



Code of Practice for Council and Committee Meetings

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Procedure Author	General Manager Corporate Services
Date of next review	June 2027

1. Purpose

This Code of Practice seeks to provide a consistent framework for the meeting processes and meeting structure of Council and Council Committees in accordance with Regulation 6 of the *Local Government (Procedure at Meetings) Regulations 2013* (the Regulations).

The Code of Practice does not apply to the Council Assessment Panel (CAP) which has its own CAP Operating Procedure.

2. Scope

The rules and procedures for all meetings of Council and its Committees are outlined in the *Local Government Act 1999* (the Act) and *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations). This Code of Practice has been developed in accordance with the relevant legislation.

This Code of Practice outlines the meeting procedures set out in the Regulations with annotations. In addition, where the Council has varied a procedure set out in the Regulations (being a procedure that is capable of variation) or has adopted a procedure in circumstances where the Act or Regulations do not prescribe a procedure, this Code of Practice sets out those varied or additional procedures (as the case may be) in green highlighted text boxes.

3. References and Supporting Documentation

The Code of Practice for Council and Committee Meetings should be read in conjunction with the Code of Practice for Public Access to Meetings and Meeting Documents.

Related documents include:

- *Local Government Act 1999*
- *Local Government (Procedures at Meetings) Regulations 2013*
- Declaration of Interest Forms
- Deputation Request Form
- Petition Template
- Ordinary Council Meeting Agenda Format – Appendix A
- Committee Meeting Agenda Format – Appendix B

- Ordinary Council Meeting Minute Format – Appendix C
- Committee Meeting Minute Format – Appendix D
- City of Playford Global Glossary

This Code should not be considered as the only document that may relate to Council and Committee meetings, other tiers of government, agencies or organisations may have legislation or policies that also apply.

4. Application

Elected Members	Maintain a thorough and complete understanding of the Code and act in accordance with the prescribed instructions.
Chief Executive Officer	Ensure that the Code is implemented appropriately and subject to periodic evaluation and review.
Manager Governance	Ensure Council and Committee meetings are conducted in accordance with the relevant legislative requirements.

5. Procedure

Part 1 – Preliminary

5.1 Short Title

These regulations may be cited as the *Local Government (Procedures at Meetings) Regulations 2013*.

5.2 Commencement

These regulations will come into operation on 1 January 2014.

5.3 Interpretation

1. In these regulations, unless the contrary intention appears—

Act means the *Local Government Act 1999*;

clear days—see subregulations (2) and (3);

deputation means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

formal motion means a motion—

- that the meeting proceed to the next business; or
- that the question be put; or
- that the question lie on the table; or
- that the question be adjourned; or
- that the meeting be adjourned¹;

Guiding Principles—see regulation 4;

member means a member of the council or council committee (as the case may be);

point of order means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

presiding member means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

written notice includes a notice given in a manner or form determined by the council.

2. In the calculation of **clear days** in relation to the giving of notice before a meeting—
 - (a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
 - (b) Saturdays, Sundays and public holidays will be taken into account.
3. For the purposes of the calculation of **clear days** under subregulation (2), if a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day.
4. For the purposes of these regulations, a vote on whether **leave of the meeting** is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote).

Note —

¹See regulation 12 for specific provisions about formal motions

5.4 Guiding Principles

The following principles (the **Guiding Principles**) should be applied with respect to the procedures to be observed at a meeting of a council or a council committee:

- (a) procedures should be fair and contribute to open, transparent and informed decision-making;
- (b) procedures should encourage appropriate community participation in the affairs of the council;
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

Part 2 – Meetings of Councils and Key Committees

5.5 Application of Part

The provisions of this Part apply to or in relation to—

- (a) the meetings of a council; and
- (b) the meetings of a council committee performing regulatory activities; and
- (c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

5.6 Discretionary Procedures

1. Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).
2. A council should, at least once in every financial year, review the operation of a code of practice under this regulation.
3. A council may at any time, by resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.
4. A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.
7. Regulation 12(4) does not apply to a motion under subregulation (3).
8. This regulation does not limit or derogate from the operation of regulation 20¹.

Note—

¹Furthermore, if a matter is not dealt with by the Act or these regulations (including under a code of practice under this regulation), then the relevant procedure will be—

- (a) as determined by the council; or
- (b) in the case of a council committee where a determination has not been made by the council—as determined by the committee.

(See Sections 86(8) and 89(1) of the Act.)

Access to the Code

A copy of the Code of Practice for Council and Committee Meetings is available for inspection (without charge) at the Playford Civic Centre during ordinary office hours.

5.7 Commencement of Meetings and Quorums (Regulation 7)

1. A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
2. If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.
3. If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.

