



Code Section:	1. Corporate Governance
Code Name:	Code of Practice for Council Meeting Procedures
Classification:	Public - Council Code of Practice
Adopted:	13 March 2018
Frequency of Review:	Biennial
Last Review:	March 2018
Next Review Due:	March 2020
Responsible Officer(s):	Governance Officer Chief Executive Officer
Policy and Code of Practice Manual File Ref:	CC10/2601
Council File Reference:	CR18/614
Legislation Authority:	Local Government Act 1999 (the Act) Local Government (Procedures at Meetings) Regulations 2013 (the Regulations)
Related Policies and Codes:	Code of Practice for Access to Council and Committee Meetings and Council Documents Code of Practice for Committee Meeting Procedures
Related Procedures:	

1. BACKGROUND

- 1.1 This Code of Practice applies to the Council, to Committees performing regulatory activities, and to the following Committees, to which the Council resolves by the adoption of this policy to apply Part 2 of the Regulations:
- 1.1.1 The Corporate and Community Services Committee;
 - 1.1.2 The Infrastructure and Environmental Services Committee; and
 - 1.1.3 Any other Committees in respect of which a resolution is made in respect of the Committee under Regulation 5(c) of the Regulations.
- 1.2 For the meeting procedures of other Committees (i.e. Committees not in the above list), see the Code of Practice for Committee Meeting Procedures.
- 1.3 For the Procedures applicable to Working Groups, see the Code of Practice for Working Groups.

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- 1.4 This Code of Practice does not exhaustively outline meeting procedures. This Code of Practice must be read in conjunction with the *Local Government Act 1999* (particularly Chapter 6 Parts 1 to 4) and the *Local Government (Procedures at Meetings) Regulations 2013* (Particularly Parts 1, 2 and 4), which prevail over this Code to the extent of any inconsistency.
- 1.5 This Code of Practice does not derogate from the Council's ability to further determine its procedures at meetings insofar as they are not prescribed by the Act or the Regulations.
- 1.6 In this Code of Practice, **Relevant Committee** means a Committee to which this Code of Practice applies. The Council may make any determination as to the procedures which must be observed by all or particular Relevant Committees in addition to (or to the exclusion of one or more of) the requirements of this Code of Practice.

2. ORDER OF AGENDA

- 2.1 The order of business for Council Meetings shall be as follows:-
 1. Statement of Acknowledgement – “Kaurna People”
 2. Attendance Record
 3. Public Open Forum
 4. Deputations
 5. Petitions
 6. Confirmation of Minutes
 7. Business Arising from Minutes
 8. Officer Reports
 9. Recommendations from Committees
 10. Council Member Reports
 11. Questions on Notice
 12. Questions Without Notice
 13. Motions on Notice
 14. Motions Without Notice
 15. Confidential Reports
 16. Close
 17. Next Ordinary Meeting
- 2.2 The order of business for meetings of Relevant Committees shall be as follows:-
 1. Statement of Acknowledgement – “Kaurna People”
 2. Attendance Record
 3. Deputations / Public Open Forum
 4. Petitions
 5. Confirmation of Minutes
 6. Business Arising from Minutes
 7. Officer Reports
 8. Council Members Reports
 9. Items Listed for Discussion
 10. Items for Discussion at Future Meetings
 11. Questions on Notice
 12. Questions Without Notice

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13. Motions on Notice
14. Motions Without Notice
15. Correspondence
16. Confidential Reports
17. Close
18. Next Ordinary Meeting

2.3 The order of business for a particular Council or Relevant Committee meeting may be changed if a majority of Members present at that particular meeting resolve to do so.

2.4 The foregoing provisions do not derogate from the ability of the Council to determine the procedures of Committee meetings.

3. KAURNA STATEMENT OF ACKNOWLEDGEMENT

The following Kaurna Acknowledgement Statement will be incorporated into each meeting of the Council and of a Relevant Committee:

“We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country.”

The following statement may also be added immediately following the previous acknowledgement statement, at the discretion of presiding member:

“We also acknowledge the Kaurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.”

