



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

MEETING PROCEDURES

- Originated Date:** Adopted 23 September 2002 – Min. No: 379/02 (as Policy 32)
- Amended Date/s:** Revised 25 January 2010 – Min. No: 15/10 (388/06)
Amended 22 March 2010 – Min. No. 69/10
Amended 21 September 2015 and incorporating Recording of Meeting Policy (formerly Policy 51) – Min. No. 253/14
Amended 20 August 2018 – Min. No. 218/18
Amended 28 June 2021 – Min. No. 214/21
- Applicable Legislation:** *Local Government Act 1993*
Local Government (Meeting Procedures) Regulations 2015
COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020
- Objective** The objective of this policy is to set Council meeting procedures for the following:
1. Public Question Time during Council meetings;
 2. Public representations on planning items during Council meetings
 3. Petition procedures during Council meetings;
 4. Recording of Council meetings; and
 5. Appointment of Council Representatives to Committees of Council, or a committee external to Council.
- Administration:** Governance
- Review Cycle/Date:** Every 4 years. Next review June 2025.

1 INTRODUCTION

The *Local Government Act 1993* and the *Local Government (Meeting Procedures) Regulations 2015* allow for Public Question Time, Public Representations on planning items, Petitions, Recording of Council meetings and the establishment of committees of Council. Whilst the legislation identifies how these processes can occur, there are some lower level procedures required to be set out by Council. This policy stipulates those guidelines.

2 PUBLIC QUESTION TIME

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* relates to the provision of Public Question Time during a Council meeting. Regulation 31(7) of the Regulations stipulate that “a Council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.”

Public question time is to commence immediately after the meal break at approximately 6:45pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days. Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.



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- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each speaker is limited to a maximum of 3 minutes.

3 REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

4 PETITIONS

Part 6, Division 1 of the *Local Government Act 1993* refers to the presentation of a petition to Council. Council is to treat any petition received in accordance with the provisions of the *Local Government Act 1993*.

5 RECORDING OF COUNCIL MEETINGS

Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* provides for the audio recording of Council meetings.

Regulation 33(4) provides that “a Council may determine any other procedures relating to the audio recording of meetings it considers appropriate.

The purpose of recording meetings of Council is to assist Council officers in the preparation of minutes of proceedings.

As a result of the COVID-19 pandemic, Council meetings were closed to the general public for a period of time. During this time Council commenced uploading Council meeting recordings to the Council website in accordance with the provisions of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* and regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*. Council will continue with this practice until the COVID-19 emergency is declared at an end.

The provision of recording of Council meetings in this policy:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared;
- the recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- the minutes of a meeting, once confirmed, prevail over the audio recording of the meeting;
- the recording of a Council meeting published on the Council website will be removed from the website after a period of 6 months;
- the official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- if requested, a recording of a Council meeting to be available to Councillors at no cost within 24 hours of the meeting;
- notices advising that
 - the proceedings of the meeting are to be audio recorded; and
 - the detail relating to the recording of meetings by members of the public are to be on display at each meeting.

A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the



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proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

Unless expressly stated otherwise, Northern Midlands Council claims copyright ownership of the content of recordings of Council meetings ("the Recordings").

The Recordings may not be uploaded, displayed, transcribed and/or reproduced without the written permission of the General Manager for the express purpose proposed.

The Northern Midlands Council reserves the right to revoke such permission at any time. Apart from uses permitted under the *Copyright Act 1968*, all other rights are reserved.

Requests for authorisations, including authorisations for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301.

6 APPOINTMENT OF COUNCIL REPRESENTATIVES TO COMMITTEES OF COUNCIL AND OUTSIDE BODIES

Sections 23 and 24 of the *Local Government Act 1993* permit Council to establish council committees or special committees of Council. From time to time Councillors may be invited to represent Council on committees external to Council.

With the exception of appointments made by the Council under any enactment, all representative appointments of the Council to community committees and outside bodies expire at the first Council meeting following every ordinary Council election.

At the first ordinary meeting following a Council election Council is to appoint a Councillor representative to all Council Committees and Special Committees of Council in accordance with the following procedure:

- a list of all Council committees and special committees of Council is to be produced at the ordinary Council meeting;
- Councillors are to nominate which committee/s they wish to be a representative on;
- in the event two or more Councillors nominate for the same committee, all of those Councillors can be appointed as a representative to that committee, except where that committee specifies that there is to be only one Councillor representative, in which case the Councillors are to vote on which Councillor is to be appointed, with the nominee having the least number of votes to be eliminated and this process followed until there is one nominee remaining. In the event there is a tie, the Mayor is to have the casting vote.
- if there is a casual vacancy for a representative appointment made by Council, then the Council is to elect a replacement appointee to fill the vacancy at the earliest available meeting of the Council in accordance with the above procedure.

7 PUBLIC ATTENDANCE AT MEETINGS DURING THE COVID-19 DISEASE EMERGENCY

While COVID-19 restrictions remain in place, Council is mindful of the need to ensure community safety and compliance with regard to social distancing and limitations on the number of persons who may gather.

Attendance of the public at Council meetings will be restricted to those who wish to make representation or present a statement in person at the meeting. Preference is to be given to individuals making representations to planning applications which are subject to statutory timeframes (limit of 4 persons per item) and those making statements or representations on items listed in the Agenda for discussion (limited to 2 persons).

To ensure compliance with Council's COVID-19 Safety Plan, any person wishing to attend will be required to register their interest to attend, which is to be received by Council before 12 noon, 4 days preceding the meeting by emailing council@nmc.tas.gov.au or phoning Council on 6397 7303.



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On arrival attendees will:

- be required to complete the health declaration section of their registration form to support COVID-19 tracing (in the event that it is necessary); and
- receive direction from council officers (or Council's delegate) in relation to their access to the meeting room.

Access to the Municipal Building will only be permitted until 6.45pm, at which time Public Question Time will commence.

Members of the public who would prefer not to attend the meeting, but would like to ask a question or make a representation to the Council that would normally be heard during Public Question Time, may forward their question/representation to council@nmc.tas.gov.au which is to be received by Council before 12 noon 4 days (i.e. usually the Friday) preceding the meeting. Any questions/representations received will be circulated to Councillors prior to the meeting, tabled at the meeting and recorded in the minutes of the meeting.

8 REVIEW

The policy will be reviewed every 4 years or more frequently, if dictated by operational demands or legislative changes.