

# Sample Meeting Procedures Policy

Policy made by:	Chief Executive Officer
Date to take effect:	
Legislative reference:	<i>Local Government Act 2019</i> , Chapter 6 Part 6.1 (Council Meetings) <i>Local Government (General) Regulations 2021</i>
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## 1. Purpose

To provide a transparent framework for the conduct of council meetings and support elected members to act as representative, informed, and responsible decision-makers in the interests of the community, within the powers and functions assigned to them under the *Local Government Act 2019* (the Act).

## 2. Definitions

For the purposes of this policy:

**Act:** *Local Government Act 2019*

**Confidential Information:** any confidential information as defined by regulation 51 of the *Local Government (General) Regulations 2021*.

**CEO:** Chief Executive Officer (CEO) and includes an acting CEO.

**Chairperson:** means the principal member or, if the principal member is absent for any reason, the deputy principal member. In the event that neither the principal member nor the deputy principal member is available to chair the meeting, a chairperson will be chosen, by resolution, by the members present at the meeting.

**Code of Conduct:** the local government Code of Conduct as per schedule 1 of the *Local Government Act 2019*

**Deputation:** may be made by a person or group who wish to appear in person before a council meeting in order to speak on a particular matter.

**Meeting:** any meeting of council or council committee and includes an ordinary council meeting or special council meeting.

**Motion:** means a formal proposal or recommendation for the council to make a decision or take an action.

**Mover:** means the person at a meeting who initiates (moves) a motion.

**Quorum:** means the minimum number of members needing to be present to constitute a valid meeting. A quorum is the majority of all elected members (50%, plus 1).

**Regulations:** *Local Government (General) Regulations 2021*

**Resolution** means a formal decision by council that has been passed by a majority of its sitting members.

**Secunder** means the person at a meeting who seconds a motion that has been moved.

### 3. Policy Statement

- 1) Council will conduct its meetings in accordance with the Act and the Regulations.
- 2) This policy complements legislation governing the council to provide procedures and standards for the proper conduct of business by council at its meetings.
- 3) Council has an obligation to act in accordance with the role, functions and objectives of local government as outlined in legislation and must adhere to the Code of Conduct for council members.

### 4. Application of Policy

#### 4.1 Scheduling of meetings

At the first meeting following a general council election, council shall establish the schedule of ordinary meeting dates for the term of the council. The scheduled date or time of a council meeting may be changed at a subsequent meeting.

Section 90(1) of the Act requires a council to hold a meeting of its members at least once in each successive period of two months.

If a council does not schedule an ordinary meeting at least once in each month, then regulation 19 of the Regulations requires a council to appoint a committee and delegate to the committee the necessary powers to carry out, on behalf of council, the financial functions of the council in the months the council does not hold an ordinary meeting (Finance Committee).

Council meetings are to be conducted in a transparent manner and held in a place where the public may attend, unless the meeting or part of the meeting is lawfully closed.

A member of the public must not take part, or attempt to take part, in the proceedings of a meeting unless invited to do so by the chairperson.

#### 4.2 Meeting time and location

Meetings of council will be convened by the CEO and will be held at [e.g. time; fourth Tuesday of each month].

The meeting location will be advertised on the public notice and meeting agenda, and the selected venue will be:

- a) generally accessible to the public including people with disabilities
- b) of an adequate size to host the full council plus visitors
- c) equipped with appropriate facilities for the convenience of members and visitors.

#### 4.3 Submission of agenda items

The agenda for a council meeting is prepared by the CEO, in consultation with the chairperson.

Elected members may request that a matter be included on the agenda of a council meeting by submitting the request in writing to the CEO at least [timeframe] prior to the meeting.

When preparing the agenda, consideration will be given to:

- whether a matter is for information, discussion or decision
- whether the matter is supported by sufficient information
- whether the matter is strategic in nature

- any potential risks, costs or impacts associated with the matter.

The CEO may determine that a matter is not ready for inclusion on the agenda and may defer the matter to a future meeting if further information or analysis is required.

#### **4.4 Order of business and business papers**

The content and general structure of the ordinary council meeting agenda will be as follows, unless amended by resolution:

- Welcome and Apologies
- Declarations of Conflict of Interest
- Previous Minutes
- Matters for Decision
- Matters for Noting
- Reports from Local Authorities (Regional Councils)
- CEO Report
- Financial Report
- Questions from the Public
- Visitor Presentations
- General Business
- Confidential Business

#### **4.5 Late items and general business**

Late reports and urgent business are discouraged, as they do not allow elected members or the public sufficient opportunity to consider the matter prior to the meeting.

