

**Town of Victoria Park Council Submission on Local Government Reform Consultation Paper – Standardised Meeting Procedures**

DLGSC Consultation Paper	ToVP Council Submission Response/Recommendation/Comments
<p>Part 1: General meeting process</p> <p>1. Calling meetings</p> <p>The calling of council meetings is outlined in sections 5.5 to 5.7 of the Act, and in existing regulations 12 to 14. Amendments are proposed to add new requirements for the oversight of special council meetings that are held at short notice and prevent any meeting from being held at an unreasonable time of day. It is important that special meetings are only convened in appropriate circumstances. Regulations are proposed to require:</p> <ul style="list-style-type: none"> <li>a minimum of 24 hours' notice to convene a special council meeting</li> <li>that notice to convene a special council meeting may be done with less than 24 hours' notice if an absolute majority of council members call the meeting</li> <li>that a meeting cannot commence any earlier than 8 am or later than 8 pm.</li> </ul> <p>1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting? Yes / No (a) If no, please provide a suggested alternative.</p> <p>2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? Yes / No (a) If yes, please provide examples and the suggested alternative.</p>	<p>1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting? <b>Unable to agree</b></p> <p><b>Yes</b> - Example could be that there is an item identified at 5pm on a Thursday night that needs a quick Special Council Meeting for instance. And then notification is at 9am the next day, Friday for a meeting at 6pm.</p> <p><b>No</b> - After 6 years on Council, it is difficult to conceive of any circumstances that would warrant such an urgent meeting. Good governance is more important than expediency. 24 hours should be the minimum notice required.</p> <p>2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? <b>Yes</b></p> <p>The only times this is suitable is during emergencies such as bushfire/flood/storm etc. Where decisions may need to be made quickly. During business-as-usual times, 48 hours is more appropriate and between 8am and 8pm is suitable.</p> <p>If a majority of elected members agree to an earlier start time than 8am for a meeting, then this flexibility should be permitted. Some examples could be for special council meetings which are required to be held urgently, and to accommodate elected members who work fulltime and may be otherwise unable to attend an urgent meeting during normal business hours.</p> <p><b>Current provisions in LG Act 1995</b></p> <p>5.5. Convening council meetings</p> <p>(2) The CEO is to convene a special meeting by giving each council member notice, before the meeting, of the date, time, place and purpose of the meeting.</p>
<p>2. Agendas and order of business</p> <p>It is proposed to broadly retain existing requirements for local governments to publish meeting agendas. It is proposed that the general order of meetings be outlined in the Regulations for consistency across the local government sector. However, a council or committee may decide to consider business in a different order, provided that the other requirements of the Regulations (such as public question time being held before any decisions are made) are still met.</p> <p>Regulations are proposed to outline the following order of business:</p> <ul style="list-style-type: none"> <li>opening (local governments will still be able to continue their own practices for opening meetings, such as making acknowledgements, prayers, opening statements, etc.)</li> <li>recording attendance</li> <li>public question time (see section 6)</li> <li>public presentations and petitions (see sections 7 and 8)</li> <li>members' question time (see section 12)</li> <li>confirmation of previous minutes (see section 15)</li> <li>reports from committees and the CEO</li> <li>motions from members</li> <li>urgent business</li> <li>matters for which the meeting may be closed</li> <li>closure.</li> </ul> <p>3. Is the proposed order of business suitable? Yes / No (a) If no, please provide a suggested alternative.</p>	<p>3. Is the proposed order of business suitable? <b>Yes</b></p> <p>Order of business is in the current ToVP Meeting Procedures. Deciding by simple majority seems reasonable, provided there is provision to change the order of business if circumstances require.</p> <p>Q) The proposal allows for a Council or Committee to decide to consider order of business in a different order. Will this need to be through:</p> <ul style="list-style-type: none"> <li>a Council decision by simple; or</li> <li>a Council decision by absolute majority; or</li> <li>a Council policy.</li> </ul>
<p>3. Urgent business</p> <p>Currently, individual local governments' meeting local laws and policies may vary in how urgent business is raised at a meeting. Existing local laws and policies provide various procedures for urgent business to be considered at a council meeting. Broadly, these procedures seek to limit the use of urgent business to only the most exceptional circumstances.</p> <p>Regulations are proposed to allow the CEO to introduce an item without notice in cases of urgency if:</p> <ul style="list-style-type: none"> <li>an absolute majority of the council resolve to hear the matter at the meeting, and</li> <li>the item is clearly marked as urgent business.</li> </ul> <p>It is proposed that DLGSC must be notified each time this occurs, within 7 calendar days, to ensure this process is only used in exceptional circumstances. Urgent business may only be heard after public question time (see section 6).</p>	<p>4. Are the proposed requirements for urgent business suitable? <b>No</b></p> <p>(a) If no, please provide a suggested alternative.</p> <p>Alternative is to allow the urgent business process as proposed but remove the requirement to notify DLG after a matter of urgent business is raised. There is simply no justification for this as urgent business is neither unexpected nor unlawful. Council is responsible for overseeing that the CEO complies with urgent business. Notification serves no purpose, notification after the event serves even less purpose and overall this is just additional red tape and a waste of the LG resources. If the DLG really wants to collect this data,</p>

