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CODE OF PRACTICE - MEETING PROCEDURES		

PART 1 - PRELIMINARY

1. Introduction

- 1.1. Copper Coast Council (Council) is committed to the principle of honest, open and accountable government and encourages appropriate community participation in the business of Council.
- 1.2. The purpose of the Code of Practice - Meeting Procedures (the Code of Practice) is to establish a consistent approach and provide clear expectations to Council members, staff, residents, ratepayers and guests for the order of business, procedures and etiquette of Council meetings.

2. Scope

- 2.1. In accordance with Chapter 6 of the Local Government Act 1999 (the Act), Council and Council committee meetings are required to observe the Local Government (Procedures at Meetings) Regulations 2013 (the Regulations) and where:
 - 2.1.1. Council meetings (Section 86(8)), insofar as the procedure is not prescribed by either the Act or Regulations – as determined by the Council; and
 - 2.1.2. Council committee meetings (Section 89(1)), insofar as the procedure is not prescribed by the Act or Regulations, or determined by the Council – as determined by the Committee itself.
- 2.2. Part 2 of the Regulations specify certain procedures to be followed during the operation of Council and certain Council Committee meetings, which include:
 - 2.2.1. Council;
 - 2.2.2. A Council committee performing regulatory activities; and
 - 2.2.3. Other Council committees to which Council has resolved to apply Part 2.
- 2.3. It is a mandatory requirement of Council to develop and adopt a Code of Practice for its Council and Council committee meetings that includes meeting procedures that are variations of the Regulations, or concern matters on which the Act and Regulations are silent.
- 2.4. Provisions set out in the Code of Practice reflect the provisions of the Regulations (including numbering) except where Council has utilised its discretionary powers. Regulations that Council have varied under these powers, are highlighted in *blue italics in this document*.
- 2.5. The Code of Practice excludes Council committees established under Section 41 of the Act and the Council Assessment Panel who are required to have their own meeting procedure.

3. Applicable Legislation

3.1. The following legislation applies to this Policy:

- Local Government Act 1999
- Local Government (General) Regulations 2013
- Public Interest Disclosure Act 2020
- Freedom of Information Act 1991

3.2. This Policy is a mandatory requirement and supports good governance.

4. Integration with Corporate Objectives

4.1. This Code of Conduct Policy supports Council's Strategic Plan 2019 - 2029

4.1.1. Governance Objective – Leadership

Goal 5 – To provide leadership and ensure community resources are managed efficiently and effectively.

5.3 Legislation – To adhere to the requirements of the Local Government Act 1999, regulations and other legislation that influences the operations of Council.

5. Related Council Policies and Documents

5.1. This Code of Practice is designed to operate in conjunction with other Council policies, including but not limited to:

- Code of Practice - Access to Meetings and Documents
- Public Interest Disclosure Policy
- Fraud and Corruption, Misconduct and Maladministration Policy.

6. Definitions

For the purposes of the Code of Practice, all terms and references are as defined in the Local Government Act 1999 and the Local Government (Procedures at Meetings) Regulations 2013 in addition, the following definitions apply:

6.1. **Chief Executive Officer (CEO)** means the appointed Chief Executive Officer under Section 96 of the Local Government Act 1999 and includes any person acting or delegated by the Chief Executive Officer's under Sections 100 and 101 of the Local Government Act 1999.

7. Application

7.1. The Code of Practice - Meeting Procedures applies to Council and Council committee meetings (including Information or Briefing Sessions) and should be read in conjunction with Council's Code of Practice - Access to Meeting and Documents.

7.2. **Regulation 4 - Guiding Principles** should be applied with respect to the procedures to be observed at Council or Council committee meetings:

7.2.1. Procedures should be fair and contribute to open, transparent and informed decision-making;

7.2.2. Procedures should encourage appropriate community participation in the affairs of the Council;

7.2.3. Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;

7.2.4. Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting;

PART 2—MEETINGS OF COUNCIL AND COUNCIL COMMITTEES

Regulation 5 - Application of Part

1. The provisions of this Part apply to or in relation to—
 - a) the meetings of a Council; and
 - b) the meetings of a Council committee performing regulatory activities; and
 - c) the meetings of any other Council committee if the Council has, by resolution, determined that this Part should apply to that committee.

