



**Code of Practice for Council and Council Committee
Meeting Procedures**

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1. PURPOSE

The purpose of this Code is to establish a consistent approach and provide clear expectations for Council employees, residents, ratepayers and guests regarding the order of business (Agenda style and format), procedures and conduct of Council meetings. This Code will be used to assist in achieving Council's objective to ensure governance systems are open and transparent to all stakeholders.

The Code complements and is applied in conjunction with the prescribed procedures set out in the Local Government Act 1999 and the Local Government (Procedures at Meetings) Regulations 2013 except where Council has, in accordance with Regulation 6, chosen to vary the application of the Regulations.

This Code applies to all ordinary and special meetings of Council and the Audit Committee.

2. CODE

2.1. INTRODUCTION

The Regulations allow a Council to add or vary certain provisions to meeting procedures by adopting a Code of Practice for its Council meetings. Council follows the rules and procedures outlined in the:

- Local Government Act 1999 (Chapter 6)
- Local Government (Procedure at Meetings) Regulations 2013 Code of Practice for Meeting Procedures

Council welcomes and encourages the attendance of the public at all meetings, unless a specific confidential order applies. This Code is to be read in conjunction with Council's Code of Practice - Access to Council and Committee Meetings and Documents.

Council meetings will ordinarily be held in the Council Boardroom at 6-9 Richardson Place, Roxby Downs SA 5725, on the last Wednesday of each month commencing at 4:00pm (unless otherwise determined by the Council Administrator)

2.2. GUIDING PRINCIPLES (REGULATION 4)

Legislation
<p>The following principles (the Guiding Principles) should be applied with respect to the procedures to be observed at a meeting of council:</p> <ul style="list-style-type: none">• Procedures should be fair and contribute to open, transparent and informed decision-making• Procedures should encourage appropriate community participation in the affairs of the Council• Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting• Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

2.3. AGENDA AND ORDER OF BUSINESS

Council will have a standard template Agenda for all Council and Council Committee meetings. This template will be subject to compliance with the Act, Regulations and this Code. The template Agenda for ordinary and special meetings is provided in Attachment 1. This template may be varied by the Chief Executive as required.

A full copy of the notice, agenda and reports will be available from Council's website (www.roxbydowns.sa.gov.au).

The order of agenda items may be varied by the Administrator in consideration of the needs of the public, employees, consultants, individual members or any person making a deputation, presentation or participating in the public forum.

2.4. PROCEDURES OF AGENDA ITEMS AT A MEETING

2.4.1. Welcome

The Administrator or, in the case of a Council Committee, the Presiding Member will welcome those in attendance.

2.4.2. Acknowledgement of Country Statement

An Acknowledgement of Country is a way of showing respect and an awareness of Aboriginal and Torres Strait Islander owners of the land on which a meeting or event is being held, and of recognising the continuing connection of Aboriginal and Torres Strait Islander peoples to their Country.

For meetings held in Roxby Downs:

“I wish to acknowledge the Kokatha peoples, the Traditional Owners of the land on which Roxby Downs is located and pay my respect to their Elders past and present and extend that respect to other Aboriginal and Torres Strait Islander people who may be present today”.

For meetings held in Adelaide:

“I wish to acknowledge this land that we meet on today as the traditional lands for the Kaurna people and we respect their spiritual relationship with their country. 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”.

2.4.3. Brief Statement to Public Gallery (if members of public are present)

Where a number of members of the public are present, the Administrator may advise that while the public are encouraged and are welcome to attend, that Council are formal meetings that are subject to specific meeting procedures. This means that there are designated sections of the meeting (e.g. Public Forum and Deputations) where members of the public can directly interact in the meeting, with the remainder of the meeting only providing the public with an opportunity to listen to the meeting proceedings in an observer role. As this is undertaken for information purposes only, no record will be made in the Minutes in relation to this matter.

2.4.4. Officers in Attendance, Public Gallery and Media Present

A record is to be taken of those employees present at the meeting, their name and position and these details are to be recorded in the Minutes.