4. If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
5. If a meeting is adjourned to another day, the chief executive officer must—
 - (a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
 - (b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

Special Council

Special Council meetings may be called in accordance with Section 82 of the *Local Government Act 1999*.

At a special Council meeting, only the items listed on the agenda provided to the Chief Executive Officer in the request for the meeting may be considered.

Agenda Structure

The agenda structure for Ordinary Council Meetings will be as per Appendix A. The agenda structure for Committee meetings will be as per Appendix B.

Streaming and Recording

Council is committed to connecting with our community and providing greater accessibility to Council and Committee meetings through delayed streaming.

Recordings will be made of all Council and Strategy and Services Committee meetings (excluding confidential items) and will be published to Council's YouTube Channel after the meeting.

Streaming will take effect 15 minutes after the beginning of a meeting.

While every effort will be made to ensure the stream is available, City of Playford takes no responsibility or liability for the stream if YouTube is temporarily unavailable, or as a result of any other technical issues beyond its control.

Quorums

A quorum of the Council is calculated by dividing the total number of Council members for the time being in office by two, ignoring any fraction and adding one.

Pursuant to Section 41(6) of the Act, the Council appoints the Mayor as an 'ex-officio' member of all Committees except where the Mayor is a member of the Committee.

Where the Mayor is an ex-officio member of a Committee, the Mayor will only be included in the membership of the Committee if present at the meeting.

Speaking

Clarification: A member may ask a question in relation to the item at any time during the debate. A member who has already spoken to the motion can speak to an amendment.

A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.

Confidential Items

This Code should be read in conjunction with the Code of Practice for Public Access to Meetings and Meeting Documents.

Confidential items will be listed as a separate item and will, as far as practicable, be the final item on the agenda for the meeting. This will ensure that members of the public in the gallery can observe as much of the open meeting as possible.

Before the Council or Committee is to debate an item that the Chief Executive Officer has recommended or indicated may be discussed in confidence, the Presiding Member will announce and verbally state Regulation 20(3)(a), specifying the reasons for moving into confidence and advise the public that they may remain in the gallery until the meeting has made a decision as to whether the matter will be dealt with in confidence.

After the Council or Committee have resolved to exclude the public, the Presiding Member will announce that the public must leave the meeting. The names of all staff members or other person(s) who are required to assist the Council or Committee in its decision making and are permitted to remain in the meeting during the confidential matter will be recorded in the minutes.

The Report will be divided into three (3) parts:

- A) Procedural Decision** – Council/Committee moves a motion to go into confidence.
- B) Business Decision** – The matter.
- C) Procedural Decision** – Council is to decide what is to remain confidential after the meeting and for how long the item is to be kept confidential.

Mayor

For Ordinary Council meetings, all present in the meeting will stand as the Chief Executive Officer announces the Mayor and the Mayor takes their position in the chamber. This represents a sign of respect for the position of the Mayor and applies to Ordinary Council meetings only.

Clarification: The Mayoral robes are to be worn at ceremonial occasions only.

Speaking During a Meeting

The Chief Executive Officer and other staff will respond to questions from the floor at the invitation of the Presiding Member and, in doing so, will acknowledge the Presiding Member in their response.

At a Council meeting, the Presiding Member will be addressed as 'Mayor'.

At a Committee meeting, the Presiding Member will be addressed as 'Presiding Member'.

The Chief Executive Officer may request other staff to speak at a meeting on a matter.

Members shall await acknowledgement from the Presiding Member before speaking.

Where possible, members speaking during a Council meeting are to stand when speaking as a sign of respect and utilise their microphone to ensure amplification within the chamber.

Except to move a Point of Order, members should only speak with the acknowledgement of the Presiding Member.

Mobile Devices

Any mobile devices brought into Council or Committee meetings are to be switched to silent or off.

Recording and Photography at Meetings

Audio, video or photographic recording devices are not permitted to be used during any Information Sessions, Ordinary Council, Special Council or Committee meetings unless express permission has been granted by the Council.

5.8 Minutes (Regulation 8)

1. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
2. No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
3. On the confirmation of the minutes, the presiding member will—
 - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
 - (b) place their signature and the date of confirmation at the foot of the last page of the minutes.
4. The minutes of the proceedings of a meeting must include—
 - (a) the names of the members present at the meeting; and
 - (ab) the name of any member who is not present because the member is suspended or taken to have been granted leave of absence from the office of member of the council; and
 - (b) in relation to each member present—
 - (i) the time at which the person entered or left the meeting; and
 - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
 - (iii) if, during the meeting, the member is excluded under Section 86(6b) of the Act, a statement that the member was excluded and the period for which the member was excluded; and
 - (c) each motion or amendment, and the names of the mover and seconder; and
 - (d) any variation, alteration or withdrawal of a motion or amendment; and
 - (e) whether a motion or amendment is carried or lost; and
 - (f) any disclosure of interest made by a member; and
 - (g) an account of any personal explanation given by a member; and

- (h) details of the making of an order under subsection (2) of Section 90 of the Act (see subsection (7) of that Section); and
- (i) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that Section; and
- (j) details of any adjournment of business; and
- (k) a record of any request for documents to be tabled at the meeting; and
- (l) a record of any documents tabled at the meeting; and
- (m) a description of any oral briefing given to the meeting on a matter of council business; and
- (n) any other matter required to be included in the minutes by or under the Act or any regulation.

