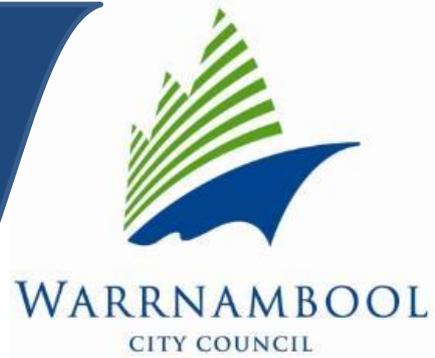


# Guide to Council Meetings



## Introduction

The Mayor and Councillors of Warrnambool City Council welcomes all members of the community to attend Ordinary & Special Council meetings. Seating is provided in the public gallery at the rear of the Council Chamber.

When attending meetings, visitors are bound by Council's Governance (Meeting Procedures) Local Law No: 1 and are not permitted to interrupt the meeting proceedings.

The following guide aims to provide members of the community with the most commonly requested information about Council meetings.

## What meetings does Council hold?

Council conducts its formal decision making process through Ordinary Meetings of Council and Special Meetings of Council.

Ordinary meetings are held regularly to conduct the ongoing business of the Council and Special meetings are held from time to time for specific purposes. The Act provides for confidential information to be considered at a Meeting closed to members of the public.

Annually Council adopts a schedule for its Ordinary Council Meetings. This schedule can be found on Council website [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au) see **Meetings – Dates & Times** section.

Where possible the Ordinary Meetings of Council are generally held on the first Monday of a monthly meeting cycle. Meetings commence at 5.45pm and are usually held at the Council Chambers, Reception Room, 25 Liebig Street, Warrnambool.

From time to time the Mayor and Councillors may call a Special Meeting of Council to deal with urgent items. These meetings are generally held at the Council Chambers at the specified time and date advertised in the public notices in the Warrnambool Standard and Council's website.

Meetings are only closed to the public when topics of a confidential nature are discussed, such as an individual's personal or financial circumstances, contractual or legal matters. These meetings are referred to as '*Committee of the Whole of Council*' meetings. The grounds for closing the meeting are defined in more detail within Section 89 of the Local Government Act 1989 (*the Act*).

## Agendas & Minutes

The business to be dealt with at a Council Meeting is set out in the Agenda. No other business can be dealt with unless admitted as Urgent Business by resolution of Council.

Before each Ordinary or Special Council Meeting an Agenda is prepared by the Chief Executive detailing the items that are to be presented to the meeting for Council's consideration and decision. Agenda papers are available at least 48 hours prior to the meeting and copies of agendas are available at the Council offices, Warrnambool Library and on Council's website.

All Council Ordinary & Special Meetings are audio recorded.

The decisions of the Council become resolutions of the Council and are recorded in the official Council Minutes.

Except for matters classified as confidential, all Agenda reports, Minutes and audio recordings of meetings are available on Council's website – see **Meeting Agendas, Minutes & Audio**.

## Decision Making at Council Meetings

One of the most important functions undertaken by the Mayor and Councillors is to attend and participate in the decision making process at Council Meetings.

Decisions made at a formal Council Meeting provide the direction and authority for the ongoing operation of the Council. The decisions give direction to the Chief Executive and are implemented by Council staff.

It is also at Council meetings that the Mayor and Councillors decide the policy direction of the Council and make decisions on other statutory matters such as adoption of the Council Plan and Annual Budget.

Council is a corporate body and as such it can only make decisions by resolution, i.e.: a motion has to be put to a properly convened meeting and passed by the required majority of members of Council. A Council can only make decisions and pass resolutions about matters falling within its jurisdiction, otherwise it will be deemed to be acting "ultra vires" – acting beyond its powers.

## Conduct of Council Meetings

Meeting rules are governed by the Council's Governance (Meeting Procedures) Local Law No: 1 – 2016 (*the Local Law*). The Local Law set out the procedures for the conduct of Council and Committee meetings and also sets out the rules of behaviour for those participating in or present at Council meetings. The following provides a general explanation of rules outlined in the Local Law:

### ❖ Chairperson

The Mayor of the day (unless absent) chairs all Council meetings and is the ultimate authority for the conduct of Council meeting.

The way in which Meetings are conducted makes a significant contribution to good governance. The Chair plays a crucial role in facilitating an orderly, respectful, transparent and constructive Meeting by ensuring all Councillors have the opportunity to be heard, matters are adequately discussed, meeting procedures are followed appropriately and statutory requirements are adhered to. Specific duties and discretions of the Chair are outlined in the Local Law.

## ❖ **Quorum**

No business can be transacted at a Meeting unless a Quorum i.e. a majority of the Councillors are present. If there is no Quorum at the commencement of a Meeting or if a Quorum cannot be maintained during a Meeting, the Meeting is to be adjourned to another time and/or date.

## ❖ **Motions**

All motions must be moved and seconded i.e. two (2) Councillors must indicate their support for a proposed motion before they can be accepted for debate at the Council Meeting. The Chair will then ask if the motion is opposed. If there is no opposition, the Chair will declare the motion to be carried without it being voted on.

## ❖ **Discussion on Items**

If a Councillor indicates opposition, the item will be discussed or debated allowing each Councillor with the exception of the mover of a motion to only speak once. The mover is allowed to sum up at the end of debate and speak a second time. Councillors, however, at the leave of the Chair may ask questions during debate on an issue and this is not counted as “speaking” to the motion.