Regulation 6 - Discretionary Procedures

1. Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the Council pursuant to this Clause, then a Council may, by a resolution supported by at least two-thirds of the Council members entitled to vote on the resolution, determine that a Code of Practice prepared or adopted by the Council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).
2. A Council should, at least once in every financial year, review the operation of a Code of Practice under this regulation.
3. A Council may at any time, by resolution supported by at least two-thirds of the members of the Council entitled to vote on the resolution, alter or substitute or revoke a Code of Practice.
4. A Council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.
5. A person is entitled to inspect (without charge) the Code of Practice of a Council under this regulation at the principal office of the Council during ordinary office hours.
6. A person is entitled, on payment of the fee set by the Council as outlined in the Register of Fees and Charges, to a copy of the Code of Practice.
7. Regulation 12(4) does not apply to a motion under sub-regulation (3).
8. This regulation does not limit or derogate from the operation of regulation 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 Clause), then the relevant procedure will be—

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

(See Sections 86(8) and 89(1) of the Act.)

Regulation 7 - Commencement of Meetings and Quorums

1. A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
2. If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.
3. If at the expiration of thirty (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 minutes of the meeting, the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

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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.
6. Each meeting will commence with an Acknowledgment to Country by the Presiding Member.
7. At the appropriate place on the agenda the Presiding Member will draw the attention of members to the Disclosure Statement relating to Sections 73, 74, 75 and 75A of the Act. Any disclosure of interest will be recorded in the minutes.
8. The Chair of a Committee or any member of a Committee may provide apologies to the relevant Council officer at a meeting of a Section 41 Committee, in which case, the apologies will be recorded in the minutes of the meeting.
9. Council and Committee meetings will conclude no later than 10.00 pm, unless the meeting formally resolves on each specific occasion to continue beyond that time. When a meeting is likely to continue beyond 10.00 pm, a motion is to be put to the meeting whether to continue or adjourn to another date and time.
10. The proceedings of a Council or Committee meeting are not permitted to be photographed or recorded in any way by members of the public, unless permission is specifically sought and given by the Mayor and Chief Executive Officer prior to the meeting.

Regulation 8 - Minutes

1. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
2. No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
3. On the confirmation of the minutes, the Presiding Member will—
 - a) initial each page of the minutes, which pages are to be consecutively numbered; and
 - b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 3a. For the purposes of sub-regulation (3), the Presiding Member may initial or sign the minutes in hardcopy or electronically.*
4. The minutes of the proceedings of a meeting must include—
 - a) the names of the members present at the meeting; and
 - b) in relation to each member present—
 - (i) the time at which the person entered or left the meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
 - c) each motion or amendment, and the names of the mover and seconder; and
 - d) any variation, alteration or withdrawal of a motion or amendment; and
 - e) whether a motion or amendment is carried or lost; and
 - f) any disclosure of interest made by a member; and
 - g) an account of any personal explanation given by a member; and
 - h) details of the making of an order under Section 90(2) of the Act (see subsection (7) of that Section of the Act); and
 - i) a note of the making of an order under Section 91(7) of the Act in accordance with the requirements of Section 91 (9) of the Act; and

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- 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.
5. *The name(s) of person(s) wishing to appear as a deputation and the subject matter will be recorded in the minutes of a Council or Committee meeting, but the details of the content of the deputation will not be included.*
 6. *The debate in relation to any motion or any meeting informalities will not be recorded in the minutes.*
 7. *All motions where there are no votes against will be minuted as being 'Carried Unanimously'.*
 8. *The draft version of minutes will be made available electronically to members and placed on Council's website for the public within five (5) days of the meeting.*
 9. *Following confirmation of the minutes as being true and correct and signed by the Presiding Member, the draft version of the minutes will be removed and the signed version placed on Council's website.*

Regulation 9 - Questions

Questions on Notice

1. A member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least *six (6)* clear days before the date of the meeting at which the question is to be asked.
2. If the question on notice is given under sub-regulation (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 questions on notice is required to be received by the Chief Executive Officer no later than 5.00 pm, six (6) clear days before the date of the meeting at which the question is to be asked (in this case as the Council meets on a Wednesday, the deadline is 5.00 pm the prior Wednesday).*
4. *A question on notice received after the timeframe specified in provision 3 above will be treated as a question for a subsequent meeting of the Council.*
5. *The answer to a Question on Notice is to be circulated in writing at the Council Meeting at which the question is asked. If it is not possible for the Administration to compile an answer in the time prior to the Council Meeting, the reason is to be recorded in the minutes and the answers provided at the next available Council Meeting.*
6. *The Presiding Member may rule that a question with notice not be answered if the Presiding Member considers that the question is vague, irrelevant, insulting or improper and must communicate the reason with the member who asked the question.*

Questions Without Notice

7. A member may ask a question without notice at a meeting.
8. The Presiding Member may allow the reply to a question without notice to be given at the next meeting.