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<p>4. Are the proposed requirements for urgent business suitable? Yes / No (a) If no, please provide a suggested alternative.</p>	<p>then it can request the number of urgent items of business be reported in the Compliance Audit Return or the Annual Report.</p> <p>Q) What use is this information to the DLGSC and what will it be used for? Another layer of red tape when a matter might be serious and urgent. The focus needs to be on that, not advising DLGSC unless the notification of this is considered vital.</p> <p>Q) Why is there are calendar days used instead of working days? Council members and staff generally only work during the week and one working week may have a number of public holidays e.g Easter. Having calendar days for Council and committee meetings is not helpful.</p>
<p>4. Quorum Existing regulation 8 addresses the process for when there isn't a quorum at a meeting. Amendments are proposed to provide for the following where a quorum is lost or not present:</p> <ul style="list-style-type: none"> <li>if no quorum is present within 30 minutes of the time set for the meeting, the meeting lapses</li> <li>where quorum is lost during a meeting: <ul style="list-style-type: none"> <li>the meeting proceeds to the next item of business if it is due to members leaving because of a financial or proximity interest</li> <li>the meeting is adjourned for 15 minutes for any other reason and if quorum cannot be reformed, the meeting is closed</li> </ul> </li> <li>where quorum is lost, the names of the members then present are to be recorded in the minutes.</li> </ul> <p>5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes / No (a) If no, please explain why and the suggested alternative, if any.</p>	<p>5. Are the proposed requirements for when a quorum is not present or lost suitable? <b>Unable to agree</b> <b>Yes</b> – Seems reasonable although what happens in case of emergency. <b>No</b> - Waiting for 30 minutes is unnecessary. It should be 15 minutes for a quorum to be established otherwise adjourned as per WA Government Standing Orders.</p> <p><b>Current provisions in LG Act 1995</b> 8. No quorum, procedure if (Act s. 5.25(1)(c)) If a quorum has not been established within the 30 minutes after a council or committee meeting is due to begin then the meeting can be adjourned — (a) in the case of a council, by the mayor or president or if the mayor or president is not present at the meeting, by the deputy mayor or deputy president; or (b) in the case of a committee, by the presiding member of the committee or if the presiding member is not present at the meeting, by the deputy presiding member; or (c) if no person referred to in paragraph (a) or (b), as the case requires, is present at the meeting, by a majority of members present; or (d) if only one member is present, by that member; or (e) if no member is present or if no member other than the CEO is present, by the CEO or a person authorised by the CEO.</p>
<p>5. Adjourning a meeting Currently, individual local governments' meeting local laws or policies may contain processes for adjourning a meeting. It is intended to adopt similar rules, while also addressing concerns regarding meetings of council that run late. Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>council may decide to adjourn a meeting to another day, time and place to resume from the point it adjourned</li> <li>a presiding member may adjourn a meeting for 15 minutes to regain order of a meeting that has been disrupted</li> <li>if a meeting is adjourned for a second time due to disruption, a presiding member must adjourn the meeting to another day, time or place (not on the same day), with notice being published on the local government's website.</li> </ul> <p>It is also proposed that if a meeting is continuing and it reaches 10:45 pm:</p> <ul style="list-style-type: none"> <li>the council or committee may decide to either extend the meeting for a further 15 minutes to allow for any remaining business to be concluded or determine to adjourn the meeting</li> <li>if any business remains at 11 pm, the meeting must adjourn to a day and time which is at least 10 hours later to deal with any outstanding agenda items and a notice must be published on the local government's website listing when the meeting will resume.</li> </ul> <p>6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes / No (a) If no, what is the suggested alternative?</p>	<p>6. Is 11 pm an appropriate time for when a meeting must be adjourned? <b>Unable to agree</b> (a) If no, what is the suggested alternative? Several suggestions:</p> <ul style="list-style-type: none"> <li>A set time of either 10pm, 10:30pm or 11pm</li> <li>A set time with discretion by Mayor or Council decision to go on a further 15 minutes.</li> <li>No set time as is currently legislated. Setting a maximum meeting time is an undue restriction on the business of Council. The DLG should leave it to each Council to determine when an appropriate time is to finish a meeting, and not seek to micromanage the maximum time for meetings. Fixing a maximum time for the end of meetings can result in the ridiculous example where a meeting that may otherwise finish at 11.05pm would have to be adjourned to another date and time resulting in significant inconvenience to elected members, staff and community, just for the sake of 5 minutes more meeting times.</li> </ul>
