



**DUBBO REGIONAL
COUNCIL**

DUBBO REGIONAL COUNCIL

CODE OF MEETING PRACTICE

May 2017

Document Revision History	
Description	Date
Adopted by Council Amended and Adopted by Council Amended and Adopted by Council Amended and Adopted by Council Amended and Adopted by Council due to merger between Dubbo City and Wellington councils	August 2007 December 2010 July 2011 February 2012 May 2016
Notes	

a) Introduction

This Code of Meeting Practice is to be read in conjunction with the Local Government Act 1993 and the Local Government (General) Regulation 2005. This Code shall govern the proceedings of Council and Council Committee meetings.

It should be noted that the Act refers to Mayors and Councillors, however Dubbo Regional Council is currently governed by an Administrator and this Code has been amended to reflect this. Should the Code describe a Councillor/Mayor it should be read as referring to the Administrator, where applicable.

(b) Regulations

- (i) The General Manager will send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held and the business proposed to be transacted at the meeting.

Close off times for the inclusion of correspondence and notices of motion in Council and Committee Business Papers

The following close-off times for the inclusion of correspondence and notices of motion in Council and Committee Business Papers shall apply:

Council/Committee	Meeting Date/Time	Close Off
Ordinary Council	Generally, 4th Monday of each month at 5.30 pm	The Monday seven (7) days prior to the Council meeting at 5.00 pm
Dubbo Local Traffic Committee	2nd Friday preceding the meeting of the Works and Services Committee at 10.00 am	The Monday eleven (11) days prior to the Traffic Committee meeting at 5.00 pm
Community Services Committee	1st Wednesday of the months of December, March, June and September at 11.00 am	The Wednesday seven (7) days prior to the Community Services meeting at 5.00 pm.
Planning and Development Committee	The Monday preceding the day of the Ordinary Council meeting at 5:30 pm.	The Monday seven (7) days prior to the Planning and Development Committee meeting at 5:00 pm.
Works and Services Committee	The Monday preceding the day of the Ordinary Council meeting following the Planning and Development Committee meeting noting that if there is no requirement to conduct the Planning and Development Committee it will be scheduled for 5:30 pm on that day.	The Monday seven (7) days prior to the Works and Services Committee meeting at 5.00 pm
Finance and Policy	The Monday preceding the day	The Monday seven (7) days prior

Committee	of the Ordinary Council meeting following the Works and Services Committee meeting	to the Finance and Policy Committee meeting at 5.00 pm
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(ii) **Audio Recording of Council and Committee Meetings**

- (a) Any person is allowed to audio record any of the proceedings of a meeting of Council or a Committee of Council subject to that person advising the meeting of his/her intent to do so, except for any part of a Council or a Committee meeting closed to the public. An official audio record of all Ordinary and Extraordinary meetings of the Council, except for any part of a Council or a Committee meeting closed to the public is undertaken and such audio recordings are held for a period of three months after the date of the meetings.
- (b) That copies of audio recordings of proceedings of any Ordinary or Extraordinary Council meeting, excluding any part of a Council meeting closed to the public, as requested by members of the public (including Councillors) be prepared at the delegated discretion of the General Manager and that such requests be reported to the next Ordinary Meeting of the Council. This release of recordings is subject to a seven day embargo from the time of the conclusion of the meeting in question.

(iii) **Motions and Amendments**

Motions and amendments moved at Council and Committee meetings may be done so verbally but should be accompanied by a written record of the motion or amendment by the mover.

(iv) **Recording of Motions and Amendments**

1. The following detail must be recorded in the reports of Committee meetings or the minutes of Council meetings:
 - (a) details of each motion moved at a council meeting and of any amendments moved to it;
 - (b) the names of the mover and seconder of the motion or amendment;
 - (c) whether the motion or amendment is carried or lost.
2. That in matters determined by Council, the vote of the individual Councillors be recorded in the minutes where there is one or more Councillors voting against the motion.
3. Despite 2 above, a division is to be called for each planning and each development matter determination of the Council.

(v) **Pecuniary Interest and Attendance at Meetings**

- (a) Councillors and staff who declare a pecuniary interest in an item at a Committee or Council meeting shall remove themselves from the meeting and be out of sight during discussion and voting on the item.
- (b) In the event that a Councillor is physically within the Council Chamber (or room where the meeting is being held) the Councillor is taken as being present at the meeting.

(vi) **Casting Vote for Chairperson of a Committee**

The Chairperson of a Council Committee shall have a casting vote only when the item being voted upon is one which the Committee has delegated authority from Council to determine.

(vii) **Order of Business to be Transacted at Ordinary Council Meetings**

The following shall be the order of business to be transacted at Ordinary Council meetings subject to any resolution to vary such order of business.