Any papers or documents considered at a meeting that were not published with the agenda must be published on the council website at the same time as the minutes of the meeting, unless the material is confidential.

General business items should be minor in nature and should not require a decision of council.

Where a matter raised under general business requires consideration, analysis, or the provision of a report, council should defer the matter to a future meeting.

#### **4.6 Availability of agendas and minutes**

A copy of the ordinary council meeting agenda must be uploaded to the council website no later than three days prior to the meeting.

A copy of the minutes must be available to the public on the website and at the council's public office within 10 business days after the meeting.

#### **4.7 Confirmation of minutes**

The minutes of a council meeting are to be presented for confirmation at the next meeting.

Council may confirm the minutes with or without amendment.

Once confirmed, the minutes are taken to be a true and accurate record of the meeting, and the confirmation is to be recorded in the minutes of that meeting.

#### 4.8 Apologies

A member who becomes aware of a situation or circumstance that will prevent them from attending a meeting should notify the principal member or CEO to register their apology for the meeting. An email, telephone call, signed letter or the apology form should be used and need to be received by the CEO no later than [timeframe] before the meeting.

#### 4.9 Quorum not present

When a meeting is postponed, that fact together with the names of the members present at the time is to be recorded in the minutes. If it is impractical for a meeting to be postponed to later the same day, the CEO may postpone the meeting for up to 21 days.

The person who postpones a meeting must ensure, as far as practicable, that each member receives notice of the postponement and of the time and place to which the meeting was postponed. The website will be updated to advise of the changes.

#### 4.10 Roles and responsibilities

The chairperson is to maintain order and will have priority when speaking. If two or more members speak at the same time, the chairperson will decide the order of speaking.

Elected members are responsible for attending meetings, participating in debate in a respectful manner, declaring conflicts of interest, and voting on matters before council.

Members shall not use offensive or inappropriate language, especially in reference to another member. A member is guilty of an act of disorder if, at a meeting:

- the member is in breach of the Act, Code of Conduct or this policy
- the member uses language that, according to common usage, would be considered disorderly or offensive
- the member says or does anything calculated to bring the council into public disrepute or contempt.

A member who interrupts the orderly conduct of a meeting shall, on being requested to do so by the chairperson, immediately leave the meeting, and this will be included in the minutes.

A member who considers that another member is out of order may request the chairperson to bring order to the meeting.

#### 4.11 Conflicts of Interest

A member must avoid any conflict of interest, whether actual or perceived. If a conflict of interest exists, the member must comply with any statutory obligations of disclosure.

#### 4.12 Confidential matters

Council may consider confidential information in accordance with Regulation 51 of the Local Government (General) Regulations 2021.

If applicable, members will move and second a motion to close part of the meeting to the public to allow confidential matters to be considered and discussed.

At the conclusion of confidential business, council must determine whether the confidential information should no longer be confidential after a specified period of time or be subject to periodic review, in accordance with council's [Confidential Information Policy].

Any resolutions made during confidential business are to be reported publicly in a manner that does not disclose confidential information.

#### 4.13 Motions

Motions are required to have a mover and seconder. If a motion is not seconded it will be recorded in the minutes as having lapsed.

When a motion has been moved and seconded, a member may move an amendment to the motion. The chairperson has the right to close the debate at any time they deem there has been ample debate. Council will then vote and if a majority vote is in favour of the motion, it is 'carried'. A carried motion becomes a resolution of council.

#### 4.14 Voting

Each member present has and must exercise one vote on each matter arising for decision. It is not an option to abstain or not vote.

If the council has a policy allowing the chairperson to exercise a casting vote, the chairperson must exercise, in the event of an equality of votes, a second or casting vote.

Casting votes will be made in accordance with council's [Casting Vote Policy]. A casting vote policy may only be established by resolution at the first meeting of the council after a general election. It cannot be altered or revoked during the term of council and lapses at the conclusion of the next general election.

Unless the council decides unanimously to take a vote by secret ballot, voting is to be by a show of hands.

#### 4.15 Questions from the public

A member of the public who wishes to raise a question during public question time can, through the chairperson, do so by either submitting the question in writing, including their name and address, to the council officer prior to the start of the meeting, or verbally at the meeting.

A question may be taken on notice for later response. When the chairperson determines that a question will be taken on notice, the CEO is to ensure that a response is given to the member of the public in writing and a summary of the response is included in the agenda of the next meeting.

Summaries of public questions and responses are to be included in the minutes.

#### 4.16 Visitor Presentations / Deputations

A request to provide a visitor presentation /deputation to put information to council must be in writing to the CEO at least [timeframe] prior to the meeting.

Council will receive deputations at a date and time agreed by the principal member in consultation with the members of the deputation.