

Governance

Council Meeting System

Objective

This policy establishes the requirements and standards for the Shire of Koorda (**“the Shire”**) Council Meetings and Committee Meetings which apply in accordance with Part 5 of the Local Government Act 1995 (**“the Act”**) and the Shire of Koorda Standing Orders Local Law 2018 (**“Standing Orders”**).

Policy

Standing Orders

The Shire of Koorda Standing Orders apply to Council meeting procedures and nothing in this policy overrides those Standing Orders.

Council Meetings

Meeting frequency and starting time

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 the Chief Executive Officer is to present an Item to Council no later than December each year requesting Council confirm the dates for the Ordinary Meetings of Council for the following year.

Council meetings will typically be held the third Wednesday of the month (excluding January where no meeting is typically held).

Council meetings normally commence at 5.00pm to afford an opportunity for most members of the public to attend after work, with November and December meetings normally commencing at 6.00pm to afford the opportunity for members to attend during the harvest period.

Any change to the meeting details must be published on the local government’s official website as soon as practicable after the change is made.

Dress Code for Council Meetings

As agreed by Council Members, the dress code for Elected Members attending Council Meetings, is business formal.

Public Question Time

As per Clause 5.7 of Standing Orders, other procedures for question time for the public are included below;

- (1) Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion.
- (2) Unless determined otherwise under the Regulations, the procedure for the asking of and responding to questions raised by members of the public at a meeting shall be as follows—
 - (a) a member of the public who raises a question during question time is to state their name and address;
 - (b) it is preferred that questions be submitted in writing in which case they will be read out by the CEO but questions may be asked orally;
 - (c) questions are to be answered by the Presiding Member or employee nominated by the Presiding Member;
 - (d) questions may be taken on notice, at the determination of the Presiding Member, and the Presiding Member may determine that any complex question requiring research be answered only in writing;
 - (e) no discussion of a question or answer is to take place by Council unless the Presiding Member has given permission to do so; and

- (f) when a question is taken on notice under subclause (d), a response is to be given to the member of the public in writing, and a copy is to be included in the agenda of the next meeting of the Council or Committee as the case requires.
- (3) The Presiding Member may reject any question that may be deemed offensive towards, or reflect adversely upon, the character of any member of the Council or employee of the local government.
- (4) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes of the meeting.
- (5) There is to be no public question time in meetings of Committees other than a Committee to which the Council has delegated a power or duty, or which is open to the public.
- (6) A member of the public shall have two minutes to submit a question.
- (7) The Council, by resolution, may agree to extend public question time.

Guests

The Shire President and Chief Executive Officer may approve guests to meet with Councillors after Council meetings and/or to join Councillors for supper. It is the responsibility of Councillors to advise the Chief Executive Officer and Shire President of those people who they wish to be invited from time to time.

Officers' Reports

In the interest of providing prompt decision-making, officer reports from any department may be presented at the next available meeting. It is critical that reports prepared by officers for Council contain adequate information on which the Council can make an informed decision.

Principles

Reports prepared by officers for Council's consideration are to:

- Be according to law;
- Take account of any State or Council Policy;
- Have regard to the current Strategic Community Plan and Corporate Business Plan, and any other relevant Shire strategic documents;
- Have regard to the Shire's Risk Management Framework;
- Be balanced and objective;
- Be technically correct;
- Be properly researched using relevant information and data;
- Ensure procedural fairness;
- Include options, consequences and associated impacts where appropriate; and
- Include expert opinion or advice where necessary.

Recommendations

Recommendations prepared by officers for Council's consideration are to:

- Be clear and unambiguous;
- Be implementable;
- Be professional and ethical;
- Not expose Council to unreasonable risk or liability;
- Have regard for the interests of the applicant/submitter as well as the wider community; and
- Include the administrative actions to enable implementation of Council's decision.

Alternate Motions or amendments to Officers' Recommendation

Councillors are required to provide the Chief Executive Officer written alternate motions or amendments to officers' recommendations they intend to move either prior to or at the meeting.