## ❖ **Putting Motions to the Vote**

If no Councillor indicates opposition, the Chair must invite the mover to introduce the motion if he or she wishes. If the mover does not wish to speak the Chair must declare the motion carried without it being voted on. If the mover speaks and no other Councillor wishes to speak then the Chair must declare the motion carried without it being voted on.

Alternatively, after all Councillors who wish to speak have been given the opportunity the Chair will ask the mover of the motion to sum up, after which the motion is immediately put to a vote.

The method of voting on a motion is carried out by a show of hands. The Chair will ask the meeting, all those in favour of the motion and against the motion. The Chair will then declare the motion either CARRIED or LOST.

## ❖ **Casting Vote**

If there is an equal number of Councillors voting For and Against on an motion the Chair has a second vote, called a ‘Casting Vote’. A Casting Vote may only be used after the Chair’s deliberative vote is cast and the Chair should declare that he or she is exercising their Casting Vote. A Casting Vote is common to all organisations in the event that there is an equality of votes, otherwise some issues could not be resolved.

## ❖ **Moving of Amendments**

With the exception of Councillors who have already spoken on an issue, including movers and seconders, an Amendment may be moved by a Councillor. An Amendment will also need a seconder and the purpose of an Amendment is to alter the motion currently being considered. If an Amendment is moved and seconded, debate will then continue on the Amendment until it is dealt with. If the Amendment has been carried, then it will form the “substantive motion” (replacing the

original motion). If no other Amendments have been foreshadowed, then the substantive motion will be put for a vote to the Meeting.

If the Amendment is lost then debate will resume on the original motion. Further Amendments are also able to be moved and seconded, but they are not able to be substantially similar to an Amendment already dealt with.

#### ❖ **Notices of Motion**

The purpose of a Notice of Motion is to provide advance notice to Councillors of an individual Councillors intention to move a particular motion on a specific matter that is not the subject of a matter coming before Council on the Agenda. The requirements lodging and accepting for inclusion in an Agenda a Notice of Motion are detailed in the Local Law.

#### ❖ **Use of Titles at Council Meetings**

A Council Meeting is a formal Meeting and accordingly Councillors and Council Officers must refer to each other by their formal Titles.

#### ❖ **Speaking Time Limits**

Speaking time limits is a standard practice for both Federal and State Parliaments and Local council meetings. Speaking times ensure all Councillors have the opportunity to be heard, matters are adequately discussed and the meeting is conducted in an orderly and productive manner.

The speaking time limit for the mover of a motion to speak is five minutes and the mover is also able to speak for two minutes in exercising their right of reply. All other Councillors speaking during a Meeting are only able to speak for up to three minutes, although any Councillor may seek an extension of time.

#### ❖ **Courtesy to the Chair**

All Councillors are required to direct their attention towards the Chair when speaking. This is in accordance with conventions relating to respect for the Chair of a meeting, and is a requirement of Council's Local Law.

#### ❖ **Disclosure of Conflicts of Interests by Councillors**

Councillors are required to declare any Conflicts of Interest, including direct and indirect conflicts of interest and personal interests in any items on the Agenda. This is a requirement of the Local Government Act 1989.

At the item as listed in the Agenda the Chair will ask Councillors to declare any conflicts of interest in any item listed on the Agenda. Councillors must clearly articulate to the meeting the item in which they have a conflict of interest, the type of interest and the nature of interest in the item.

Where a Councillor has declared an interest in a matter the Councillor will again declare the interest prior to the consideration of the item on the Agenda and vacate the Chamber whilst discussion and voting takes place on the item and then must return to the Chamber for the continuation of the next item on the agenda.

## ❖ Behaviour at Meetings

Council meetings are a formal meeting. This means that visitors are bound by the Governance (Meeting Procedure) Local Law and are not permitted to interrupt the meeting proceedings.

The Local Law gives the power to the Chair to order a person to leave the Council Chamber if the person interjects or attempts to disrupt the meeting. A person asked to leave the Meeting who refuses to do is guilty of an offence.

## Public Participation

### ❖ Public Question Time

Council provides an opportunity for members of the public to submit up to two (2) questions at an Ordinary Council Meeting and which will be answered at the meeting, or taken on notice and responded to in writing in the following days.

The Governance (Meeting Procedures) Local Law details the requirements for Public Question Time. Questions must be in writing and the person submitting the question present for it to be read out at a Council Meeting. More information about submitting a question can be found on Council website [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au) see **Public Question Time** section.

### ❖ Petitions or Joint Letters

Petitions and joint letters are a way for a group of people to make a special request of Council in relation to a particular matter.

The formal requirements for Petitions and Joint Letters can be found in Governance (Meeting Procedures) Local Law details the requirements.

The petition will be formally received at a Council meeting and referred to the appropriate area of Council for action and response to the petition organiser. If required, a formal report will be presented to a future Council meeting about the issues and actions.

### ❖ Deputations

A deputation is a formal process where members of the community can request permission to address Council on a particular matter of concern or interest related to Local Government business.

Deputations to Council are usually considered at Councillor briefing sessions.

A person or persons wishing to appear as a Council deputation should make a *written* request addressed to the *Chief Executive* providing sufficient information regarding the issue.

You will be advised of the date and time for the *Councillor* briefing. Time limits may be set for speakers and *Councillors* may question the deputation on matters raised for the purpose of clarification.

Briefings are not a decision making forums. If matters raised by the deputation require a Council decision they will be considered at a future Ordinary Meeting of Council.