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## Code of Meeting Practice

### Part 1 - Preliminary

#### 1.1 Citation

This Code may be cited as the **Goldenfields Water Code of Meeting Practice**.

#### 1.2 Commencement

This Code commences on 23 April 2008.

#### 1.3 Definitions

In this Code:

- **Amendment**, in relation to an original motion, means a motion moving an amendment to that motion.
- **Chairperson:**
  - a) in relation to a meeting of a Council - means the person presiding at the meeting as provided by section 369 of the Act, and;
  - b) in relation to a meeting of a committee of a Council - means the person presiding at the meeting as provided by Clause 267 of the Regulation of this Code.
- **Committee**, in relation to a Council, means a committee established under Clause 260 of the Regulation or the Council when it has resolved itself into a committee of the whole.

*Council* relates to Goldenfields Water County Council trading as Goldenfields Water

- **Councillor** includes a member of the governing body of Goldenfields Water County Council.
- **the Act** means the *Local Government Act 1993 as amended*.
- **the Regulation** means the *Local Government (General) Regulation 2005*.
- **Record**, means a document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee of the Council and, in particular, includes the minutes of meetings of the Council or of a committee of the Council.

#### 1.4 Notes in the text

Notes in the text of this code are explanatory notes only and are provided to assist the understanding of this document.

##### **Colour Code**

Blue text – Act (Sections)

Green text – Regulation (Clauses)

Black text – Council rules

### Part 2 – Convening of and attendance at Council Meetings

2.1	How often does Council meet?
<b>Section 396</b>	The Council is required to meet at least four times each year. Council has resolved to meet every two months on the fourth Thursday of the month at 1.00pm.

<b>2.2</b>	<b>Calling of Extraordinary Meeting on request by Councillors</b>
<b>Section 366</b>	If the Chairperson receives a request in writing signed by at least two Councillors, the Chairperson must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event within 14 days after receipt of the request.
<b>2.3</b>	<b>Notice of Meetings</b>
<b>Section 367</b>	<p>(1) The General Manager of a Council must send to each Councillor, at least three (3) days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.</p> <p>(2) Notice of less than three (3) days may be given of an extraordinary meeting called in an emergency.</p> <p>(3) A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and business papers in that form.</p>
<b>Clause 232</b>	<p>(1) This clause prescribes the manner in which the requirements outlined in section 9 (1) of the Act are to be complied with.</p> <p>(2) A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.</p> <p>(3) The notice must specify the time and place of the meeting.</p> <p>(4) Notice of more than one meeting may be given in the same notice.</p> <p>(5) This clause does not apply to an extraordinary meeting of a council or committee.</p>
<b>2.4</b>	<b>Public Notice of Meetings</b>
<b>Section 9</b>	<p>(1) A council must give notice to the public of the times and places of its meetings and meetings of those of its committees of which all the members are Councillors.</p> <p>(2) A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.</p> <p>(2A) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:</p> <p>(a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and</p> <p>(b) the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.</p> <p>(3) The copies are to be available to the public as nearly as possible to the time they are available to Councillors.</p> <p>(4) The copies are to be available free of charge.</p> <p>(5) A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.</p>

<b>2.5</b>	<b>Who is entitled to attend meetings?</b>
<b>Section 10</b>	<p>(1) Except as provided by this Part:</p> <p>(a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are Councillors, and</p> <p>(b) a council must ensure that all meetings of the council and of such committees are open to the public.</p> <p>(2) However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of the council or of such a committee if expelled from the meeting:</p> <p>(a) by a resolution of the meeting, or</p> <p>(b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.</p> <p>(3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations.</p>

<b>2.6</b>	<b>What is the quorum for a meeting?</b>
<b>Section 368</b>	The quorum for a meeting of the council is a majority of the Councillors of the council who hold office for the time being and are not suspended from office.