9. 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.
10. *The Presiding Member will assess the question without notice and administer as follows:*
- a) The Presiding Member may rule that a question without notice not be answered if the question is considered vague, irrelevant, insulting or improper *and will communicate the reason with the member who asked the question.*
 - b) The Presiding Member may answer the question themselves or ask the Chief Executive Officer or another member to respond.
 - c) *If a response is not able to be given at the meeting, the Chief Executive Officer will prepare a response via email as soon as reasonably practicable after the meeting.*
 - d) *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. If there is a resolution for the question and reply to be recorded in the minutes it will be treated as follows:*
 - (i) *should an answer to the question be given at the meeting then the question and answer will be recorded in the minutes for that meeting;*
 - (ii) *if the question cannot be answered at the meeting then only the question will be recorded in the minutes. In this case, if the member would like both the question and answer recorded in the minutes they must submit the question as a question on notice to a future meeting.*
 - e) *The Presiding Member may allow the reply to a question without notice to be given at the next meeting.*
11. *A member may ask a question prior to the moving of a motion or during debate on a motion (or an amendment) for clarification purposes only, without losing their right to speak to the motion (or the amendment). Questions should be succinct and relevant to the matter and not a statement.*
12. *Questions asked during the course of discussion or debate in a meeting that requires an answer will be directed to the Presiding Member, and will not be asked directly to a member or officer. Answers given in response to such questions will also be directed to the Presiding Member.*
13. *Wherever possible, any queries should be referred to the Chief Executive Officer prior to meeting for any explanation and clarification as necessary.*

Public Questions Time

14. *A period of fifteen (15) minutes will be made available at the commencement of each ordinary Council Meeting to provide an opportunity for members of the public to ask questions of the Council.*
15. *A maximum time of five (5) minutes per representative will apply. The Presiding Member may allow for an extension of time if appropriate.*
16. *People wishing to ask questions are encouraged to advise the Chief Executive Officer of the nature of their question in writing at least seven (7) working days prior to the meeting, to enable the question/s and answer/s to be included in the publicly available agenda for the Council meeting.*
17. *Should notice of the question/s be advised to the Chief Executive Officer less than seven (7) working days prior to the meeting, staff will make the best possible effort to provide an answer at the meeting, which the Presiding Member will read out.*
18. *If there has been insufficient notice given to allow the Presiding Member to give an answer to the question at the meeting, the question will be taken on notice and an answer given in the Agenda for the next meeting of Council.*

19. *The Presiding Member will provide an answer to the question asked and the answer will be recorded in the minutes. Where the question was:*
- a. *asked with notice, a written copy of the answers will be provided to the person who asked the question following the giving of the answer.*
 - b. *asked without notice, a copy of the written response will be forwarded to the person who asked the question within three working days.*
 - c. *taken on notice, the question and an answer to the question will be entered into the Agenda and minutes of the next ordinary Council Meeting and a copy of the answer will be provided directly to the person who asked the question.*
20. *The Presiding Member may refuse to allow a public question to be listed or refuse to respond to a question put at a meeting without notice that:*
- a. *is unlawful in any way;*
 - b. *contains defamatory remarks, offensive or improper language;*
 - c. *questions the competency of Council staff or Council members;*
 - d. *relates to the personal affairs or actions of Council staff or Council members;*
 - e. *relates to confidential matters, legal advice or actual or possible legal proceedings;*
 - f. *is, in the reasonable opinion on the Presiding Member, proffered to advance a particular point of view, rather than to make a genuine inquiry;*
 - g. *is vague in nature, or irrelevant to Council;*
 - h. *is not related to Council activities; or*
 - i. *is a question that has been substantially asked and answered at a previous Council meeting.*
21. *No debate is permitted on either the question or the answer*