2.4.5. Confirmation of Minutes of the Previous Meeting

Legislation – Regulation 8

- (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.

2.4.6. Deputations

Legislation – Regulation 11

- (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 subregulation (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.

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 as set out below) a written request on the Deputation Request Form at least 7 days before the Council meeting at which they wish to speak. This form can be lodged at the Council via:

Reception: 6-8 Richardson Place, Roxby Downs, SA 5725

Mail: PO Box 124, Roxby Downs SA 5725

Email: roxby@roxbycouncil.com.au

The Administrator will determine whether or not the deputation is allowed. If consent for a deputation is refused the Administrator will report that fact at the next Council meeting.

Deputation Guidelines have been developed to identify how deputations will be managed, including that deputations are to be received within a timeframe that allows for gaining approval from the Administrator.

If the deputation does not relate to a matter of business on the Agenda, then the written request must be received by Council administration at least seven (7) days prior to the meeting for which the deputation is being requested, prior to the deadline for preparing the Agenda.

Deputation requests must include sufficient information regarding the issue and indicate the preferred meeting where the deputation is to be heard. The topic must be clearly stated and must be relevant to the matters for which Council has responsibility.

A person or persons wishing to appear as a deputation at a meeting may appear by electronic means.

The Chief Executive will (with respect to a request that has not been refused), when informing the person or persons who requested the deputation of the outcome of their request, indicate the method by which the person or persons are to appear at the meeting.

Whether or not a deputation may be allowed or refused is to be determined on a case by case basis. In determining whether a deputation is allowed, the following considerations will be taken into account:

- The subject matter of the proposed deputation
- Whether the subject is within the jurisdiction of the Council
- Relevance to the Agenda of the meeting nominated

- The size and extent of the Agenda for the particular meeting

A Deputation is generally to be restricted to a maximum of 10 minutes (unless otherwise agreed with the Administrator). The Administrator has the authority to terminate any deputation at any time where it fails to conform to the Deputation Guidelines or any other reasonable request of the Administrator.

The Minutes of the meeting will include a record of the name of the individual making a deputation and a brief description on the nature of the matter being discussed.

2.4.7. Petitions

A petition template is available for downloading via Council's website. This template can be used to complete the details and to distribute to the community for signatures.

Legislation – Regulation 10 Subregulation (2) -varied by Council
<p>(1) A petition to the council must—</p> <ul style="list-style-type: none"> (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. <p>(2) If a petition is received under subregulation (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.</p> <p>(3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.</p>

A petition must be addressed to the Council and delivered with a covering letter detailing the name, address and contact details of the head petitioner(s) to whom the Council can address correspondence. This must be received at least 7 day clear days prior to the Council meeting, via:

Reception: 6-8 Richardson Place, Roxby Downs, SA 5725

Mail: PO Box 124, Roxby Downs SA 5725

Email: roxby@roxbycouncil.com.au

Any petition lodged with Council will be reported to the next available Council meeting. A report containing a statement as to the nature of the petition, along with the number of valid signatures on each petition will be provided in the Agenda. This report is provided for information purposes and does not require a resolution. The petitions will not be copied and circulated; however, a copy of each petition will be available for the Administrator to inspect at the relevant meeting and prior to the meeting. The Minutes will record that the Petition was received by Council.

2.4.8. Presentations

Employees, consultants, government agencies or other organisations that work with Council, may make presentations to a meeting on matters relating to the Council at the discretion of the Chief Executive or Administrator. The meeting may request specific presentations from employees.

The Minutes of the meeting will include a record of the name and role of the employee or

consultant making the presentation, together with a brief description on the nature of the presentation.

2.4.9. Adjourned Business

Any adjourned business will be listed on the next meeting Agenda as a reminder of their status. A copy of any adjourned business is to be included in the Agenda.

Regulation 19(3) is varied to allow the Administrator, in determining order of business, to consider whether it is appropriate for business adjourned from a previous meeting to be dealt with before any new business.