<b>2.7</b>	<b>What happens when a quorum is not present?</b>
<b>Clause 233</b>	<p>(1) A meeting of a council must be adjourned if a quorum is not present:</p> <p>(a) within half an hour after the time designated for the holding of the meeting, or</p> <p>(b) at any time during the meeting.</p> <p>(2) In either case, the meeting must be adjourned to a time, date and place fixed:</p> <p>(a) by the Chairperson, or</p> <p>(b) in his or her absence—by the majority of the Councillors present, or</p> <p>(c) failing that, by the General Manager.</p> <p>(3) The General Manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the Councillors present.</p>

<b>2.8</b>	<b>Minister to convene meetings in certain cases</b>
<b>Clause 234</b>	<p>(1) Whenever an area is constituted or reconstituted, the Minister is required:</p> <p>(a) to convene the first meeting of the Council of the area, and</p> <p>(b) to nominate the business to be transacted at the meeting, and</p> <p>(c) to give the Councillors notice of the meeting.</p> <p>(2) If there is no quorum at that meeting, the Minister may convene meetings in the same manner until a quorum is present.</p> <p>(3) The council must transact the business nominated by the Minister for a meeting convened under this clause.</p>

<b>2.9</b>	<b>Presence at Council Meetings</b>
<b>Clause 235</b>	A Councillor cannot participate in a meeting of a council unless personally present at the meeting.

<b>2.10</b>	<b>Leave of Absence</b>
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<b>Clause 235A</b>	<p>(1) A Councillor's application for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent.</p> <p>(2) A Councillor who intends to attend a Council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least two (2) days' notice of his or her intention to attend.</p>
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### Part 3 – Procedure for the conduct of Council Meetings

<b>3.1</b>	<b>Who presides at meetings of the Council?</b>
<b>Section 369</b>	<p>(1) The Chairperson or, at the request of or in the absence of the chairperson, the deputy chairperson (if any) presides at meetings of the council.</p> <p>(2) If the Chairperson and the Deputy Chairperson (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the council.</p>

<b>3.2</b>	<b>Councillor to be elected to preside at certain meetings</b>
<b>Clause 236</b>	<p>(1) If no Chairperson is present at a meeting of a council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.</p> <p><b>Note</b> Section 369 (2) of the Act provides for a Councillor to be elected to chair a meeting of a council when the mayor and deputy mayor are absent.</p> <p>(2) The election must be conducted:</p> <p>(a) by the General Manager or, in his or her absence, an employee of the council designated by the General Manager to conduct the election, or</p> <p>(b) if neither of them is present at the meeting or there is no General Manager or designated employee—by the person who called the meeting or a person acting on his or her behalf.</p> <p>(3) If, at an election of a Chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.</p> <p>(4) For the purposes of subclause (3), the person conducting the election must:</p> <p>(a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and</p> <p>(b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.</p> <p>(5) The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.</p>

<b>3.3</b>	<b>Chairperson to have precedence</b>
<b>Clause 237</b>	<p>When the Chairperson rises during a meeting of a Council:</p> <p>(a) any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat, and</p> <p>(b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.</p>



<b>3.4</b>	<b>Chairperson's duty with respect to motions</b>
<b>Clause 238</b>	<p>(1) It is the duty of the Chairperson at a meeting of a council to receive and put to the meeting any lawful motion that is brought before the meeting.</p> <p>(2) The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.</p> <p>(3) Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected.</p>

<b>3.5</b>	<b>Order of Business</b>
<b>Clause 239</b>	<p>(1) At a meeting of a Council (other than an extraordinary meeting) the general order of business is (except as provided by this Regulation) as fixed by the Council's code of meeting practice or (if the Council does not have a code of meeting practice or its code of meeting practice does not fix the general order of business) as fixed by resolution of the Council.</p> <p><b>ORDER OF BUSINESS</b></p> <ol style="list-style-type: none"> <li>1. Apologies</li> <li>2. Declaration of Pecuniary Interests</li> <li>3. Confirmation of Minutes</li> <li>4. Business Arising from Minutes</li> <li>5. Public Access</li> <li>6. Notices of Motion/Rescission Motions</li> <li>7. Admission of Late Reports</li> <li>8. Chairman's Minute</li> <li>9. General Manager's Reports (incorporating) <ol style="list-style-type: none"> <li>9.1 Financial Reports</li> <li>9.2 Works Reports</li> <li>9.3 Other Reports</li> </ol> </li> <li>10. Questions and Statements</li> <li>11. Closed Session</li> </ol> <p>(2) The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.</p> <p>(3) Despite Clause 250, only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.</p>

<b>3.6</b>	<b>Agenda and Business Papers for Council Meetings</b>
<b>Clause 240</b>	<p>(1) The General Manager must ensure that the agenda for a meeting of the Council states:</p> <ol style="list-style-type: none"> <li>(a) all matters to be dealt with arising out of the proceedings of former meetings of the Council, and</li> <li>(b) if the Chairperson is the Chairperson—any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and</li> <li>(c) subject to subclause (2), any business of which due notice has been given.</li> </ol> <p>(2) The General Manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General</p>