Minutes

The minute structure for Ordinary Council meetings will be as per Appendix C.

The minute structure for Committee meetings will be as per Appendix D.

The minutes of a meeting will include points of order including the name of the member drawing the Presiding Member's attention to the alleged point of order and the ruling of the Presiding Member on the point of order.

All staff in attendance at a Council or Committee meeting in an official capacity (staff required to address the meeting or have a report on the agenda) will be recorded in the minutes.

The minutes will not include staff leaving and entering the meeting except where a staff member identifies at the meeting a conflict of interest in a matter, or the meeting has moved into confidence.

Declarations of Interest

Council Members who intend to declare a conflict of interest in a matter to be considered at a meeting must complete the applicable Declaration of Interest Form to assist them in disclosing the conflict of interest at the meeting.

Mayor's Report

At an Ordinary Council meeting, the Mayor may provide a report on any activities of the Mayor for the previous month. A summary of the Mayor's Report will be included in the minutes.

Clarification: The Mayor may also draw to the attention of the members any matter or issue they believe is necessary for the members to be aware of.

Leave of Absence

A Council Member may request leave of the Council to be absent from one or more meetings of the Council.

The request for leave must be made in writing and provided to the Mayor and Chief Executive Officer who will arrange for the request of leave to be considered by the Council as soon as possible.

A Council Member must advise of the specific dates of the Council meetings that they will be absent.

Apologies

If a Council Member becomes aware of a situation or circumstance that will prevent that member's attendance at a Council or Committee meeting, they should provide an apology either in person, by phone or by email to one of the following:

- Chief Executive Officer; or
- Governance

Apologies will be noted in the minutes provided the meeting is made aware of the apology.

If an apology is not recorded and notified to the meeting, the member's non-attendance will be recorded as 'Not Present'.

Clarification: If a Council Member is incapacitated due to serious illness or injury, an apology on their behalf can be made by a family member or close associate.

Change in Order of Discussing Agenda Items

The Presiding Member of the Council or a Committee, at their discretion, is able to change the order of discussion of agenda items during the meeting to bring agenda items forward to an earlier time or defer an agenda item to a later time in the meeting.

The following justifications (not limited to this list) may be utilised for re-ordering of agenda items:

- The attendance of an external presenter at a meeting.
- Community attendance at the meeting for a particular item.
- If external parties present a deputation on a specific agenda item, that item may be brought forward to immediately follow the deputation.
- To receive a briefing from staff.

Reports of Representatives of Council on Other Organisations

Council Members who have been appointed or nominated by Council to an external organisation should provide a brief verbal report on matters affecting that organisation, which they believe, should be brought to the attention of Council as far as this is possible.

These reports by Council Members will be noted in the minutes and will include the name of the Council Member providing the report, the name of the external organisation

and a summary of the matter that they are reporting on. Detailed accounts of the report from Council Members will not be included in the meeting minutes.

Reports of representatives of Council on other organisations will only be made at Ordinary Council meetings.

Reports by Council Members

Council Members may, at or prior to, an Ordinary Council meeting, provide a written list of events attended by that Council Member relevant to their role since the last Ordinary Council meeting which will be included in the minutes of that meeting.

A Council Member may speak to the written list of events for a maximum of five (5) minutes.

Reports of Representatives – Conference and Training Programs

Council Member attendance at Information Sessions will be recorded and published within this item in accordance with Council Resolution 5663.

Where a Council Member has attended any training and development paid for by the Council, the Council Member shall provide a verbal report to Council preferably at the next Ordinary Council meeting following the training or conference and a written report to administration in accordance with the Council Member Training and Development Procedure.

5.9 Questions (Regulation 9)

1. A member may ask a question on notice by giving the chief executive officer written notice of the question at least 7 clear days before the date of the meeting at which the question is to be asked.
2. If notice of a question is given under subregulation (1)—
 - (a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and
 - (b) the question and the reply must be entered in the minutes of the relevant meeting.
3. A member may ask a question without notice at a meeting.
4. The presiding member may allow the reply to a question without notice to be given at the next meeting.
5. A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.
6. The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

Questions (without Notice or on Notice)

If responding to a question requires preparation, investigation, consultation or research by staff, a resolution of Council should be carried supporting the utilisation of Council resources for that purpose.