Regulation 10 - Petitions

1. A petition to the Council must—
 - a) be legibly written or typed or printed; and
 - b) clearly set out the request or submission of the petitioners; and
 - c) include the name and address of each person who signed or endorsed the petition; and
 - d) be addressed to the Council and delivered to the principal office of the Council; *OR*
 - e) *be addressed to the Council and delivered to the Council by means determined by the Chief Executive Officer.*
2. If a petition is received under sub-regulation (13.1), 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-regulation (2) may be varied at the discretion of the Council pursuant to Regulation 6.
4. *Each page of a petition is to be presented by the head petitioner to Council's Administration and identify the name and contact details of the head petitioner.*
5. *Each page of a petition presented to Council is to restate the whole of the request or submission of the petitioners.*

6. *Where a page of a petition does not comply with Council provision 5 above, the signatures on that page are not to be taken into account by the Council when considering the petition.*
7. *A petition to the Council must be received no less than six (6) clear days prior to the date of the next ordinary meeting of the Council (in this case as the Council meets on a Wednesday, the deadline is 5.00pm the prior Wednesday), or the date at which the head petitioner requests that the petition be presented to the Council. Petitions received less than six (6) clear days will be tabled at the next subsequent meeting.*
8. *On receipt of a petition, a summary report providing the statement as to the nature of the request or submission of the petitioners, and the number of signatures with name and address details (address includes street name and/or suburb name) on the petition, will be placed on the agenda for the next ordinary council meeting, subject to provision 7 above.*
9. *Signatures without name and address details will not be counted as valid signatories.*
10. *Online petitions will be dealt with as above and must meet the following requirements to be presented to Council:*
 - *the petition must clearly set out the request or submission of the petitioners*
 - *the names and addresses of each signatory must be clearly identified (in the case of an address, this must be by reference to at least a street and suburb)*
 - *the petition must be provided to Council either by mail (including email) or in person.*
11. *A full copy of the petition will not be included in the agenda, (summary only), to protect the privacy of individuals. Members may request a copy of the petition and it is the responsibility of the members NOT to distribute or publish a copy of the full petition.*

Regulation 11 - Deputations

1. A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the Council) a written request to the Council. *OR*
1. *A person or persons wishing to appear as a deputation at a meeting must deliver (to the council by means determined by the Chief Executive Officer) a written request to the Council.*
2. The Chief Executive Officer must transmit a request received under sub-regulation 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.
8. *A request for a deputation to the Council must be received no less than six (6) clear days prior to the date of the next ordinary meeting of the Council (in this case as the Council meets on a Wednesday, the deadline is 5.00 pm the prior Wednesday). Any request for a deputation received after this time will be treated as a request to appear at the next subsequent meeting.*

9. Any person(s) wishing to appear as a deputation on behalf of an organisation, must, prior to the Council or Committee meeting at which they wish to appear, advise the Chief Executive Officer in writing of the date of formation and/or incorporation of their organisation, provide a copy of the Constitution and/or Rules of the organisation, a list of members, and evidence in the form of a minute that the organisation and/or body has approved the deputation.
10. Where an organisation has provided its incorporation details as outlined in provision 8 above, it will not be required to provide this information again for the term of the current Council.
11. A deputation may not exceed three (3) people and must not exceed five (5) minutes in total, not including questions from members at the end of the deputation, except with the consent of the Presiding Member.

Regulation 12 - Motions

1. A member may bring forward any business in the form of a written notice of motion.
2. The notice of motion must be given to the Chief Executive Officer at least *six (6)* 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-regulation (3) is lost, a motion to the same effect cannot be brought—
 - a) until after the expiration of twelve (12) months; or
 - b) until after the next general election, whichever is the sooner.
5. Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.
6. The Presiding Member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
7. The Presiding Member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the Council or Council committee (as the case may be).
8. A motion will lapse if it is not seconded at the appropriate time.
9. A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion, *unless the seconder reserves their right to speak to the motion at a later stage of the debate, in which case the seconder will not be considered to have spoken to the motion.*
10. A member may only speak once to a motion (*which includes speaking to an amendment to a motion*) except—
 - a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
 - b) with leave of the meeting; or
 - c) as the mover in reply.
11. A member who has spoken to a motion *or has reserved their right to speak to the motion at a later stage pursuant to sub-regulation (9)* may not at a later stage of the debate move or second an amendment to the motion.
12. A member who has not spoken in the debate on a question may move a formal motion.
13. A formal motion must be in the form of a motion set out in sub-regulation (14) (and no other formal motion to a different effect will be recognised).