	<p>Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the council.</p> <p>(3) The General Manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.</p> <p>(4) The General Manager must ensure that the details of any item of business to which Section 9 (2A) of the Act applies are included in a business paper for the meeting concerned.</p> <p>(5) Nothing in this clause limits the powers of the Chairperson under Clause 243.</p>
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<b>3.7</b>	<b>Giving Notice of Business</b>
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<b>Clause 241</b>	<p>(1) A council must not transact business at a meeting of the council:</p> <p>(a) unless a Councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and</p> <p>(b) unless notice of the business has been sent to the Councillors in accordance with section 367 of the Act.</p> <p>(2) Subclause (1) does not apply to the consideration of business at a meeting if the business:</p> <p>(a) is already before, or directly relates to a matter that is already before, the council, or</p> <p>(b) is the election of a Chairperson to preside at the meeting as provided by Clause 236 (1), or</p> <p>(c) is a matter or topic put to the meeting by the Chairperson in accordance with Clause 243, or</p> <p>(d) is a motion for the adoption of recommendations of a committee of the Council.</p> <p>(3) Despite subclause (1), business may be transacted at a meeting of a Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:</p> <p>(a) a motion is passed to have the business transacted at the meeting, and</p> <p>(b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice.</p> <p>(4) Despite Clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.</p>
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<b>3.8</b>	<b>Agenda for Extraordinary Meetings</b>
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<b>Clause 242</b>	<p>(1) The General Manager must ensure that the agenda for an extraordinary meeting of a Council deals only with the matters stated in the notice of the meeting.</p> <p>(2) Despite subclause (1), business may be transacted at an extraordinary meeting of a Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:</p> <p>(a) a motion is passed to have the business transacted at the meeting, providing all Councillors are in attendance, and</p> <p>(b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice but only after the business notified in the agenda for the</p>
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	meeting has been disposed of. (3) Despite Clause 250, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put.
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<b>3.9</b>	<b>Official Minutes</b>
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<b>Clause 243</b>	<p>(1) If the Chairperson is the Chairperson at a meeting of a Council, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.</p> <p>(2) Such a minute, when put to the meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Chairperson) may move the adoption of the minute without the motion being seconded.</p> <p>(3) A recommendation made in a minute of the Chairperson (being the Chairperson) or in a report made by a Council employee is, so far as adopted by the Council, a resolution of the Council.</p>
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<b>3.10</b>	<b>Report of a department representative to be tabled at Council Meeting.</b>
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<b>Clause 244</b>	<p>When a report of a departmental representative has been presented to a meeting of a Council in accordance with Section 433 of the Act, the Council must ensure that the report:</p> <p>(a) is laid on the table at that meeting, and</p> <p>(b) is subsequently available for the information of Councillors and members of the public at all reasonable times.</p>
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<b>3.11</b>	<b>Notice of motion – absence of mover</b>
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<b>Clause 245</b>	<p>In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of a Council:</p> <p>(a) any other Councillor may move the motion at the meeting, or</p> <p>(b) the Chairperson may defer the motion until the next meeting of the Council at which the motion can be considered.</p>
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<b>3.12</b>	<b>Motions to be seconded</b>
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<b>Clause 246</b>	<p>A motion or an amendment cannot be debated unless or until it has been seconded.</p> <p>This Clause is subject to Clause 243(2) and 250(5).</p>
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<b>3.13</b>	<b>How subsequent amendments may be moved</b>
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<b>Clause 247</b>	<p>If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time.</p>
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<b>3.14</b>	<b>Motions of dissent</b>
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<b>Clause 248</b>	<p>(1) A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.</p> <p>(2) If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the</p>
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	<p>motion or business to the agenda and proceed with it in due course.</p> <p>(3) Despite Clause 250, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.</p>
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<b>3.15</b>	<b>Questions may be put to Councillors and Council employees</b>
<b>Clause 249</b>	<p>(1) A Councillor:</p> <p>(a) may, through the Chairperson, put a question to another Councillor, and</p> <p>(b) may, through the General Manager, put a question to a Council employee.</p> <p>(2) However, a Councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.</p> <p>(3) The Councillor must put every such question directly, succinctly and without argument.</p> <p>(4) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or council employee under this clause.</p>

