

Council Meetings – An Explanation

1. Introduction

Residents and others are welcome to attend Council meetings. Seating is provided in the public gallery at the rear of the Council Chamber. Media representatives also attend and report on proceedings. When attending meetings, visitors are bound by the Rules of Procedure and are not permitted to participate or interrupt the meeting procedures.

2. Agenda and Minutes

Before each Council meeting an Agenda is prepared detailing the items that are to be presented to the Council meeting.

The Recommendations and Notices of Motion as set out in the Agenda are simply proposals to the Council for its consideration. The Council may adopt these proposals, amend the proposals, determine a completely different course of action, or it may decline to pursue any course of action.

The decision of the Council becomes a resolution of the Council and is recorded in the Council Minutes. The Council Agenda and the Council Minutes are linked by the common Item Numbers and Titles.

3. General Information about 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 CEO and are implemented by staff employed by the City of Casey.

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.

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. 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.

Formal meeting procedures are followed. The Mayor chairs the meeting and has a casting vote if there is an equality of votes.

An Agenda, listing the issues and relevant reports for discussion at the meeting, is made available to the public in advance so that everyone has the opportunity to be aware of matters before Council. Copies are available through Council’s website, by visiting the Council Offices or at the Customer Service Centres.

Members of the public are encouraged to attend meetings. Meetings are only closed to the public when topics of a confidential nature are discussed, such as an individual’s financial circumstances, a particular staff member, proposed developments or legal matters.

4. Behaviour Expected from the Public

As mentioned earlier, Council meetings are a formal meeting. This means that visitors are bound by the Rules of Procedure and are not permitted to participate or interrupt the meeting procedures.

Council’s Meeting Procedures Local Law gives Council the power 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 by the Chairperson, and not doing so, is guilty of an offence.

5. Question Time

Prior to the commencement of the Council Meeting, questions may be submitted on the Question Sheet or written or typed on your own paper. The questioner's name and address and signature must be included. Questions are to be handed to the Civic Centre Co-ordinator by no later than 10 minutes prior to commencement of the Meeting.

Questions will be read after "Officers' Reports – Initial Consideration". Persons submitting questions must be present at the time their question is read or it will not be dealt with. Answers are provided verbally by the appropriate Councillor or Officer. The question and a summary of the answer will be included in the Minutes.

A Question Sheet is attached and on the reverse of the Question Sheet are listed the procedures for dealing with Question Time.

6. Seating Arrangements

A plan is attached showing where Councillors and Officers sit during the Meeting.

7. The Business of the Council Meeting

All business to be dealt with is listed in the Council Agenda.

• Opening of the Meeting

- The Mayor is Chairperson of the Council Meeting and will open the Meeting. The Meeting is recorded for the purpose of accuracy of the Minutes.
- The Mayor will invite a representative of a local religious organisation to read a prayer. All persons in the Council Chamber must stand.
- The Mayor will read the Statement of Acknowledgement. The Statement is a recognition that Council values the unique status of the Aboriginal Peoples as the original owners and custodians of the land and waters and is one step on the path to reconciliation.

• Apologies

If any Councillor had advised that they are unable to be in attendance, then their absence will be dealt with at this stage.

• Confirmation of Minutes

The Minutes of the previous Meeting have been previously circulated to Councillors and are confirmed with or without corrections as a true record of the previous Meeting.

• Declarations 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. It is usual for Councillors to declare their interest at this point of the Meeting and then immediately before consideration of the relevant item. A Councillor declaring a Conflict of Interest or a Personal interest must leave the Council Chamber before consideration of the matter and must remain outside the Council Chamber until after a vote has been taken on the item.

For a personal interest a Councillor must seek leave of Council to abstain (be absent) from consideration of the item. In the vote on this request the Councillor with the personal interest must leave the Council Chamber. If the request is granted then the Councillor will remain outside until after the item is concluded.

