

Legislation / local law requirements	<i>Local Government (Administration) Regulations 1996.</i> Section 5.25 of the <i>Local Government Act 1995</i>
Relevant delegations	Nil
Related policies, procedures and supporting documentation	Meeting Procedures Local Law 2008 Meeting Procedures Policy Council Proceedings - Recording and Web Streaming Policy.

INTRODUCTION

These guidelines are intended to provide guidance on the format and procedure of Council Briefings and the manner in which members of the public may submit or ask questions at Council Proceedings.

These guidelines do not prevail over the City's Meeting Procedures Local Law 2008 (Local Law) and should be read in conjunction with the City's Meeting Procedures Policy and Council Proceedings - Recording and Web Streaming Policy.

DEFINITIONS

“Committee Meeting” means a meeting of any committee to which a power or duty has been delegated.

Committees that do not have delegated powers or duties to make decisions are not subject to these guidelines.

COUNCIL BRIEFING SESSIONS

Council Briefings provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week.

Council Briefings are not a decision-making forum and Council has no power to make decisions at Council Briefings.

General procedures for Council Briefings

1. Council Briefings will be open to the public except for matters of a confidential nature. The guide in determining those matters of a confidential nature shall be in accordance with the *Local Government Act 1995*.
2. Council Briefings will be held on the Tuesday of the week prior to the Ordinary Council Meeting and will commence at 6pm.
3. The Mayor will be the Presiding Member at Council Briefings. In the absence of the Mayor the Deputy Mayor will be the Presiding Member. In the absence of both, Elected Members will elect a chairperson from amongst those present.



4. Council Briefings will consider items on the agenda only. The process will be for the Presiding Member to call each item number and invite questions or requests for clarification from Elected Members. The order will be to deal with those issues first raised by members of the public and then to proceed to call remaining items in the order that they appear in the Agenda. Where there are no questions regarding the item, the Council Briefing will proceed to the next item.
5. Confidential items will be deferred to the conclusion of the Council Briefing and at that point, the meeting will be closed to the public.
6. The reports provided to Council Briefings are the reports that the Administration intends to submit to Council formally in the subsequent week. While it is acknowledged that Elected Members may raise issues that have not been considered in the formulation of the report or its recommendation Council Briefings cannot be used as a forum for Elected Members to direct Officers to alter their advice or recommendations.
7. Urgent items may be tabled at a Council Briefing where the full report cannot be provided in advance. In these instances, Administration will endeavour to include the item on the Council Briefing agenda as a late item, noting that a report will be published prior to, or tabled at the meeting.
8. Items that are presented in accordance with clause 7 above are to include justification of urgency and consideration of the impact that late publication may have on community engagement in accordance with clause 2.5 and 2.6 of the City's Meeting Procedures Policy.
9. Where an interest is declared in relation to an item on the Council Briefing Agenda, the same procedure which applies to Ordinary Council meetings which is detailed under section 2.17 of the Local Law.
10. Council Briefings are recorded and streamed live on the City's website in accordance with the City's *Council Proceedings – Recording and Web Streaming Policy*.

Procedure for public question time at Council Briefings

1. Members of the public present at Council Briefings will have an opportunity to ask questions or make statements during public question time.
2. Members of the public must be in attendance and present their own question or statement unless otherwise approved by the Presiding Member.
3. Questions and statements at Council Briefings must relate to a report contained in the agenda.
4. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.



5. Questions and statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
6. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *“taken on notice”* and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
7. The Presiding Member may close public question time after a minimum of 15 minutes, or earlier if there are no further speakers.

Procedure for deputations at Council Briefings

1. Unless otherwise determined by the Presiding Member, deputations will generally not be heard at Council Briefings and will instead be reserved for the Ordinary Council meeting, consistent with the City’s Local Law.
2. To submit a request to make a deputation at a Council Briefing members of the public must email governance@vincent.wa.gov.au at least 24 hours prior to the Briefing, and must include their full name, suburb of residence and the item they are speaking on. The Presiding Member may at their discretion approve a deputation, as set out in the Local Law.
3. A deputation invited to attend a Council Briefing shall not exceed five members, only two of which may address the Council; and shall address the Council for a period not exceeding fifteen (15) minutes.



COUNCIL MEETINGS AND COMMITTEE MEETINGS

Council Meetings and Committee Meetings are conducted in strict compliance with the requirements of the *Local Government Act 1995 (Act)*, its regulations and the Local Law.

Procedure for public question time at Council and Committee Meetings

1. Members of the public present at Council Meetings have an opportunity to ask questions or make statements during public question time in accordance with section 2.19(4) of the Local Law.
2. Members of the public must be in attendance and present their own question or statement unless otherwise approved by the Presiding Member.
3. Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Vincent. Questions asked at a Special Council Meeting or Committee Meeting must relate to the purpose for which the meeting has been called.
4. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.
5. Questions and/or statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
6. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be “*taken on notice*” and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
7. The Presiding Member may close public question time after the minimum time required by the *Local Government (Administration) Regulations 1996*, or earlier if there are no further speakers.