<b>3.16</b>	<b>Limitation as to number of speeches</b>
<b>Clause 250</b>	<p>(1) A Councillor who, during a debate at a meeting of a council, moves an original motion has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment.</p> <p>(2) A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.</p> <p>(3) A Councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment and for longer than 5 minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.</p> <p>(4) Despite subclauses (1) and (2), a Councillor may move that a motion or an amendment be now put:</p> <p>(a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or</p> <p>(b) if at least 2 Councillors have spoken in favour of the motion or amendment and at least 2 Councillors have spoken against it.</p> <p>(5) The Chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion.</p> <p>(6) If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1).</p> <p>(7) If a motion that the original motion or an amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed.</p>

<b>3.17</b>	<b>What are the voting entitlements of Councillors?</b>
<b>Section 370</b>	(1) Each Councillor is entitled to one vote. (2) However, the person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

<b>3.18</b>	<b>Voting at Council Meetings</b>
<b>Clause 251 and 'Local' Rule</b>	(1) A Councillor who is present at a meeting of a council but who fails to vote on a motion put to the meeting is taken to have voted against the motion. (2) If a Councillor who has voted against a motion put at a council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the council's minutes. (3) The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division. (4) When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the council's minutes. (5) Voting at a council meeting, including voting in an election at such a meeting is to be by open means (such as on the voices or by show of hands). However, the council may resolve that the voting in any election by Councillors for mayor or deputy mayor is to be by secret ballot. <b>Note.</b> Part 11 of this Regulation provides that a council is to resolve whether an election by the Councillors for mayor or deputy mayor is to be by preferential ballot, ordinary ballot or open voting (clause 394 and clause 3 of Schedule 7). Clause 3 of Schedule 7 also makes it clear that <b>ballot</b> has its normal meaning of secret ballot.

<b>3.19</b>	<b>Representations by member of the public – closure of part of meeting</b>
<b>Clause 252</b>	(1) A representation at a council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. (2) That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.

<b>3.20</b>	<b>Resolutions passed at closed meetings to be made public</b>
<b>Clause 253</b>	If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

<b>3.21</b>	<b>Which parts of a meeting can be closed to the public?</b>
<b>Section 10A</b>	(1) A council, or a committee of the council of which all the members are Councillors, may close to the public so much of its meeting as

	<p>comprises:</p> <p>(a) the discussion of any of the matters listed in subclause (2), or</p> <p>(b) the receipt or discussion of any of the information so listed.</p> <p>(2) The matters and information are the following:</p> <p>(a) personnel matters concerning particular individuals (other than Councillors),</p> <p>(b) the personal hardship of any resident or ratepayer,</p> <p>(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,</p> <p>(d) commercial information of a confidential nature that would, if disclosed:</p> <p style="padding-left: 20px;">(i) prejudice the commercial position of the person who supplied it, or</p> <p style="padding-left: 20px;">(ii) confer a commercial advantage on a competitor of the council, or</p> <p style="padding-left: 20px;">(iii) reveal a trade secret,</p> <p>(e) information that would, if disclosed, prejudice the maintenance of law,</p> <p>(f) matters affecting the security of the council, Councillors, council staff or council property,</p> <p>(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,</p> <p>(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.</p> <p>(3) A council, or a committee of the council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.</p> <p>(4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.</p>
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<b>3.22</b>	<b>Further limitations relating to closure of parts of meetings to public</b>
<b>Section 10B</b>	<p>(1) A meeting is not to remain closed during the discussion of anything referred to in section 10A (2):</p> <p>(a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and</p> <p>(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret—unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.</p> <p>(2) A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A (2) (g) unless the advice concerns legal matters that:</p> <p>(a) are substantial issues relating to a matter in which the council or committee is involved, and</p> <p>(b) are clearly identified in the advice, and</p> <p>(c) are fully discussed in that advice.</p> <p>(3) If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A (3)), the consideration of the motion must not include any consideration</p>