4. APOLOGIES FROM COUNCIL MEMBERS

If a Council Member of the Council is to be absent from a meeting of the Council or a Relevant Committee, the following actions should be followed:

- 4.1 If members know in advance that they will be absent from a meeting of the Council or a Relevant Committee, they shall preferably advise the Chief Executive Officer, Mayor or Committee Chair by email, or directly by telephone (not a message).
- 4.2 An apology shall be listed on any notice paper (if submitted in time) for each meeting the apology relates to.
- 4.3 For absences from Council meetings, the Council may formally consider a motion to allow "leave of absence" for those members who have submitted an apology (including retrospectively for those who due to unforeseen circumstances provide a late apology).
- 4.4 The Chief Executive Officer shall advise the Mayor/Chair of requests for leave of absence and apologies for non-attendance at Council & Committee meetings

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5. PUBLIC OPEN FORUM

To promote community participation and engagement in the business of the Council, there shall be a 'Public Open Forum' at each ordinary meeting of the Council.

- 5.1 The Forum shall be held after "Deputations" at each Ordinary Meeting of Council and relevant Committees.
- 5.2 The Forum's time limit shall be 20 minutes.
- 5.3 The Mayor/Chair shall ascertain at the commencement of the Forum the number of persons desiring to speak. The time available shall be allocated to the speakers on equal basis with the provision that a maximum of 5 minutes per speaker with an extension by leave of Council available.
- 5.4 The Forum shall be chaired by the Mayor/Chair and speakers shall be asked to observe rulings by the Chair.
- 5.5 Each person utilising the Forum shall be allowed to ask questions of Council.
- 5.6 Each Council Member shall be allowed to ask one question of each person utilising the Forum.
- 5.7 An answer is to be provided by the relevant officer unless the Mayor /Chair determines that a question should be taken on notice. The Mayor/Chair shall indicate the nature of the matter for which the answer is required and who is to provide the answer. Such determination shall be entered into the minute book.

6. PETITIONS

- 6.1 A Petition to Council must:
 - 6.1.1 be legibly written or typed or printed;
 - 6.1.2 clearly set out the request or submission of the petitioners;
 - 6.1.3 include the name and address of each person who signed or endorsed the petition; and
 - 6.1.4 be addressed to Council and delivered to the principal office of the Council.
- 6.2 If a petition is received in the form required above, the Chief Executive Officer shall place a statement as to the nature of the request or submission, and the number of signatures or the number of persons endorsing the petition:
 - 6.2.1 on the agenda for the next ordinary meeting of Council; or
 - 6.2.2 on the agenda for the next ordinary meeting of an appropriate Committee if, in the opinion of the Mayor and the Chief Executive Officer, such action would expedite the nature of the request or submission contained in that petition.

7. MOTIONS OR AMENDMENTS

- 7.1 Subject to 7.3 below, an Council Member who moves a Motion at a Council meeting that is not contained in the Agenda of the meeting must provide the presiding member of the Meeting such Motion in writing;

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- 7.2 Subject to 7.3 below, an Council Member who moves an Amendment to a Motion at a Council meeting that is not contained in the Agenda of the Meeting must provide the presiding member of the meeting with such Amendment in writing;
- 7.3 The presiding member of a Meeting may rule that a Council Member is not required to provide a Motion or an Amendment to a Motion in writing if the presiding member considers that such a Motion or such an Amendment to a Motion is of a minor nature.

8. COUNCIL MEMBERS – REPORTS

- 8.1 Council Members who sit on external bodies (including regional subsidiaries) as a Council Delegate or Representative or similar are requested to report back to Council on matters relevant to Council:
- 8.1.1 provide a link to copies of Minutes on external bodies website; or
- 8.1.2 table at the first ordinary meeting of Council or of a Relevant Committee following a meeting of the relevant body a summary in respect of the meeting of the relevant body.
- 8.2 All reports tabled pursuant to 8.1 above must be included in the Minutes of the Council or Committee Meeting at which such Minutes or summaries were tabled.

9. REVIEW AND EVALUATION

The effectiveness of this Code will be reviewed on a biennial basis.

The Chief Executive Officer will report to Council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Code.

The Code will not be altered or substituted so as to affect a process already commenced.

The Code will be reviewed after each general election of Council.

10. FURTHER INFORMATION

Further information about this Code can be obtained by:-

Telephone: 8522 9211
Fax: 8522 9212
Email: council@gawler.sa.gov.au
Appointment: Town of Gawler Administration Centre, 43 High Street, Gawler East.
Letter: PO Box 130, Gawler SA 5118

11. AVAILABILITY OF THE CODE

The Code is available for inspection during ordinary business hours at the Council principal office, Town of Gawler Administration Centre 43 High Street, Gawler East or is available from the Council website at www.gawler.sa.gov.au.

A copy of this Code will be provided to interested parties upon request, for a fee as contained in the Register of Fees and Charges.