14. If the formal motion is—
- a) that the ***meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or
 - b) that the ***question be put***, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the Presiding Member without further debate; or
 - c) that the ***question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
 - d) that the ***question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
 - e) that the ***meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
15. If seconded, a formal motion takes precedence and will be put by the Presiding Member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
16. A formal motion does not constitute an amendment to a substantive motion.
17. If a formal motion is lost—
- a) the meeting will be resumed at the point at which it was interrupted; and
 - b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least one (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-regulation (14)(c) lapses at the next general election.
20. The Chief Executive Officer must report on each question that lapses under sub-regulation (19) to the Council at the first ordinary meeting of the Council after the general election.
21. Sub-regulations (9), (10) and (11) may be varied at the discretion of the Council pursuant to regulation 6.
22. *All notices of motion are required to be received by the Chief Executive Officer no later than 5.00 pm six (6) clear days before the date of the meeting at which the motion is to be moved (in this case as the Council meets on a Wednesday, the deadline is 5.00 pm the prior Wednesday).*
23. *A notice of motion received after the time specified in Council provision 22 above will be treated as a notice of motion for a subsequent meeting of the Council.*
24. *When placing a motion with notice in an agenda, the Chief Executive Officer may take the opportunity to provide written comments to assist the Council to make an informed decision in relation to the item (Administrative comments).*

25. *A member may ask a question prior to the moving of a motion, or during debate on a motion (including debate on an amendment to the motion), for clarification purposes only, without losing their right to speak to the motion. Questions should be succinct and relevant to the matter and not a statement.*
26. *A motion without notice (unrelated to an agenda item of business) will not be accepted for debate at the meeting at which it is brought forward unless:*
 - *the presiding member determines that the matter is one of urgency; and*
 - *in the opinion of the presiding member, the motion relates to an issue that does not require additional information in order to make an informed decision on the motion.*
27. *A member wishing to move a motion that is different from that recommended in a Council report is encouraged to make available a written copy of their proposed motion to assist the Presiding Member in the conduct of the meeting.*
28. *Where a member who has given notice of motion in accordance with Regulation 12(2) is absent from the meeting at which the motion is to be considered, the motion will be adjourned to the next meeting, unless the presiding member has received written authority from the member in advance of the meeting for a different member to move the notice of motion.*
29. *For the purposes of Regulation 12(8), the Presiding Member is to ask for a seconder before declaring that an amendment has lapsed.*
30. *For the purposes of Regulation 12(10), an amendment to a motion is an alteration to the wording of a motion. It is a procedural device for the purposes of refining the motion, it is not a motion in its own right. As such, a member speaking to an amendment will be taken to have spoken to the motion. Similarly, a member that has spoken to a motion prior to the proposed amendment is not permitted to speak to the amendment, in the absence of leave of the meeting.*

Regulation 13 - Amendments to Motions

1. A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
2. An amendment will lapse if it is not seconded at the appropriate time.
3. A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates, *unless at the time of moving or seconding the amendment, the mover or seconder reserves their right to speak to later in the debate, in which case the mover or seconder will not be taken to have spoken to the amendment, or the motion to which the amendment relates.*
4. If an amendment is lost, only one (1) further amendment may be moved to the original motion.
5. If an amendment is carried, only one (1) further amendment may be moved to the original motion.
6. Sub-regulations (1), (3), (4) and (5) may be varied at the discretion of the Council pursuant to Regulation 6.
7. *Where possible, amendments are to be provided to the minute taker in writing to ensure accuracy of recording in the minutes.*
8. *For the purposes of Regulation 13(2), the Presiding Member is to ask for a seconder before declaring that an amendment has lapsed.*

Regulation 14 - Variations etc

1. The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
2. The Presiding Member must immediately put the question for leave to be granted and no debate will be allowed on that question.

