeting for the purpose of public question time.
- The question time will be held after 'Deputations' on the agenda.
- Question time is not a forum for debate, making of public statements or making of allegations or derogatory remarks about Council Members or staff. The time is limited to a question and answer period only. Questions should be clear, provided with a brief background for context if necessary and presented in a manner befitting a public meeting.
- The Mayor shall ascertain at the commencement of the meeting the number of persons desiring to speak. People seeking to ask questions shall register their interest upon entry to the Council chamber and provide a written copy of their question at that time to the Mayor, Chief Executive Officer or Minute Taker.
- Written questions should contain the name of the person submitting the question, and, should the question be beyond a verbal response at the meeting the Mayor will invite the questioner to submit their question either in person at the Council offices, via post, through the Council website, via email or to an Council Member.
- There shall be a maximum number of three (3) questions per person and time available shall be allocated to speakers on an equal basis up to a maximum of five (5) minutes, unless extended by leave of Council.
- Question time shall be chaired by the Mayor and speakers will be asked to observe rulings by the Mayor.
- Each speaker is to appear at the front of the room to ask their question.
- The Mayor will have discretion to not accept a particular question and will provide a verbal reason for disallowing any question. Questions are to be restricted to matters relating to Council reports, policy or operation. Those of a personal nature will not be accepted.
- It is the Mayor's discretion whether questions are:
 - a) answered immediately at the meeting and by whom;
 - b) taken on notice and answered at a subsequent meeting;
 - c) answered in writing by Council staff;
 - d) disallowed on the grounds that the matter –
 - i) is outside the duties, functions and powers of Council
 - ii) is subject to a confidentiality order or there is a duty of confidentiality incumbent upon the Council
 - iii) is considered to be vexatious, time wasting, trivial, irrelevant, defamatory or of a personal nature.
 - iv) relates to personnel issues
 - v) Is of a personal nature that is not applicable to the broader community

Code of Practice – Proceedings of Council and Committee Meetings

- vi) relates to legal advice or legally privileged information
 - vii) deals with subject material that has already been answered
 - viii) relates to a matter that due to resources and research implications would be better dealt with through a Freedom of Information process.
- Each Council member will be given the opportunity to ask one question of each person utilising question time.
 - No discussion on questions and answers will be permitted, with all questions and answers being as brief as possible. The Mayor will determine when a sufficient response to a question has been provided.
 - A list of questions asked and brief response given will be recorded in the Council minutes. Questions that are disallowed by the Mayor will not be recorded in the minutes.
 - Should no-one attend the public question time segment Council will proceed with the next agenda item and the minutes will reflect that there was nil attendance/questions.
 - Members of the public will if necessary be reminded by the Mayor of Section 30 of the *Local Government (Procedures at Meetings) Regulations 2013* which confirm members of the public must not behave in a disorderly manner, or cause interruption.