- **Officers’ Reports – Initial Consideration**

In this Section of the Agenda are all the reports prepared by Council Officers. This Section is divided into five parts which reflects the five sections of Council’s Council Plan. The parts of the Council Plan and an explanation of each part are as follows:-

Council Plan Key Direction	Explanation
Services for Casey’s Community	A focus on enhancing the health, wellbeing and safety of our residents through the provision of high quality financially sustainable services and programs.
Developing Casey’s Economy	A focus on attracting investment and business growth to increase local employment opportunities.
Planning for Casey’s Community	A focus environmentally responsible planning for the current and future growth of our diverse community, while preserving local heritage.
Building and Maintaining Casey’s Assets	A focus on building and maintaining assets such as roads, drains, community facilities, parks, sports grounds and nature reserves..
Achieving Best Practice in Governance at Casey	A focus on efficiency, fairness and accountability in decision making, and ensuring our engagement with the community on key issues is timely and transparent.

The Council will consider which items to discuss further (Officers’ Reports – Deferred for Consideration). These items will be dealt with after Public Question Time.

The other Officers’ reports which are not deferred are all dealt with together and adopted, with no further consideration.

- **Public Question Time**

Public question time is held to enable members of the public to submit questions to Council.

- **Officers’ Reports – Deferred for Consideration**

The Officers’ reports which have not already been adopted are considered at this stage.

- **Reports of Committees**

The Council receives reports or Minutes from various Committees. If the Committee is a Special Committee then the Council will receive and note the Minutes. This will apply to the Planning Committee. Generally, other Committees are Advisory Committees and the Council is required to receive and adopt the recommendations with or without amendments in order that actions recommended by the Advisory Committee can be acted upon.

- **Petitions and Joint Letters**

At this point in the Meeting Councillors are able to present any petitions or joint letters on behalf of their residents. A motion to receive the petition (or joint letter) or take some action will usually be moved by the Councillor presenting the petition or joint letter. The motion will also include a direction for the head signatory or organiser of the petition to be advised of Council’s decision. It is then the responsibility of the head signatory to advise other signatories.

- **Notices of Motion**

Notices of Motion are requested by Councillors for action on specific issues.

- **Reports by Council Delegates**

In this Section Councillors appointed by Council to represent the Council on various organisations or at specific functions are able to report to the Council on matters of interest.

- **Urgent Business**

At this stage in the Meeting if a Councillor wishes to raise an item of business which cannot wait until the next Council Meeting, then such business is proposed. The Council must first vote to consider that the item is Urgent Business. If the Council agrees then debate on the item will continue.

- **Closed Council Items**

There will be some issues which are required to be dealt with in Closed Council i.e. without the Public Gallery present and at this point in the Meeting the Mayor will ask everyone to leave the Council Chamber.

8. Conduct of the Meeting

There are a number of “Rules” used for running the Meeting. Generally they are contained within Council’s Meeting Procedures Local Law. Several of the important requirements of the Local Law are as follows:-

- **Motions**

All motions must be moved and seconded ie. 2 Councillors must indicate their support for a proposed motion before it is accepted for debate at the Meeting. The Mayor will then ask if the motion is opposed. If there is no opposition, the Mayor will declare the motion to be carried without it being voted on.

- **Discussion of 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, may ask questions during debate on an issue and this is not counted as “speaking”.

- **Putting Motions to the Vote**

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

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

- **Requests for a Division**

Any Councillor may call for a ‘Division’ which is a formal method of recording which Councillors have voted ‘For’ and which Councillors have voted ‘Against’. In a division, a Councillor can change their vote from when the initial vote on an item was taken. The Mayor will first call for all those in favour of the motion to stand in their places and their names will be read out by the Mayor. The Mayor will then ask for those against the motion to stand and their names will also be read out. The Mayor will then declare the result.

- **Casting Vote**

If there is an equal number of Councillors voting For and Against on an issue, whether in a normal vote or in a Division, the Mayor has a second vote, called a 'Casting Vote'. A Casting Vote may only be used after the Mayor's deliberative vote is cast and the Mayor 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.

- **Use of Titles at Council Meetings**

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

- **Time Limits**

The 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.