Procedure for deputations at Council Meetings

1. Council Meetings include a time for deputations which will be conducted in accordance with clause 2.22 of the Local Law. To register to make a deputation members of the public must email governance@vincent.wa.gov.au at least 24 hours prior to the meeting, and must include their full name, suburb of residence and the item they are speaking on. The Presiding Member may at their discretion approve a deputation, as set out in the Local Law.
2. A maximum of two people may address the Council during each approved deputation
3. Each approved deputation shall not exceed fifteen (15) minutes.



Procedure for submission of petitions

1. Petitions must be submitted two (2) business days before the meeting.
2. Petitions must address the requirements of clause 2.24 of the Local Law.

ELECTRONIC COUNCIL PROCEEDINGS

In accordance with regulation 14D of the *Local Government (Administration) Regulations 1996* a Council or Committee meeting may be held by electronic means:

- (a) if:
- (i) a public health emergency or a state of emergency exists in the whole or a part of the area of the City's district; and
 - (ii) because of the public health emergency or state of emergency, the Mayor or Council considers it appropriate for the meeting to be held by electronic means

Or

- (b) if:
- (i) a direction is issued under the *Public Health Act 2016* or the *Emergency Management Act 2005* that prevents the meeting from being held in person; and
 - (ii) the Mayor or Council authorises the meeting to be held by electronic means.

Where a Council or Committee meeting is determined to be conducted by electronic means, the following procedures will apply.

General procedures for electronic Council proceedings

1. The Presiding Member is to determine the electronic meeting method and is to notify the CEO of this in writing, in accordance with regulations 14D(3) & (4).
2. The preferred method is video-conference which is live streamed and accessible through the City's website.
3. Notice of the format of the electronic meeting is to be provided on the City's website.
4. Elected Members' faces must be visible in the video-conference at all times, unless the Presiding Member has approved their leave from the video-conference.
5. Elected Members' titles – "Mayor..., Cr..." must be displayed at all times in the video-conference.
6. To request leave from the video-conference the Elected Member is to raise their hand, wait for verbal acknowledgement from the Presiding Member, and advise the Presiding Member of their reason for requesting leave or anticipated period of time (for example – I request leave from the video-conference for 2 minutes). The Presiding Member will verbally confirm that the leave has been granted to the Elected Member.
7. Elected Members who have disclosed an interest in an item and cannot vote must leave the video-conference in the same manner as set out above. The Presiding Member will verbally confirm that the Elected member has disclosed a financial or



proximity interest in the item and cannot vote and has left the video-conference for the item.

8. When returning to the video-conference, Elected Members must wait for the Presiding Member to acknowledge their return by verbally confirming that the Elected Member has returned to the video-conference.

Leave of absence requests and conflicts of interest

1. Elected Members must disclose any conflicts of interest by completing the PDF-fillable Disclosure of Financial and Proximity Interest and Disclosure of Impartiality Interest forms.
2. The completed disclosure of interest form must be emailed to governance@vincent.wa.gov.au before the meeting or at the meeting immediately before the matter is discussed.
3. Elected Members can apply for leave of absence by emailing governance@vincent.wa.gov.au by 3pm on the day of the Council proceeding.
4. The email must include the dates of the requested leave of absence and a reason (for example holiday or interstate work commitments) as set out in clause 2.9(2) of the Local Law.

Matters behind closed doors

1. Council may pass a motion to go behind closed doors. When this occurs the video-conference will continue but the live streaming on the City's website will cease.
2. At the conclusion of the confidential discussion the live streaming on the website will recommence, and the Presiding Member will read out the confidential resolution.

Procedure for public question time where in-person meetings are not permitted due to a direction issued under the Public Health Act 2016 or the Emergency Management Act 2005

1. Written questions and/or statements must include the person's full name, suburb of residence and are to be emailed to governance@vincent.wa.gov.au by 3pm on the day of the Council proceeding.
2. Questions and/or statements at Council Meetings can relate to any matter affecting the City.
3. Questions and/or statements at Council Briefings, Special Council Meetings and Committee meetings must relate to items on the agenda for that meeting.
4. Written questions will be read out during public question time but cannot exceed 3 minutes. Responses to all questions (including if the question is addressed at the Council proceeding) will be provided in the next Council or Committee Meeting Agenda.

COUNCIL PROCEEDINGS GUIDELINES



5. Written statements will be circulated to Elected Members and will not be read out unless specifically requested by the Presiding Member prior to the commencement of the meeting.
6. The Presiding Member may close public question time after a minimum of 15 minutes, or earlier if there are no further speakers.

Procedure for deputations where in-person meetings are not permitted due to a direction issued under the Public Health Act 2016 or the Emergency Management Act 2005

1. Electronic Council proceedings will include a time for deputations which will be conducted in accordance with clause 2.22 of the Local Law. To register to make a deputation member of the public must email governance@vincent.wa.gov.au at least 24 hours prior to the meeting, and must include their full name, suburb of residence and the item they are speaking on. The Presiding Member may at their discretion approve a deputation, as set out in the Local Law.
2. A deputation invited to attend a Council proceeding meeting shall not exceed five members, only two of which may address the Council; and shall address the Council for a period not exceeding fifteen (15) minutes.
3. The meeting host will forward an attendance link to the approved deputation who will be permitted to address the proceeding when called by the Presiding Member.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance
Approved by Council	17/08/2021
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