Regulation 15 - Addresses by Members etc

1. A member must not speak for longer than five (5) minutes at any one (1) time without leave of the meeting.
2. A member may, with leave of the meeting, raise a matter of urgency.
3. A member may, with leave of the meeting, make a personal explanation.
4. The subject matter of a personal explanation may not be debated.
5. The contribution of a member must be relevant to the subject matter of the debate.
6. Sub-regulation (1) and (2) may be varied at the discretion of the Council pursuant to Regulation 6.
7. *The Presiding Member shall reserve their contribution to the end of the debate (but before the mover speaks in reply) so as to avoid any suggestion of 'leading' the meeting. Noting that the role of the Presiding Member is to enhance the debate and that they can ask questions and add valuable information to the debate that the meeting may not be fully aware of.*

Regulation 16 - Voting

1. The Presiding Member, or any other member, may ask the Chief Executive Officer to read out a motion before a vote is taken.
2. The Presiding Member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
3. A person who is not in his or her seat is not permitted to vote.
4. Sub-regulation (3) may be varied at the discretion of the Council pursuant to Regulation 6.
5. *Each item of business on the agenda is to be voted on separately.*
6. *Decisions at Council meetings are decided by a majority of the votes of the Members present at the meeting and entitled to vote. Voting is generally by a show of hands. Each member present at the meeting must vote on any question for decision except for the Presiding Member or in cases where a Member is precluded from doing so by the Act, eg if the member has an interest in the matter being decided. A member is not entitled to abstain from voting, there is a duty to be present and a duty to vote, generally status quo.*
7. *The Presiding Member does not have a 'deliberative' vote. However, if the numbers voting for and against are even then she or he has a casting vote.*

Regulation 17 - Divisions

1. A division will be taken at the request of a member.
2. If a division is called for, it must be taken immediately and the previous decision of the Presiding Member as to whether the motion was carried or lost is set aside.
3. The division will be taken as follows:
 - a) members voting in the affirmative will, until the vote is recorded, stand in their places;
 - b) 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-regulation (3) may be varied at the discretion of the Council pursuant to Regulation 6.
6. *Members wishing to vote in the affirmative but are unable to stand due to extenuating circumstances may indicate their affirmative vote by raising a hand or indicating in some other clear manner.*
(NOTE: No division can be called on an amendment as it is not a motion).

Regulation 18 - Tabling of Information

1. A member may require the Chief Executive Officer to table any documents of the Council relating to a motion that is before a meeting (and the Chief Executive Officer must then table the documents within a reasonable time, or at a time determined by the Presiding Member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).
2. The Chief Executive Officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under Section 90 or 91 of the Act.
3. *A member will give, where practicable to do so, as much notice as possible to the Chief Executive Officer so that the Information can be searched for and provided.*
4. *If a member cannot request the information from the Chief Executive Officer prior to the meeting, they must advise the Presiding Member, as soon as practicable, that the information is required, giving maximum time for the information to be tabled.*
5. *The Presiding Member may defer a matter to a later stage in the meeting until the Chief Executive Officer has had time to locate the information.*
6. *The Presiding Member may still put the matter to the vote if the requested documents do not exist or are not held by the Council or have no relevance to the matter.*

Regulation 19 - Adjourned Business

1. If a formal motion for a substantive motion to be adjourned is carried—
 - a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
 - b) the debate will, on resumption, continue from the point at which it was adjourned.
2. If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.
3. Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
4. The provisions of this regulation may be varied at the discretion of the Council pursuant to Regulation 6.

Regulation 20 - Short Term Suspension of Proceedings

1. If the Presiding Member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the Presiding Member may, with the approval of at least 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.

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2. The Guiding Principles must be taken into account when considering whether to act under sub-regulation (1).
3. If a suspension occurs under sub-regulation (1) —
 - a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
 - b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—
 - (i) the provisions of the Act must continue to be 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.

Regulation 21 - Chief Executive Officer may submit report recommending revocation or amendment of Council decision

1. The Chief Executive Officer may submit a report to the Council recommending the revocation or amendment of a resolution passed since the last general election of the Council.
2. The Chief Executive Officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.
3. The provisions of this Clause may be varied at the discretion of the Council pursuant to Regulation 6.

PART 3 – MEETINGS OF OTHER COMMITTEES

Regulation 22 - Application of Part

The provisions of this Part apply to or in relation to the meetings of any Council committee that is not subject to the operation of Part 2.

1. A member at a Council committee meeting may remain seated when speaking to a matter being considered at a Committee meeting.
2. This Part 3 applies to the Audit and Risk Committee.

Regulation 23 – Notice of Meetings for Members

3. 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.