	<p>of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A (2)).</p> <p>(4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:</p> <p>(a) a person may misinterpret or misunderstand the discussion, or</p> <p>(b) the discussion of the matter may:</p> <p>(i) cause embarrassment to the council or committee concerned, or to Councillors or to employees of the council, or</p> <p>(ii) cause a loss of confidence in the council or committee.</p> <p><b>Note.</b> Subsection (4) is in similar terms to section 59A (Public interest) of the <i>Freedom of Information Act 1989</i>.</p> <p>(5) In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must have regard to any relevant guidelines issued by the Director-General.</p>
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<b>3.23</b>	<b>Notice of likelihood of closure not required in urgent cases</b>
<b>Section 10C</b>	<p>Part of a meeting of a council, or of a committee of the council of which all the members are Councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:</p> <p>(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A (2), and</p> <p>(b) the council or committee, after considering any representations made under section 10A (4), resolves that further discussion of the matter:</p> <p>(i) should not be deferred (because of the urgency of the matter), and</p> <p>(ii) should take place in a part of the meeting that is closed to the public.</p>

<b>3.24</b>	<b>Grounds for closing part of meeting to be specified</b>
<b>Section 10D</b>	<p>(1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.</p> <p>(2) The grounds must specify the following:</p> <p>(a) the relevant provision of section 10A (2),</p> <p>(b) the matter that is to be discussed during the closed part of the meeting,</p> <p>(c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</p>

<b>3.25</b>	<b>Public access to correspondence and reports</b>
<b>Section 11</b>	<p>(1) A council and a committee of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.</p>

	<p>(2) This section does not apply if the correspondence or reports:</p> <p>(a) relate to a matter that was received or discussed, or</p> <p>(b) were laid on the table at, or submitted to, the meeting, when the meeting was closed to the public.</p> <p>(3) This section does not apply if the council or committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A (2), are to be treated as confidential.</p>
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<b>3.26</b>	<b>What constitutes a decision of the Council?</b>
<b>Section 371</b>	A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

<b>3.27</b>	<b>Rescinding or altering resolutions</b>
<b>Section 372</b>	<p>(1) A resolution passed by a council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's code of meeting practice.</p> <p>(2) If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.</p> <p>(3) If a motion has been negatived by a council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with the council's code of meeting practice.</p> <p>(4) A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negatived by the council, must be signed by 3 Councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.</p> <p>(5) If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.</p> <p>(6) A motion to which this section applies may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.</p> <p>(7) The provisions of this section concerning negatived motions do not apply to motions of adjournment.</p>

<b>3.28</b>	<b>Minutes</b>
<b>Section 375</b>	<p>(1) The council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the council.</p> <p>(2) The minutes must, when they have been confirmed at a subsequent meeting of the council, be signed by the person presiding at that subsequent meeting.</p>

<b>3.29</b>	<b>Matters to be included in minutes of Council meeting</b>
<b>Clause 254</b>	<p>The General Manager must ensure that the following matters are recorded in the council's minutes:</p> <p>(a) details of each motion moved at a council meeting and of any amendments moved to it,</p> <p>(b) the names of the mover and seconder of the motion or amendment,</p> <p>(c) whether the motion or amendment is passed or lost.</p>



	<b>Note.</b> Section 375 (1) of the Act requires a council to ensure that full and accurate minutes are kept of the proceedings of a meeting of the council (other provisions of this Regulation and of the Act require particular matters to be recorded in a council's minutes).
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<b>3.30</b>	<b>Certain circumstances do not invalidate Council decisions</b>
<b>Section 374</b>	Proceedings at a meeting of a council or a council committee are not invalidated because of: (a) a vacancy in a civic office, or (b) a failure to give notice of the meeting to any Councillor or committee member, or (c) any defect in the election or appointment of a Councillor or committee member, or (d) a failure of a Councillor or a committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with section 451, or (e) a failure to comply with the code of meeting practice.

<b>3.31</b>	<b>Attendance of General Manager at meeting</b>
<b>Section 376</b>	(1) The General Manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all the members are Councillors. (2) The General Manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote. (3) However, the General Manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager.

## Part 4 – Keeping order at Meetings

<b>4.1</b>	<b>Questions of Order</b>
<b>Clause 255</b>	(1) The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so. (2) A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter. (3) The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council. (4) The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

<b>4.2</b>	<b>Acts of disorder</b>
<b>Clause 256</b>	(1) A Councillor commits an act of disorder if the Councillor, at a meeting of a Council or a committee of a Council: (a) contravenes the Act or any regulation in force under the Act, or (b) assaults or threatens to assault another Councillor or person present at the meeting, or (c) moves or attempts to move a motion or an amendment that has an