Councillors are encouraged to provide suggested alternatives to officer recommendations to the appropriate Author or CEO at least 24 hours in advance of the relevant Council meeting. This is to ensure that the terminology being proposed in the alternative recommendation is consistent and clear, as well as to ensure the legality of any proposed amendments.

A copy of the proposed amendment, with reasons, is to be circulated to all other Councillors, CEO and any other relevant staff.

Order of business

The order of business for Council meetings is prescribed in Clause 4.3 of Standing Orders.

CEO Matters - Meeting Attendance

When Council is considering matters regarding the Chief Executive Officers employment, contract, performance, or other matters in relation to the Chief Executive Officer, all staff and any visitors are to be requested to leave the meeting.

Late Reports

Late reports are generally discouraged as insufficient time is afforded to Councillors and the public to study the item and gauge community response.

The Chief Executive Officer may approve the inclusion of a late report if the matter is considered to be of an urgent nature and satisfactory notification to Councillors and broader consultation (if required) has been achieved.

New Business of an Urgent Nature

New business of an urgent nature is generally discouraged as it fails to provide Council Officers with any opportunity to research and report on the matter.

It also fails to allow adequate opportunity for Councillors to consult the community on the matter. Standing Orders Clause 4.12 provides guidance when it may be appropriate to introduce new business of an urgent nature.

Councillors are encouraged to submit in writing and advise staff of items of new business of an urgent nature they wish to introduce to the meeting, so that Councillors and staff receive notice of any such subject to be discussed.

Special Council Meetings

When required, a Special Meeting of Council may be called by President or by at least one third of the councillors. The CEO will convene the special meeting and arrange public notice if the meeting is to be open to the public. A special meeting requires that:

- Public notice be given and it must specify the purpose of the meeting; and
- It must only deal with the item of business as set out in the notice of the meeting.

Although special meetings of council are to be open to members of the public, if in the opinion of the CEO it is not practicable to advertise the details of the meeting in the newspaper, then a public notice providing the details and purpose of the meeting must be given by whatever means the CEO considers to be practicable (e.g. display on notice boards, at public library, on council website).

Dress Code for Special Council Meetings

As agreed by Council Members, the dress code for Elected Members attending Special Council Meetings, is business formal.

Committees

Under section 5.8 of the Act, Councils are able to form committees to assist it with its functions.

Committee members can include elected members, employees and members of the public in a variety of combinations.

Committees can operate with council delegated decision-making powers or solely on an advisory basis.

Advisory committees where members are drawn from both council and the community give the community a significant opportunity to provide input into the council's decision-making meeting process.

The tenure of Committee Membership is determined as per section 5.11 of the Act. Generally, Committee Membership is determined biennially, at the first Council Meeting following the Local Government Ordinary Elections, or as determined in section 5.11.

The Committee functions, membership and meeting schedule will be determined in the Committee Terms of Reference.

The following "Core" Committees shall be operated by Council;

- Audit & Risk Management Committee;
- Works Committee;
- Building/Recreation/Town Planning Committee;
- Management Review Committee;
- Policy Review Committee;
- *CEO Recruitment Committee;
- Behavioural Complaints Committee;
- Koorda Awards Committee; and
- Community Grants Committee.

Each "Core" Committee shall comprise of three (3) Elected Members who will form the Committee and one (1) Elected Member who will be a Deputy Member.

* The CEO Recruitment Committee/Panel has no minimum or maximum membership and is open to all Elected Members.

The following Advisory Committees shall also be operated by Council;

- Local Emergency Management committee; and
- Bush Fire Advisory Committee.

Annual General Meeting of Electors

A general meeting of the electors of a district is to be held once every financial year. A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the Annual Report for the previous financial year. The matters to be discussed at the general electors' meetings are to be those prescribed in the Local Government Act 1995 and associated Regulations.