2.4.10. Adjourned Meetings

If a meeting is adjourned to another day, the Chief Executive must:

- (a) give notice of the adjourned meeting to the Administrator setting out the date, time and place of the meeting
- (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 published on a website determined by the Chief Executive.

2.4.11. Information Reports

Information Reports from the following will be listed on the Agenda

- Chief Executive
- Development Approvals

2.4.12. Status Report of Council Resolutions

The Administrator will be provided with a report that contains a summary of resolutions in progress or completed during the previous month along with notes of any action undertaken to date (with the exception of confidential items). This record will be used to ensure that Council decisions are enacted.

2.4.13. Section 90(2) Local Government Act 1999 Matters - Confidential Items

Any item that has been identified as potentially confidential may include a report from the Chief Executive that identifies the reason why the report should be discussed with the exclusion of the public. Any recommendation to consider an item in confidence will be presented to Council or Committee in accordance with the requirements under the Act.

Council will consider the recommendation of the Chief Executive and determine whether the matter will be considered in confidence. This section should be read in conjunction with Council's Code of Practice – Access to Council and Committee Meeting Documents, which outlines how Council may apply the confidential provisions of the Act and restrict public access to the specific matter under consideration (and any associated documents).

2.4.14. Date of Next Meeting

This is to be recorded in the Minutes.

2.4.15. Closure

The time of closure of the meeting will be recorded.

2.4.16. Minutes

The Minute Takers Handbook for Local Government and Local Government Association of South Australia Council Meeting Procedures Handbook may be used as a guideline for preparation of Minutes for Council, unless varied in this Code.

On confirmation of the minutes the Administrator may initial or sign the minutes in hardcopy or electronically.

The minutes of the proceedings of the meeting must include the method of attendance by the Administrator. The following are examples of methods of attendance:

- (a) physical attendance;
- (b) by an audio-visual link;
- (c) by an audio link;
- (d) by telephone

3. MEETING PROTOCOLS

The following meeting protocols will apply to Council:

- During Council meetings employees will respond to questions from the Administrator.
- Any mobile telephones brought into the meeting are to be switched to silent or vibration alert mode.

4. EXCLUSIONS

The following sections of the Local Government (Procedure at Meetings) Regulations 2013 are not applicable to the Municipal Council of Roxby Downs

- Quorum
- Questions (from Elected Members)
- Motions (from Elected Members)
- Amendments to Motions (by Elected Members)
- Variations to Motions (by Elected Members) Addresses by Elected Members
- Voting Divisions
- Tabling of Information (by Elected Members)

5. LEGISLATIVE FRAMEWORK

This Code reflects the requirement and intentions of the Local Government Act 1999 and Local Government (Procedures at Meetings) Regulations 2013.

The following legislation applies to this Code:

Local Government Act 1999

Each meeting will be held in accordance with the provisions of Chapter 6 of this Act.

Local Government (Procedure at Meetings) Regulations 2013

The Regulations applies to the meetings of councils.

Regulation 6 allows councils to vary some Regulations to suit their needs, by adopting a Code of Practice. If there are variations, then Council is required to review the operation of this Code at least once in every financial year.

Subject to the requirements of the Local Government Act 1999, and any allowable variations to the Local Government (Procedures at Meetings) Regulations 2013, a Council may determine that a Code of Practice prepared or adopted by the Council that establishes its own procedures for a relevant matter or matters will apply in substitution for the relevant provision in the Regulations.

6. OTHER REFERENCES

Council's documents including:

- Code of Practice – Access to Council and Committee Meeting Documents
- Deputation Guidelines
- Petition Guidelines

External documents including:

- Local Government Association of South Australia Council Meeting Procedures Handbook
- Minute Takers Handbook for Local Government 2014

7. DEFINITIONS

For the purpose of this Code the following definitions apply:

Act means the *Local Government Act 1999*

Administrator means the person appointed as the Administrator of the Municipal Council of Roxby Downs under the *Local Government Act 1999* and the *Roxby Downs Indenture Ratification Act 1982*. The Administrator exercises all the powers and discharges all the functions of the Council in the name of and on behalf of the Council.