Questions on Notice

No debate is permitted regarding Questions on Notice or their replies.

The Chief Executive Officer or their delegate shall include both the question and the reply in the agenda and minutes of the meeting.

Submission: Questions on Notice must be submitted in writing to the Chief Executive Officer at least seven (7) clear days before the meeting.

Questions without Notice

Questions without Notice should be provided in writing to the Presiding Member and Minute Taker prior to the commencement of the meeting.

If a question cannot be answered at the meeting, a reply will be provided at the next Ordinary Council meeting and recorded as a Question on Notice in the agenda and minutes.

Council Members are encouraged to use the Question on Notice process wherever possible.

Clarification: Where possible, Questions without Notice should first be posed to Council administration outside of the meeting. Questions without Notice should be closely related to agenda items or matters of urgency.

5.10 Petitions (Regulation 10)

1. A petition to the council must—
 - (a) be legibly written or typed or printed; and
 - (b) clearly set out the request or submission of the petitioners; and
 - (c) include the name and address of each person who signed or endorsed the petition; and
 - (d) be addressed to the council and delivered to the principal office of the council.
2. If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.
3. Subregulation (2) may be varied at the discretion of the council pursuant to Regulation 6.

Petitions

A petition will only be placed on the agenda for an Ordinary Council meeting if submitted in writing to the Chief Executive Officer at least seven (7) clear days prior to the meeting.

Petitions received less than seven (7) clear days prior to the meeting will be scheduled for the next Ordinary Council meeting, to be held the following month. Petitions will not be placed on Committee agendas.

The Chief Executive Officer may refuse to place a petition on the agenda where the petition is deemed defamatory and will advise the Council of any such decision.

Petition submitters will be informed that their petition becomes a public document upon submission to Council.

When a petition is included in an agenda, Council will formally receive it and, if necessary, resolve any further action.

A petition template and guidelines are available on Council's website. This template is the preferred format for community submissions.

Petitions submitted using the City of Playford template will include all petitioners personal details in the report, as the template informs them that the petition is a public document.

Petitions not using the City of Playford template may have personal phone numbers of the petitioners redacted, but addresses will be included in the Council agenda.

Clarification: Petitions allow the public to raise matters they believe require Council action.

Petitions concerning Development Applications will be referred to the Council Assessment Panel via the representation process (if applicable).

The Chief Executive Officer will determine whether a submission constitutes a petition, general correspondence or a customer action request and will advise the submitter accordingly, including any actions Council will take.

5.11 Deputations (Regulation 11)

1. A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.
2. The chief executive officer must transmit a request received under subregulation (1) to the presiding member.
3. The presiding member may refuse to allow the deputation to appear at a meeting.
4. The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
5. If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).

6. The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.
7. A council may refer the hearing of a deputation to a council committee.

Deputations/Representations

Guiding Principles:

Deputations provide an opportunity for the community or interested persons to bring matters to the attention of Council, typically relating to policy, strategic matters or items currently before the Council. Operational matters should be referred to Council's Customer Contact team.

The Presiding Member may allow or refuse a deputation on a case-by-case basis. When considering a deputation request, the Presiding Member will take the following into account:

- a. the subject matter of the proposed deputation
- b. whether the matter falls within the powers of Council
- c. relevance to the Council agenda for that meeting
- d. whether there is a more appropriate method for expressing the viewpoint or if the Council has consulted, or intends to consult, with the community
- e. the history of deputations by the person or organisation, including prior behaviour, relevance of information, presentation style and repetitive nature of deputations on the same topic.

Guidelines for submitting a deputation request:

- Requests must be submitted to Council before 9:00 am on the Monday prior to the meeting using the application for deputation form available on the Council website.
- Any handouts or presentations must be included with the application for approval.
- Each deputation is limited to a total of five (5) minutes, regardless of the number of speakers, unless an extension is granted by the meeting.

Process for the deputation within the meeting:

- Minutes will only record the names of the deputation presenters and the topic or agenda item referenced; the content of the deputation will not be included.
- Council Members may ask questions of the deputation at the discretion of the Presiding Member. This questioning time does not count toward the five (5) minutes speaking limit. Questions associated with the deputation can only be answered by the persons appearing as a deputation.

All participants must maintain appropriate behaviour and be considerate of differing points of view. Sarcasm, criticism, defamatory comments, and other inappropriate behaviour or conduct are not permitted.

The Presiding Member has the authority to terminate any deputation or public forum without warning if these protocols are not observed or if a reasonable request is ignored.

Recordings of Council or Committee meetings may be edited to remove content that breaches these protocols.