Note: In accordance with Section 1.4 of the Local Government Act 1995 an elector is defined as: "elector, in relation to a district or ward, means a person who is eligible to be enrolled to vote at elections for the district or ward;" and as depicted in section 5.26 of the Act also includes ratepayers.

Date and Location of Meeting

It is a requirement of the Shire to prepare an annual report (Section 5.53), accept the report (Section 5.54), advertise its availability (Section 5.55) and hold an Annual General Meeting of Electors (AGM) within 56 days of accepting the annual report (Section 5.27). The meetings are held once a year at one of the Council Chambers of the Shire of Koorda or another suitable location.

The annual report is to be accepted (by absolute majority), by the local government no later than 31 December after that financial year. The CEO is then responsible for giving local public notice of the availability of the annual report as soon as practicable after the report has been

accepted (Section 5.55) and must publish the report on the local government's official website within 14 days after acceptance (Section 5.55A).

Attendance and Participation

The Annual General Meeting of Electors is a less formal meeting than a Council meeting. On arrival, those attending and participating in the meeting will be requested to record their names and addresses and to confirm their status as an elector as they enter to confirm they are an eligible elector for minute taking purposes.

Any member of the public is welcome to attend the meeting but will only be permitted to participate as an elector if they have confirmed that they are eligible to vote in the Shire of Koorda local government elections.

Meeting Procedure

The Shire President is to preside at the electors' meeting, if not available the Shire Deputy President may preside according to Section 5.30.

In line with Section 5.27(3) of the Act and regulation 15 of the Local Government (Administration) Regulations 1996, the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

The following procedures will normally apply to the meeting:

1. Opening of meeting.
2. Record of attendance.
3. Presentation of Annual Report inclusive of Audited Financial Statements
 - i. Questions from electors on items relating to the Annual Report.
4. General Business.
 - i. Questions from electors on items relating to other matters.
5. Closure.

Voting

Only electors are entitled to move motions and vote at the meeting. The mover is allowed to speak for a maximum of five minutes, then the seconder can speak for a maximum of five minutes. Both the mover and seconder of a motion must state their name and address prior to moving or seconding a motion. Voting will only take place after a motion that has been moved and seconded has been provided in writing to the administration in full. As stipulated in Regulation 17 of the Local Government (Administration) Regulations 1996 voting provisions at an electors' meeting are as follows:

- Each elector at the meeting is entitled to one vote on each matter to be decided, but does not have to vote;
- All decisions are to be made by a Simple Majority vote; and
- Voting is to be conducted by a show of hands, ensuring that no voter's vote is secret.

Decisions made at an Electors AGM

In accordance with Section 5.33 of the Act all decisions made at the electors' meeting are to be considered at the next Ordinary Council Meeting or if not practicable

- At the first Ordinary Council Meeting after that meeting; or
- At a Special Meeting called for that purpose.

If at a meeting of the Council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision is to be recorded in the minutes of the Council meeting.

Related Documents (Legislation/Local Law/Policy/Procedure/Delegation)

Local Government Act 1995

Local Government (Administration) Regulations 1996

Review History

Date	Council Resolution	Description of review/amendment
18/10/2023	RES: 171023	V1.0. Merged and re-wrote old policies.
Former Policy: A1 Administrative Structure & Organisational Chart, A22 Public Question Time, A24 Electors Meeting Date, A25 Procedure at Electors Meeting & A47 Meeting Attendance - CEO Matters		
19/07/2000		Adoption of Policy (A1)
18/04/2007	146.1.1-2007	Amended
19/09/2007	43.1.5-2008	Amended
21/10/2009	RES: 210009	Amended
15/06/2011	RES: 110611	Amended
20/03/2013	RES: 080313	Amended
18/03/2015	RES: 130315	Amended
21/03/2018	RES: 050318	Amended
19/07/2000		Adoption of Policy (A22)
19/07/2000		Adoption of Policy (A24)
15/06/2011	RES: 110611	Amended
19/07/2000		Adoption of Policy (A25)
20/11/2013	RES: 041113	Adoption of Policy (A47)