	<p>unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or committee, or addresses or attempts to address the Council or committee on such a motion, amendment or matter, or</p> <p>(d) insults or makes personal reflections on or imputes improper motives to any other Councillor, or</p> <p>(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or committee into contempt.</p> <p>(2) The Chairperson may require a Councillor:</p> <p>(a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or</p> <p>(b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or</p> <p>(c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).</p> <p>(3) A Councillor may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.</p>
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<b>4.3</b>	<b>How disorder at a meeting may be dealt with</b>
<b>Clause 257</b>	<p>(1) If disorder occurs at a meeting of a council, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.</p> <p>(2) A member of the public may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council for engaging in or having engaged in disorderly conduct at the meeting.</p>

<b>4.4</b>	<b>Power to remove persons from meeting after expulsion</b>
<b>Clause 258</b>	<p>If a Councillor or a member of the public fails to leave the place where a meeting of a council is being held:</p> <p>(a) immediately after the council has passed a resolution expelling the Councillor or member from the meeting, or</p> <p>(b) where the council has authorised the person presiding at the meeting to exercise the power of expulsion—immediately after being directed by the person presiding to leave the meeting, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from reentering that place.</p>

<b>4.5</b>	<b>Formal censure of Councillor for misbehaviour</b>
<b>Section 440G</b>	<p>(1) A council may by resolution at a meeting formally censure a Councillor for misbehaviour.</p> <p>(2) A formal censure resolution may not be passed except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's</p>

	<p>code of meeting practice.</p> <p>(3) A council may pass a formal censure resolution only if it is satisfied that the Councillor has misbehaved on one or more occasions.</p> <p>(4) The council must specify in the formal censure resolution the grounds on which it is satisfied that the Councillor should be censured.</p> <p>(5) A motion for a formal censure resolution may, without limitation, be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.</p>
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## Part 5 – Council Committees

<b>5.1</b>	<b>Committee of Council</b>
<b>Section 373</b>	A council may resolve itself into a committee to consider any matter before the council.

<b>5.2</b>	<b>Committee of the Whole</b>
<b>Clause 259</b>	<p>(1) All the provisions of this Regulation relating to meetings of a council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provision limiting the number and duration of speeches.</p> <p>(2) The General Manager or, in the absence of the General Manager, an employee of the council designated by the General Manager is responsible for reporting to the council proceedings in committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.</p> <p>(3) The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.</p>

<b>5.3</b>	<b>Council may establish committees</b>
<b>Clause 260</b>	<p>(1) A council may, by resolution, establish such committees as it considers necessary.</p> <p>(2) A committee is to consist of the mayor and such other Councillors as are elected by the Councillors or appointed by the council.</p> <p>(3) The quorum for a meeting of a committee is to be:</p> <p>(a) such number of members as the council decides, or</p> <p>(b) if the council has not decided a number—a majority of the members of the committee.</p>

<b>5.4</b>	<b>Functions of committees</b>
<b>Clause 261</b>	A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

<b>5.5</b>	<b>Notice of committee meetings to be given</b>
<b>Clause 262</b>	<p>(1) The General Manager of a council must send to each Councillor, at least 3 days before each meeting of the committee, a notice specifying:</p> <p>(a) the time and place at which and the date on which the meeting is to</p>

