



# KENTISH COUNCIL POLICY

## MEETING PROCEDURE

### Policy Number 03:03:2015

<b>POLICY NUMBER</b>	03:05:2015
<b>OBJECTIVE</b>	To establish a policy to assist in regulating proceedings at Council Meetings and Council Committee Meetings. Issues include: <ul style="list-style-type: none"><li>- Appointment of Council Representatives to Committees of Council and Outside Bodies</li><li>- Petitions</li><li>- Public Question Time</li><li>- Deputations</li></ul>
<b>STATUTORY AUTHORITY</b>	Local Government Act 1993 Local Government (Meeting Procedures) Regulations 2005
<b>POLICY</b>	Adopted 19/05/2015                      Minute 11:1:1
<b>REVIEW</b>	The effectiveness of this Policy will be reviewed every 2 years.

#### 1. APPOINTMENT OF COUNCIL REPRESENTATIVES TO COMMITTEES OF COUNCIL AND OUTSIDE BODIES

(1) With the exception of appointments made by the Council under any enactment, all representative appointments of the Council to community committees and outside bodies expire at the first Council meeting following every ordinary Council election and each person is to be appointed in accordance with the following procedure:

- Nominations are to be put before the meeting and the nomination must be accepted by the nominee to be further considered.
- Nominations do not require a seconder.



- Where there are more than two nominees for an appointment, the election is to be conducted in the following manner:
  - the vote is to be taken in stages;
  - the nominee having the least number of votes in a ballot is eliminated;
  - this procedure is to be followed until the number of nominees has been reduced to one;
  - if there is a tie in the number of votes cast for two or more nominees, all councillors (including the nominees) are to cast their votes to determine the successful nominee on a simple majority vote; and
  - only councillors who are present may vote.
- (2) If there is a casual vacancy for a representative appointment made by Council, then the Council is to elect a replacement appointee to fill the vacancy at the earliest available meeting of the Council in accordance with the above procedure.

## 2. PETITIONS

### (1) Formal Petitions

If a petition is presented to Council pursuant to s58 of *the Local Government Act*, that petition shall not be subject to any motion at the time but shall be taken to be accepted by the Council as prescribed by s58(2) of *the Local Government Act*. If the petition does not comply with the requirements of the Act, it is to be treated as correspondence by the General Manager.

### (2) Other Petitions

A petition is to be presented to an ordinary meeting of the Council and is to be presented in the following form and manner:

- the petition is to be clearly written or printed;
- a petitioner is to include their name, address and usual signature;
- the subject matter of the petition is to be contained at the head of every separate sheet;
- the petition is to be received by the general manager at least two working days before the meeting to which it is to be presented;
- the General Manager is to strike out any comments which, in his opinion, are of offensive imputation upon the character or conduct of an employee, member of the Council or any person;
- the General Manager is to read the petition to the meeting; and
- as soon as the petition has been read the Chairperson is to invite a motion “that the petition be received.



### 3. PUBLIC QUESTION TIME

Session to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 15 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject.
- Questions relating to planning matters on the Agenda will not be accepted during Public Question Time.
- Each speaker is limited to a maximum of 1 minute to address Council but then must ask their question.

### 4. DEPUTATIONS

Pursuant to Regulation 38 of the Meeting Procedures Regulations the Chairperson may invite a person to address a meeting and to make statements or deliver reports.

Such invitation may be at the initiation of the Council and others by request from members of the public or from other third parties.

Time will be set aside at an ordinary meeting of the Council as an item on the Agenda for the purpose of receiving Deputations to the Council in open Council, and where necessary may also be in Closed Council and requests for a deputation to the Council will be in accordance with the following Policy and Procedure:

- 1) A person who intends or wishes to comprise a deputation to the Council or any Council committee is to:-
  - make a written request to the Chairperson setting out the likely members of the deputation;
  - the purpose of the request; and
  - the nature of the matter or matters intended to be placed before the Council or Council committee.
- 2) The chairperson is to decide whether or not the deputation is to be received.
- 3) If the chairperson decides that the deputation is to be received, the Chairperson is to inform the General Manager to note the item on the appropriate agenda.
- 4) If the Chairperson decides that the deputation is not to be received, any person who intends to comprise the deputation may appeal that decision in writing to the General Manager who is to list this appeal on the agenda of the next ordinary meeting of Council.
- 5) The Council may by absolute majority uphold the appeal and if an appeal is upheld the deputation is to proceed in accordance with the Regulation 38 of the Local



Government (Meeting Procedures) Regulations 2005 and this Policy and Procedure.

- 6) A deputation –
  - is not to exceed 3 persons; and
  - is not to be permitted to continue in attendance on the Council or committee for a longer period than 15 minutes.
- 7) Unless the Council or committee decides otherwise, the recommendation, request or other matter placed before the Council or Council committee from a deputation is not to be considered until the deputation has withdrawn.
- 8) The Council or committee may by resolution invite a person to address the meeting and to make statements or deliver reports.

### Notes

- The speaker is required to follow the direction of the Chairperson in relation to how and when they may make the statement.
- When the speaker has been invited forward by the Chairperson they are to introduce themselves to the meeting, stating where they are from (town or suburb) before commencing their statement.
- The speaker is reminded that Council Meetings are open forums and unlike State and Commonwealth parliaments these meetings do not have protection from parliamentary privilege. This means any statement made will need to take into account the rights of other persons.
- At the meeting the speaker is fully responsible to ensure that the statement is accurate and that the statement is not defamatory, does not disclose any confidential information or personal information and does not disclose any commercial-in-confidence information.
- Should the statement be defamatory or disclose confidential information or personal information, or disclose commercial-in-confidence information then the speaker agrees that they will be fully responsible for any issues which follow from the statement.