5.12 Motions (Regulation 12)

1. A member may bring forward any business in the form of a written notice of motion.
2. The notice of motion must be given to the chief executive officer at least seven (7) clear days before the date of the meeting at which the motion is to be moved.
3. A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.
4. If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—
 - (a) until after the expiration of 12 months; or
 - (b) until after the next general election,whichever is the sooner.
5. Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.
6. The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, they consider the motion should be dealt with by way of a written notice of motion.
7. The presiding member may refuse to accept a motion if the subject matter is, in their opinion, beyond the power of the council or council committee (as the case may be).
8. A motion will lapse if it is not seconded at the appropriate time.
9. A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.
10. A member may only speak once to a motion except—
 - (a) to provide an explanation in regard to a material part of their speech, but not so as to introduce any new matter; or
 - (b) with leave of the meeting; or
 - (c) as the mover in reply.
11. A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.
12. A member who has not spoken in the debate on a question may move a formal motion.
13. A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).
14. If the formal motion is—

- (a) that ***the meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or
 - (b) that ***the question be put***, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or
 - (c) that ***the question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
 - (d) that ***the question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
 - (e) that ***the meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
15. If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
 16. A formal motion does not constitute an amendment to a substantive motion.
 17. If a formal motion is lost—
 - (a) the meeting will be resumed at the point at which it was interrupted; and
 - (b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e. a motion to the same effect) cannot be put until at least 1 member has spoken on the question.
 18. A formal motion for adjournment must include the reason for the adjournment and the details for resumption.
 19. Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.
 20. The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.
 21. Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

Motions on Notice

A motion on notice submitted to the Chief Executive Officer at least seven (7) clear days before the meeting will be included in the meeting agenda.

Clarification: Motions on Notice may be submitted for matters not otherwise included on the agenda or the revocation or amendment of a previous Council decision.

Motions on Notice have the same status as other motions and must be moved and seconded. They may be amended during the debate in accordance with meeting procedures.

Motions without Notice

Where practicable, Motions without Notice should be discussed with Governance and provided in writing to the Presiding Member and the Minute Taker prior to the commencement of the meeting.

Clarification: Council Members are encouraged to use Motions on Notice for matters that are not closely related to agenda items or are not urgent, to support transparency and informed decision making.

5.13 Amendments to Motions (Regulation 13)

1. A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
2. An amendment will lapse if it is not seconded at the appropriate time.
3. A person who moves or seconds an amendment (and, if they choose to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
4. If an amendment is lost, only 1 further amendment may be moved to the original motion.
5. If an amendment is carried, only 1 further amendment may be moved to the original motion.
6. Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

Clarification Regarding Amendments

The purpose of an amendment is to alter or modify the wording of a motion before the meeting, without substantially changing its intent.

Amendments may be used to insert, delete or substitute words, or to add to or remove from the substantive purpose of the motion.

Clarification: An amendment must not introduce a new motion or contradict or negate the intent of the original motion before the meeting.

5.14 Variations, etc. (Regulation 14)

1. The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

2. The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

5.15 Addresses by Members, etc. (Regulation 15)

1. A member must not speak for longer than 5 minutes at any one time without leave of the meeting.
2. A member may, with leave of the meeting, raise a matter of urgency.
3. A member may, with leave of the meeting, make a personal explanation.
4. The subject matter of a personal explanation may not be debated.
5. The contribution of a member must be relevant to the subject matter of the debate.
6. Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

Variation to Regulation 15(1)

Each member shall speak for no more than five (5) minutes unless the Presiding Member rules otherwise or leave of the meeting is obtained.

5.16 Voting (Regulation 16)

1. The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.
2. The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable them to determine the result of the voting), and will then declare the outcome.
3. A person who is not in their seat is not permitted to vote.
4. Subregulation (3)—
 - (a) may be varied at the discretion of the council pursuant to regulation 6; and
 - (b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of Section 89 of the Act.

Tied Vote

The Presiding Member of the Council does not have a deliberative vote but has a casting vote in the event of a tied vote.

The Presiding Member of a Committee does not have a casting vote at a Committee meeting. In the event of a tied vote, the matter will be referred to Council for decision.

Election of Office Bearers and Representatives

This section applies to the election of positions including:

- the Deputy Mayor,

- a Presiding Member of a Committee,
- Council representatives on external bodies or organisations
- Council representatives to LGA, ALGA meetings or conferences.

Preliminary requirements

1. The Council or Committee must, by resolution, determine the term of office for the relevant position(s) prior to calling for nominations.
2. The Council or Committee must, by resolution, set out the method of election (e.g. private ballot) and confirm that the outcome of that process will determine the appointment.

The resolution will include the following wording:

The method of appointing [insert details] will be as follows:

If the number of nominations is equal to or less than the number of positions available, the Presiding Member is authorised to declare those members elected to the position(s).