	<p>be held, and</p> <p>(b) the business proposed to be transacted at the meeting.</p> <p>(2) However, notice of less than 3 days may be given of a committee meeting called in an emergency.</p>
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<b>5.6</b>	<b>Non-members entitled to attend committee meetings</b>
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<b>Clause 263</b>	<p>(1) A Councillor who is not a member of a committee of Council is entitled to attend, and to speak at, a meeting of the committee.</p> <p>(2) However, the Councillor is not entitled:</p> <p>(a) to give notice of business for inclusion in the agenda for the meeting, or</p> <p>(b) to move or second a motion at the meeting, or</p> <p>(c) to vote at the meeting.</p>
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<b>5.7</b>	<b>Representations by members of the public – closure of part of meeting</b>
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<b>Clause 264</b>	<p>1) A representation at a committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.</p> <p>(2) That period is as fixed by the council’s code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.</p>
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<b>5.8</b>	<b>Procedure in committees</b>
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<b>Clause 265</b>	<p>(1) Subject to subclause (3), each committee of a council may regulate its own procedure.</p> <p>(2) Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote.</p> <p>(3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).</p>
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<b>5.9</b>	<b>Committees to keep minutes</b>
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<b>Clause 266</b>	<p>(1) Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a committee must ensure that the following matters are recorded in the committee’s minutes:</p> <p>(a) details of each motion moved at a meeting and of any amendments moved to it,</p> <p>(b) the names of the mover and seconder of the motion or amendment,</p> <p>(c) whether the motion or amendment is passed or lost.</p> <p>(2) As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.</p>
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<b>5.10</b>	<b>Chairperson and Deputy Chairperson of Committees</b>
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<b>Clause 267</b>	<p>(1) The Chairperson of each committee of the council must be:</p> <p>(a) the Chairperson, or</p>
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	<p>(b) if the Chairperson does not wish to be the Chairperson of a committee—a member of the committee elected by the council, or</p> <p>(c) if the council does not elect such a member—a member of the committee elected by the committee.</p> <p>(2) A council may elect a member of a committee of the council as deputy Chairperson of the committee. If the council does not elect a deputy Chairperson of such a committee, the committee may elect a deputy Chairperson.</p> <p>(3) If neither the Chairperson nor the deputy Chairperson of a committee of a council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.</p> <p>(4) The Chairperson is to preside at a meeting of a committee of a council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.</p>
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<b>5.11</b>	<b>Absence from committee meetings</b>
<b>Clause 268</b>	<p>(1) A member (other than the Chairperson) ceases to be a member of a committee if the member:</p> <p>(a) has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or</p> <p>(b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.</p> <p>(2) Subclause (1) does not apply in respect of a committee that consists of all of the members of the council.</p> <p><b>Note.</b> The expression <b>year</b> means the period beginning 1 July and ending the following 30 June. See the Dictionary to the Act.</p>

<b>5.12</b>	<b>Reports of committees</b>
<b>Clause 269</b>	<p>(1) If in a report of a committee of the council distinct recommendations are made, the decision of the council may be made separately on each recommendation.</p> <p>(2) The recommendations of a committee of the council are, so far as adopted by the council, resolutions of the council.</p> <p>(3) If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must:</p> <p>(a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and</p> <p>(b) report the resolution or recommendation to the next meeting of the council.</p>

<b>5.13</b>	<b>Disorder in committee meetings</b>
<b>Clause 270</b>	The provisions of the Act and of this Regulation relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

<b>5.14</b>	<b>Certain persons may be expelled from council committee meetings</b>
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<b>Clause 271</b>	<p>(1) If a meeting or part of a meeting of a committee of a council is closed to the public in accordance with section 10A of the Act, any person who is not a Councillor may be expelled from the meeting as provided by section 10 (2) (a) or (b) of the Act.</p> <p>(2) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council, committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.</p>
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## Part 6 – Miscellaneous

<b>6.1</b>	<b>Disclosure and misuse of information</b>
<b>Section 664</b>	<p>(1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:</p> <ul style="list-style-type: none"> <li>(a) with the consent of the person from whom the information was obtained, or</li> <li>(b) in connection with the administration or execution of this Act, or</li> <li>(c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or</li> <li>(d) in accordance with a requirement imposed under the <i>Ombudsman Act 1974</i> or the <i>Freedom of Information Act 1989</i>, or</li> <li>(e) with other lawful excuse.</li> </ul> <p>(1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a Councillor of the council) information with respect to the discussion at, or the business of, the meeting.</p> <p>(1B) Subsection (1A) does not apply to:</p> <ul style="list-style-type: none"> <li>(a) the report of a committee of a council after it has been presented to the council, or</li> <li>(b) disclosure made in any of the circumstances referred to in subsection (1) (a)–(e), or</li> <li>(c) disclosure made in circumstances prescribed by the regulations, or</li> <li>(d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.</li> </ul> <p>(2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.</p> <p>(3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:</p> <ul style="list-style-type: none"> <li>(a) the determination of an application for an approval, or</li> <li>(b) the giving of an order.</li> </ul>



	Maximum penalty: 50 penalty units.
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<b>6.2</b>	<b>Disclosure and presence in meetings</b>
<b>Section 451</b>	<p>(1) A Councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.</p> <p>(2) The Councillor or member must not be present at, or in sight of, the meeting of the council or committee:</p> <p>(a) at any time during which the matter is being considered or discussed by the council or committee, or</p> <p>(b) at any time during which the council or committee is voting on any question in relation to the matter.</p> <p>(3) For the removal of doubt, a Councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or member has an interest in the matter of a kind referred to in section 448.</p> <p>(4) Subsections (1) and (2) do not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:</p> <p>(a) the matter is a proposal relating to:</p> <p>(i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or</p> <p>(ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and</p> <p>(b) the councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.</p> <p>(5) The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and must:</p> <p>(a) be in the form prescribed by the regulations, and</p> <p>(b) contain the information required by the regulations.</p> <p><b>Note:</b> The code of conduct adopted by a council for the purposes of section 440 may also impose obligations on Councillors, members of staff of councils and delegates of councils.</p>