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Regulation 24 - Public Notice of Committee Meetings

1. Pursuant to Section 88(7) of the Act, Section 88 is modified in its application in relation to the meetings of a Committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:
 - a) that public notice need not be given for each meeting separately; and
 - b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

Regulation 25 - Minutes

1. The minutes of the proceedings of a meeting must include—
 - a) the names of the members present at the meeting; and
 - b) each motion carried at the meeting; and
 - c) any disclosure of interest made by a member; and
 - d) details of the making of an order under Section 90(2) of the Act (see subsection (7) of that section); and
 - e) a note of the making of an order under Section 91(7) of the Act in accordance with the requirements of subsection (9) of that section.
2. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

PART 4—MISCELLANEOUS**Regulation 26 - Quorum for Committees**

1. The prescribed number of members of a Council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.
2. For the purposes of this regulation, the ***prescribed number*** of members of a Council committee is—
 - a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the Committee by 2, ignoring any fraction resulting from the division, and adding 1; or
 - b) a number determined by the Council.

Note— See also section 41(6) of the Act.

Regulation 27 - Voting at Committee Meetings

1. Subject to the Act and these regulations, a question arising for decision at a meeting of a Council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
2. Each member of a Council who is a member of a Council committee and who is present at a meeting of the Committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
3. The Presiding Member of a Council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.
4. *Each member of a Council committee who is present at a meeting of the Committee, must, subject to a provision of the Act to the contrary, vote on a question for decision at that meeting.*
5. *If a vote is tied and cannot be resolved by the Committee, the matter is to be considered as lost.*

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Regulation 28 - Points of Order

1. The Presiding Member may call to order a member who is in breach of the Act or these regulations.
2. A member may draw to the attention of the Presiding Member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.
3. A point of order takes precedence over all other business until determined.
4. The Presiding Member will rule on a point of order.
5. If an objection is taken to the ruling of the Presiding Member, a motion that the ruling not be agreed with must be moved immediately.
6. The Presiding Member is entitled to make a statement in support of the ruling before a motion under sub-regulation (5) is put.
7. A resolution under sub-regulation (5) binds the meeting and, if a ruling is not agreed with—
 - a) the ruling has no effect; and
 - b) the point of order is annulled.

Regulation 29 - Interruption of Meetings by Members

1. A member of a Council or Council committee must not, while at a meeting—
 - a) behave in an improper or disorderly manner; or
 - b) cause an interruption or interrupt another member who is speaking.
2. Sub-regulation (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-regulation (1), the member must be allowed to make a personal explanation.
4. Subject to complying with sub-regulation (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-regulation (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-regulation (4); or
 - b) enters a meeting in contravention of a suspension under sub-regulation (5), is guilty of an offence.

Maximum penalty: \$1,250.

Regulation 30 - Interruption of Meetings by Others

1. A member of the public who is present at a meeting of a council or council committee must not—
 - c) behave in a disorderly manner; or
 - d) cause an interruption.

Maximum penalty: \$500.

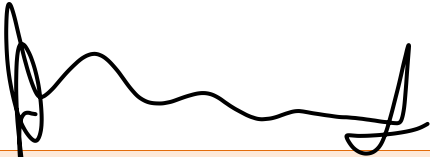

PART 5 - MISCELLANEOUS MEETING PROCEDURES

1. Member reports

- a) In the event wishes to include their activities in the Council agenda, Members are required to submit their activity reports in writing to the Chief Executive Officer no less than six (6) clear days prior to the date of the next ordinary meeting of the Council (in this case as the Council meets on a Wednesday, the deadline is 5.00 pm the prior Wednesday).

2. Appointment to External Bodies

- a) The Presiding Member is to call for nominations before debate on a motion to appoint members to Committees and/or organisations (Council and external) can occur. If there are more nominations than positions, a ballot will be conducted.
- b) All members (including the Presiding Member) will indicate which member(s) they wish to vote for on the ballot paper.
- c) A Council officer will conduct the count and provide the vote outcome to the Chief Executive Officer, who is to report the numbers to the Presiding Member and confirm the vote count.
- d) In the case of a tied ballot, members are to cast a further vote for their preferred candidate from the candidates who are tied (repeat paragraph 5(b) and 5(c) above). In the event that a revote cannot determine a clear winner (there is a continuing tie), then lots must be drawn to determine which candidate(s) will be excluded.
- e) The Presiding Member will then announce the successful candidate.
- f) The meeting will then make the appointment by resolution.

Signed		
	Mayor	Chief Executive Officer
Date	6th July 2022	