If the number of nominations exceeds the number of positions available, the election will be conducted in accordance with the private ballot process outlined in Section 5.16 of the Code of Practice for Council and Committee Meetings, with the results of the ballot determining the appointment of the Council Member(s) to [insert details].

3. The election will be conducted in public unless the matter is considered in confidence in accordance with Section 90(2) of the *Local Government Act 1999*.

Nominations

The Presiding Member will call for expressions of interest from members wishing to be considered for the position(s).

- Members may nominate themselves or be nominated by another member.
- Members not in attendance may be nominated if they have provided written notice to the Presiding Member or Chief Executive Officer confirming their willingness to accept or decline the position.
- Each nominee is given the opportunity to accept or decline the nomination.
- Nominations may be withdrawn at any time prior to the commencement of voting.

There is no requirement to have a seconder for each nomination.

Names of the candidates are then called out by the Presiding Member.

Conflict of Interest

Appointments of Office Bearers and Representatives made by a motion and resolution, or the confirmation of the outcome of an election process (e.g. private ballot), attract the conflict of interest provisions in accordance with the *Local Government Act 1999*.

Determining voting method

If the number of nominations is equal to or less than the number of positions available, the Presiding Member is authorised to declare those members elected to the position(s).

If the number of nominations exceeds the number of positions available, then a private ballot may be conducted with the person(s) gaining the majority of votes elected to the position(s).

Private ballot process

1. The Chief Executive Officer, or the next most senior staff member present, will act as Returning Officer for the private ballot. The Returning Officer is responsible for the conduct, counting and integrity of the ballot. Governance staff may assist as required.
2. Each member present, including the Mayor and Presiding Member is entitled to one (1) vote.

Please note: No absentee votes are permitted, only members participating in the meeting may vote.

3. Voting will be conducted by private ballot, with the person(s) receiving the highest number of votes elected to the position(s).

Please note: Only votes cast for nominated candidates will be counted, invalid votes will be excluded.

Tied result in a private ballot

1. If the first private ballot results in a tie between two (2) or more candidates, a second and final ballot will be conducted included only those candidates who received equal votes.

Clarification: Any candidate who received the highest number of votes in the first ballot is elected immediately and does not participate in the second ballot. Only two ballots will be held for each position, with the second ballot used solely to resolve ties.

2. If after the second private ballot the tie remains, the outcome will be determined by drawing lots, with the first candidate drawn being excluded.
3. The Returning Officer will announce the results of the private ballot, including the number of votes for each candidate, and the outcome will be recorded in the minutes.

5.17 Divisions (Regulation 17)

1. A division will be taken at the request of a member.
2. If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.
3. The division will be taken as follows:
 - (a) the members voting in the affirmative will, until the vote is recorded, stand in their places;
 - (b) the members voting in the negative will, until the vote is recorded, sit in their seats;
 - (c) the presiding member will count the number of votes and then declare the outcome.

4. The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).
5. Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6.

Divisions

Clarification: A Council Member may call for a division for the purpose of recording how individual members vote on a motion.

When a division is called, the decision is set aside by the Presiding Member and another vote is taken on the motion.

All members must show whether they are voting 'For' or 'Against' the motion.

Those members voting 'For' the motion will stand until the Presiding Member and Minute Taker have noted their names, whilst those voting 'Against' the motion remain seated.

The Presiding Member will then declare the result of the vote, which will be recorded in the minutes.

5.18 Tabling of Information (Regulation 18)

1. A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that they are unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).
2. The chief executive officer may, in tabling a document, indicate that in their opinion, consideration should be given to dealing with the document on a confidential basis under Section 90 or 91 of the Act.

5.19 Adjourned Business (Regulation 19)

1. If a formal motion for a substantive motion to be adjourned is carried—
 - (a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
 - (b) the debate will, on resumption, continue from the point at which it was adjourned.
2. If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.
3. Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
4. The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

5.20 Short Term Suspension of Proceedings (Regulation 20)

1. If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.
2. The Guiding Principles must be taken into account when considering whether to act under subregulation (1).
3. If a suspension occurs under subregulation (1)—
 - (a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
 - (b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—
 - (i) the provisions of the Act must continue to be observed¹; and
 - (ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
 - (iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and
 - (c) the period of suspension should be limited to achieving the purpose for which it was declared; and
 - (d) the period of suspension will come to an end if—
 - (i) the presiding member determines that the period should be brought to an end; or
 - (ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Note—

¹See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

5.21 Chief Executive Officer May Submit Report Recommending Revocation or Amendment of Council Decision (Regulation 21)

1. The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.
2. The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.
3. The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

Part 3 – Meetings of Other Committees

5.22 Application of Part

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

5.23 Notice of Meetings for Members (Regulation 23)

Pursuant to Section 87(15) of the Act, Section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that Section provided as follows:

- (a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;
- (b) that notice need not be given for each meeting separately;
- (c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;
- (d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

5.24 Public Notice of Committee Meetings (Regulation 24)

Pursuant to Section 88(7) of the Act, Section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2) and (3) provided as follows:

- (a) that public notice need not be given for each meeting separately; and
- (b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

5.25 Minutes (Regulation 25)

1. The minutes of the proceedings of a meeting must include—
 - (a) the names of the members present at the meeting; and
 - (b) each motion carried at the meeting; and
 - (c) any disclosure of interest made by a member; and
 - (d) details of the making of an order under subsection (2) of Section 90 of the Act (see subsection (7) of that Section); and
 - (e) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that Section.
2. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

Part 4 – Miscellaneous

5.26 Quorum for Committees (Regulation 26)

1. The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.
2. For the purposes of this regulation, the **prescribed number** of members of a council committee is—
 - (a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or
 - (b) a number determined by the council.

Note—

See also Section 41(6) of the Act.

5.27 Voting at Committee Meetings (Regulation 27)

1. Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
2. Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
3. The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

5.28 Points of Order (Regulation 28)

1. The presiding member may call to order a member who is in breach of the Act or these regulations.
2. A member may draw to the attention of the presiding member a breach of the Act, or these regulations, and must state briefly the nature of the alleged breach.
3. A point of order takes precedence over all other business until determined.
4. The presiding member will rule on a point of order.
5. If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.
6. The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.
7. A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—
 - (a) the ruling has no effect; and
 - (b) the point of order is annulled.

5.28A Exclusion of Member from Meeting by Presiding Member (Regulation 28A)

1. For the purposes of Section 86(6b) of the Act, before giving a direction under that subsection, the presiding member must allow the member to make a personal explanation.
2. If a member is excluded from a meeting for a contravention of Section 86(6a) of the Act, action cannot be taken under Regulation 20 in respect of the contravention.
3. A member will not be taken to contravene Section 86(6a) of the Act merely because the member is—
 - (a) objecting to words used by a member who is speaking; or
 - (b) calling attention to a point of order; or
 - (c) calling attention to want of a quorum.
4. For the purposes of Section 86(6e) of the Act if a member the subject of a direction excluding them from a meeting under Section 86(6b) of the Act refuses to comply with the direction or enters the meeting in contravention of the direction, the remaining members at the meeting may, by resolution—
 - (a) censure the member; or
 - (b) suspend the member for a part, or for the remainder, of the meeting.

5.29 Interruption of Meetings by Members (Regulation 29)

1. A member of a council or council committee must not, while at a meeting—
 - (a) behave in an improper or disorderly manner; or
 - (b) cause an interruption or interrupt another member who is speaking.
2. Subregulation (1)(b) does not apply to a member who is—
 - (a) objecting to words used by a member who is speaking; or
 - (b) calling attention to a point of order; or
 - (c) calling attention to want of a quorum.
3. If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.
4. Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.
5. If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—
 - (a) censure the member; or
 - (b) suspend the member for a part, or for the remainder, of the meeting.
6. A member who—
 - (a) refuses to leave a meeting in contravention of subregulation (4); or
 - (b) enters a meeting in contravention of a suspension under subregulation (5),

is guilty of an offence.

Maximum penalty: \$1 250.

5.30 Interruption of Meetings by Others (Regulation 30)

1. A member of the public who is present at a meeting of a council or council committee must not—
 - (a) behave in a disorderly manner; or
 - (b) cause an interruption.

Maximum penalty: \$500.

6. Feedback

Your feedback on this Code is invited and can be directed to the Manager Governance via email to governance@playford.sa.gov.au or by calling the Customer Contact Team on 8256 0333.

Administration use only

ECM document set no.	3541424
Version no.	8
Procedure link	N/A
Policy author	General Manager – Corporate Services
Endorsed by	Council
Resolution no.	6624
Legal requirement	N/A
Review schedule	Annual
Date of current version	June 2026
Date of next review	June 2027

Version history

Version no.	Approval date	Approval by	Change
1	23 August 2013	Council Resolution Number. 1248	Scheduled review.

2	25 Feb 2014	Council Resolution Number. 1678	Scheduled review and legislated change to the Regulations.
3	16 December 2014	Council Resolution No. 2010	Alignment to Council Elections 2014, change to common format and other minor amendments to align with practices/
4	23 August 2016	Council Resolution Number. 2659	Scheduled review.
5	27 November 2018	Council Resolution Number. 3651	Scheduled review for new Council.
5.1	7 April 2020	Council Resolution Number. 3983	Addition of Appendix F <i>Electronic</i> . <i>Participation in Council Meetings Notice (No.1) 2020.</i> Amendments as per <i>Electronic Participation in Council Meetings Notice (No.1) 2020.</i>
6	29 November 2022	Council Resolution Number. 5203	Scheduled review for new Council. Removal of Electronic Participation in Council Meetings Notice (No.1) 2020. Removal of Declarations of Interest Forms.
7	28 May 2024	Council Resolution Number. 5869	Scheduled review. New corporate template, addition of Regulation 28A, amendments to Regulation 8 and change to deputation submissions.
8	16 June 2026	Council Resolution Number. 6624	Scheduled review. Removal of repealed legislative provisions, amendments to discretionary procedures to improve clarity, updates to Voting Regulation 16, update to motions without notice discretionary text, removal of informal actions from appendix B and D.