<b>6.3</b>	<b>Disclosures to be recorded</b>
<b>Section 453</b>	A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

<b>6.4</b>	<b>General disclosure</b>
<b>Section 454</b>	<p>A general notice given to the General Manager in writing by a Councillor or a member of a council committee to the effect that the Councillor or member, or the Councillor's or member's spouse, de facto partner or relative, is:</p> <p>(a) a member, or in the employment, of a specified company or other body, or</p> <p>(b) a partner, or in the employment, of a specified person, is, unless and until the notice is withdrawn, sufficient disclosure of the Councillor's or member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.</p>

<b>6.5</b>	<b>Disclosure by adviser</b>
<b>Section 456</b>	<p>(1) A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.</p> <p>(2) The person is not required to disclose the person's interest as an adviser.</p>
<b>6.6</b>	<b>Circumstances in which secs 451 and 456 are not breached</b>
<b>Section 457</b>	A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.
<b>6.7</b>	<b>Power of Minister in relation to meetings</b>
<b>Section 458</b>	<p>The Minister may, conditionally or unconditionally, allow a Councillor or a member of a council committee who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:</p> <p>(a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or</p> <p>(b) that it is in the interests of the electors for the area to do so.</p>
<b>6.8</b>	<b>Inspection of the minutes of a Council or Committee</b>
<b>Clause 272</b>	<p>(1) An inspection of the minutes of a council or committee of a council is to be carried out under the supervision of the General Manager or an employee of the council designated by the General Manager to supervise inspections of those minutes.</p> <p>(2) The General Manager must ensure that the minutes of the council and any minutes of a committee of the council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.</p> <p><b>Note</b> Section 12 of the Act confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a council or committee of a council.</p>
<b>6.9</b>	<b>Tape recording of meeting of council or committee prohibited without permission</b>
<b>Clause 273</b>	<p>(1) A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or committee.</p> <p>(2) A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for using or having used a tape recorder in contravention of this clause.</p> <p>(3) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from</p>



	<p>that place and, if necessary, restrain that person from re-entering that place.</p> <p>(4) In this clause, <b>tape recorder</b> includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.</p>
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<b>6.10</b>	<b>Amendment of this Code</b>
<p><b>Sections</b> <b>361</b> <b>362</b> <b>363</b></p>	<p>(1) Council may amend its Code of Meeting Practice by means only of a code so adopted.</p> <p>(2) Before adopting a code of meeting practice, Council must prepare a draft code.</p> <p>(3) Council must give public notice of the draft code after it is prepared.</p> <p>(4) The period of public exhibition must not be less than 28 days.</p> <p>(5) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the Council.</p> <p>(6) Council must publicly exhibit the draft code in accordance with its notice.</p> <p>(7) After considering all submissions received by it concerning the draft code, Council may decide:</p> <p>(a) To amend those provisions of its draft code that supplement the regulations made for the purposes of section 360, or</p> <p>(b) To adopt the draft code as its code of meeting practice.</p> <p>(8) If Council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this clause, or if Council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.</p>

<b>6.11</b>	<b>Public availability of the code</b>
<p><b>Section</b> <b>364</b></p>	<p>(1) The code of meeting practice adopted under this Division by a council must be available for public inspection free of charge at the office of the council during ordinary office hours.</p> <p>(2) Copies of the code must be available free of charge or, if the council determines, on payment of the approved fee.</p>

<b>6.12</b>	<b>Public access</b>
	<p>(1) A public access sessions will be held at the commencement of all Council meetings.</p> <p>(2) All requests shall be authorised by the General Manager and where at all possible, details shall be included in the Agenda. Requests may be made up until the commencement of the meeting.</p> <p>(3) Speakers are only able to address Council on matters listed on the business paper.</p> <p>(4) Public access sessions will be limited to 15 minutes with a limit of 5 minutes per speaker. An extension of time may be approved by Council, if required.</p>