- (a) Confirmation of Minutes of previous meetings
- (b) Apologies
- (c) Public Forum Time
- (d) Administrator Minutes
- (e) Correspondence
- (f) Matters Considered by Committees
- (g) Notices of Motion
- (h) Notices of Motion of Rescission
- (i) Delegates' Reports
- (j) Reports from Staff
- (k) Questions on Notice as follows:
 - (i) Questions on Notice must be lodged in writing with the General Manager no later than 5pm on the Monday of the week prior to the scheduled Ordinary Meeting of the Council.
 - (ii) Questions on Notice must directly relate to the business of the Council and must comply with the Local Government (General) Regulation 2005 which provides in Clause 249 that a "Councillor must put every such question directly, succinctly and without argument."
- (l) Comments and Matters of Urgency
- (m) Committee of the Whole

(viii) **Notice of Motion of Rescission**

- (a) A notice of motion to rescind a resolution which is given at the meeting at which the resolution is carried must be signed by three (3) Councillors who are present at the meeting. Should any Councillor wish to submit such a motion, then a five (5) minute recess is to be allowed.

- (b) That where a Councillor formally advises the General Manager during a Council meeting of their intention to lodge a Notice of Motion of Rescission, such notice be required to be lodged by the close of business (5.00pm) two (2) working days after the Council meeting where the resolution was carried. It should be noted that nothing in this clause affects the right of a Councillor(s) under s372 of the Act.

That where a Councillor formally advises the General Manager outside of the completion of a Council meeting of their intention to lodge a Notice of Motion of Rescission, with respect to a resolution carried out at the meeting and on the basis of the General Manager not having commenced implementation of such resolution, such a Notice of Motion of Rescission shall be lodged by the close of business (5.00pm) two (2) working days after the advice of such intention having been received by the General Manager, for consideration by Council in due course. It should be noted that nothing in this clause affects the right of a Councillor(s) under s372 of the Act.

(ix) **Call of the Council**

Section 234(d) of the Local Government Act 1993 shall not apply to any absence caused by illness or other sufficient cause if such illness or sufficient cause is duly set out in leave of absence received at the meetings from which he/she was absent, and if such leave of absences are accepted by resolution of the Council.

(x) **Extraordinary meetings**

If the Mayor receives a request in writing signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable but in any event within fourteen (14) days after receipt of the request.

(xi) **Motions of adjournment**

- (a) Debate shall not be permitted on any motion for adjournment of a meeting of the Council.
- (b) If a motion for adjournment is negatived, the business of the meeting shall proceed and it shall not be in order for any Councillor to again move a motion for adjournment within half an hour of the previous motion for adjournment being negatived.
- (c) A motion for adjournment may specify the time, date and place of the adjourned meeting; however, if a motion for adjournment is carried but does not specify the time, date and place of the adjourned meeting, the chairperson shall make a determination with respect to whichever of these has not been specified.

(xii) **Certain circumstances do not invalidate Council decisions**

Where at a Council meeting, meeting practice matters arise which are in all cases not provided for in this Code, resort shall be had to the rules, forms, and usages of the Legislative Assembly of New South Wales in force for the time being, so far as the same are applicable to proceedings of the Council.

(xiii) **Confirmation of Minutes**

(a) A motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

(b) Minutes may be confirmed at an extraordinary meeting of the Council.

(xiv) **How subsequent amendments may be moved**

It is permissible during the debate on an amendment for a further amendment to be foreshadowed. The foreshadowed amendment may be indicated, however any such foreshadowed amendment shall not be moved or debated until the amendment is dealt with.

(xv) **Correspondence**

(a) Correspondence with the Council shall be addressed to the Mayor or General Manager.

(b) Letters shall not be presented or read by members at meetings of the Council.

(c) Outward correspondence shall be signed by:

(i) the Mayor;

(ii) the General Manager; or

(iii) any employee of the Council authorised by the General Manager.

(xvi) **Mode of Address at a Council Meeting**

Councillors shall at all times address other Councillors by their official designation, as Mayor or Councillor, as the case may be and that all Councillor with the exception of the chairman, or any Councillor prevented by physical infirmity, shall stand when speaking.

(xvii) **Committee of the Whole Council**

The Council may resolve itself into a Committee of the Whole Council to consider any matter before the Council.

(xviii) The public may address Council or a Committee of Council on whether part of a meeting should be closed.

* After a motion to close part of a meeting to the public has been moved and seconded, the Chairperson may ask the General Manager if there are any written representations from the public on the proposed closure;

- * The General Manager would read out any written representations;
- * The Chairperson will then ask if any persons wish to make verbal representations;
- * The opportunity to speak would be given to each person who wishes to comment;
- * Each person addressing the Council or Committee will be allowed to speak for the maximum period of two (2) minutes;
- * The Council or Committee could then close the meeting to consider whether part of the meeting should be closed to the public to consider the subject item.