NOTICE

of

ORDINARY COUNCIL MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

DAY, DATE MONTH YEAR AT TIME

THIS MEETING WILL ALSO BE VIEWABLE AT
<https://www.youtube.com/user/CityOfPlayford>

CHIEF EXECUTIVE OFFICER

Issue Date: Day, Date

MEMBERSHIP

PRESIDING MEMBER – MAYOR

Cr

Cr

**City of Playford
Ordinary Council Meeting**

AGENDA

DAY, DATE MONTH YEAR AT TIME

- 1 ATTENDANCE RECORD**
 - 1.1 Present
 - 1.2 Apologies
 - 1.3 Not Present
- 2 CONFIRMATION OF MINUTES**
- 3 DECLARATIONS OF INTEREST**
- 4 MAYOR'S REPORT**
- 5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS**
- 6 REPORTS BY COUNCILLORS**
 - 6.1 Information Session Record of Attendance
- 7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)**
- 8 QUESTIONS ON NOTICE**
- 9 QUESTIONS WITHOUT NOTICE**
- 10 PETITIONS**
- 11 DEPUTATION/REPRESENTATIONS**
- 12 MOTIONS ON NOTICE**
- 13 MOTIONS WITHOUT NOTICE**
- 14 COMMITTEE REPORTS**

Chief Executive Officer Review Committee {Date of meeting}

Corporate Governance Committee {Date of meeting}

Policy Review Committee {Date of meeting}

Strategy and Services Committee {Date of meeting}

15 STAFF REPORTS

16 INFORMAL DISCUSSION

17 CONFIDENTIAL MATTERS

18 CLOSURE



NOTICE

Of

COMMITTEE MEETING

*Pursuant to the provisions of Section 88(1) of the
Local Government Act 1999*

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

DAY, DATE MONTH YEAR AT TIME

CHIEF EXECUTIVE OFFICER

Issue Date: Day, Date

MEMBERSHIP

PRESIDING MEMBER – CR

Mayor

Cr

**City of Playford
Committee Meeting**

AGENDA

DAY, DATE MONTH YEAR AT TIME

- 1 ATTENDANCE RECORD**
 - 1.1 Present
 - 1.2 Apologies
 - 1.3 Not Present
- 2 CONFIRMATION OF MINUTES**
- 3 DECLARATIONS OF INTEREST**
- 4 DEPUTATION / REPRESENTATIONS**
- 5 STAFF REPORTS**
- 6 INFORMAL DISCUSSION**
- 7 CONFIDENTIAL MATTERS**
- 8 CLOSURE**



MINUTES

of

ORDINARY COUNCIL MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

DAY, DATE MONTH YEAR AT TIME

The meeting commenced at .

1 ATTENDANCE RECORD

1.1 Present

1.2 Apologies

1.3 Not Present

2 CONFIRMATION OF MINUTES

3 DECLARATIONS OF INTEREST

4 MAYOR'S REPORT

5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS

6 REPORTS BY COUNCILLORS

7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)

8 QUESTIONS ON NOTICE

9 QUESTIONS WITHOUT NOTICE

10 PETITIONS

11 DEPUTATION/REPRESENTATIONS

12 MOTIONS ON NOTICE

13 MOTIONS WITHOUT NOTICE

14 COMMITTEE REPORTS

Chief Executive Officer Review Committee

Corporate Governance Committee

Policy Review Committee

Strategy and Services Committee

15 STAFF REPORTS

16 INFORMAL DISCUSSION

17 CONFIDENTIAL MATTERS

18 CLOSURE



MINUTES

of

COMMITTEE MEETING

*Pursuant to the provisions of Section 88(1) of the
Local Government Act 1999*

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

DAY, DATE MONTH YEAR AT TIME

The meeting commenced at .

1 ATTENDANCE RECORD

1.1 Present

1.2 Apologies

1.3 Not Present

2 CONFIRMATION OF MINUTES

3 DECLARATIONS OF INTEREST

4 DEPUTATION / REPRESENTATIONS

5 STAFF REPORTS

6 INFORMAL DISCUSSION

7 CONFIDENTIAL MATTERS

8 CLOSURE