Agenda, as defined in the *Local Government Act 1999* means a list of items of business to be considered at a meeting.

Chief Executive refers to the Chief Executive (including their delegate) of the Municipal Council of Roxby Downs

Clear Days, 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.

For the purposes of the calculation of clear days under subregulation (2), if a notice given after 5 pm on a day, the notice will be taken to have been given on the next day.

Code means the Code of Practice for Meeting Procedures.

Disconnection of the electronic includes:

- (a) ending a telephone connection such that the discussion and voting at the meeting cannot be heard
- (b) ending a video conference connection such that the discussion and voting at the meeting cannot be seen or heard
- (c) logging out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard
- (d) signing out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard
- (e) disconnecting any other electronic means such that the discussion and voting at the meeting cannot be seen or heard

Electronic means includes a telephone, computer or other electronic device used for communication.

Minutes means a written record of the proceedings at every meeting of the Council or a Committee in accordance with the Act and Regulations.

Notice of a meeting (Notice) Pursuant to section 83 of the Act in the case of an ordinary meeting of Council, the Chief Executive must give each member of the Council notice of the meeting at least three Clear Days before the date of the meeting. In the case of a special meeting of Council, the Chief Executive must give the Administrator a notice of the meeting at least four hours before the commencement of the meeting. A Notice of

a Council Meeting must be in writing, set out the date, time and place of the meeting, be signed by the Chief Executive and contain or be accompanied by the Agenda for the Meeting.

Public Gallery means the area in Council or Committee meetings designated for members of the public who wish to observe the meeting proceedings.

Regulations means the *Local Government (Procedures at Meetings) Regulations 2013*

Written Notice means a notice given in accordance with the requirements prescribed within the Regulations.

8. REVIEW

The Code will then be reviewed on an annual basis to ensure that the principle of open government is being applied in a proper manner.

9. ACCESSIBILITY

This Code is available to be downloaded free of charge from Council's website www.roxbydowns.sa.gov.au

Hard copies can be provided, on payment of the scheduled fee, in accordance with Council's Fees and Charges Register at Council Office at 6 Richardson Place, Roxby Downs SA 5725.

Attachment 1 – Model Meeting Agenda Template for Council and Council Committee Meetings



MUNICIPAL COUNCIL OF ROXBY DOWNS

Richardson Place
PO Box 124
Roxby Downs SA 5725

Phone 08 8671 0010
Email: roxby@roxbycouncil.com.au
Web: www.roxbydowns.sa.gov.au

ABN: 68 284 130 046

AGENDA

Meeting	MUNICIPAL COUNCIL OF ROXBY DOWNS Ordinary Council Meeting
Meeting Date & Time	Day Date Month Year at Time pm Members of the public may attend. However a restriction on numbers present will apply in accordance with the SA Police Commissioner's Declaration.
Location	Council Office Boardroom, 6-8 Richardson Place, Roxby Downs

1. Opening Statement

I wish to acknowledge the Kokatha peoples, the Traditional Owners of the land on which Roxby Downs is located and pay my respect to their Elders past and present and extend that respect to other Aboriginal and Torres Strait Islander people who may be present today.

2. Confirmation of Minutes of the Previous Meeting

That the Minutes of the Council Meeting held on 27 July 2022 be confirmed as a true and accurate record of proceedings. Page 4

3. Adoption of Council Resolutions

3.1 ~~Xxxxx~~ Page x

3.2 ~~Xxxxx~~ Page x

3.3 ~~Xxxxx~~ Page x

4. Reports for Information

4.1 Chief Executive Report Page x

4.2 WHS & Risk Report Page x

4.3 Development Application Report Page x

5. Community Presentations, Petitions and Deputations

Nil

6. Next Meeting

The next Ordinary Council Meeting is scheduled for **Date Month Year at 4:00 pm** - Council Office Boardroom, 6-8 Richardson Place, Roxby Downs, unless advised otherwise, by notice on the Council's website.

7. Closure