<p>Part 2: Public participation 6. Public question time Currently, the Act and Regulations require that public question time is to be made available at every council meeting and certain committee meetings. Regulation 6 requires that at least 15 minutes is to be made available for public questions at those meetings. However, question time may be extended if there are further questions; the time may also be used for other business if there are no further questions. Regulation 7 also provides that question time must be held before substantive decisions are made at that meeting. Currently, the practice at many local governments is that a person who wishes to ask a question attends the meeting (either physically in-person or by electronic means) to ask their question. However, it is proposed that regulations allow for a personal representative of a person to ask a question. This provides an alternative avenue for someone who may be unable to attend a meeting to have their question raised.</p>	<p>7. Is the existing minimum allocation of 15 minutes for public question time sufficient? <b>Yes</b> 8. Is 2 minutes enough time for a member of the public to ask a question? <b>Unable to agree</b> <b>Yes</b> <b>No</b> - the real issue is ensuring everyone who wishes to participate gets a fair and equitable opportunity to ask questions. That can only be done by allowing everyone to ask the same number of questions at a meeting. Using a time limit per question means some people will speak efficiently and others will not. A limit of 2 minutes to ask a question (allowing for preamble and context) is also too long. It encourages people to be inefficient in expressing their actual question. Preamble and context are not required to ask questions. If they are needed, it can simply be requested.</p>

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<p>Currently, individual local governments meeting local laws and policies may contain processes for members of the public to raise questions. Some requirements, such as rules requiring a person to lodge a question in writing before a meeting, may prevent a person who is not familiar with those requirements from being able to ask a question.</p> <p>New standardised requirements are proposed to expand the existing Regulations to require that:</p> <ul style="list-style-type: none"> <li>• a member of the public only needs to provide their name and suburb/locality (and not any other information) before asking a question</li> <li>• a person is not required to lodge a question in writing in advance of a meeting (although a person may choose to do so, for instance if they have a very specific or technical question)</li> <li>• a local government may still require a person, or their personal representative, to attend a meeting to ask a question lodged in writing in advance of the meeting for it to be addressed at that meeting</li> <li>• questions must not take more than 2 minutes to ask, including a relevant preamble, unless the presiding member grants an extension of time</li> <li>• if other people are waiting to ask questions, the presiding member will seek to provide equal opportunity for people to ask questions (for instance, by moving to the next person waiting after someone has asked 3 questions, and returning to the first person if time allows)</li> <li>• any questions are to be answered by the presiding member, or a relevant member (nominated by the presiding member), the CEO, or an employee nominated by the CEO</li> <li>• if a question, or a question of a similar nature, was asked and answered in the previous 6 months, the presiding member may direct the member of the public to the minutes of the meeting that contains the question and answer</li> <li>• no debate of a question or answer is to take place</li> <li>• questions may be taken on notice by the person who is answering the question</li> <li>• when a question is taken on notice, a response is to be given to the member of the public in writing and a copy of the answer is to be included in the agenda of the next ordinary meeting</li> <li>• the presiding member may reject questions that contain offensive language or reflect adversely on others but must provide opportunities for the question to be rephrased.</li> </ul> <p>7. Is the existing minimum allocation of 15 minutes for public question time sufficient? <b>Yes / No</b>  (a) If no, what minimum time limit do you suggest?</p> <p>8. Is 2 minutes enough time for a member of the public to ask a question? <b>Yes / No</b>  (a) If no, what time limit or other method of allocating questions do you suggest?</p> <p>9. Should any other standard requirements for public question time be established? <b>Yes / No</b>  (a) If yes, please provide details.</p> <p>10. Should a personal representative be able to ask a question on behalf of another person? <b>Yes / No</b>  (a) If no, please provide your reasons.</p>	<p>The best approach is to fix the number of questions per person, with flexibility for a person to ask more questions if overall circumstances permit. 3 questions per person is a sufficient number to ensure fairness and equity, and to ensure a focus on the issues.</p> <p>9. Should any other standard requirements for public question time be established? <b>No</b>  (a) If yes, please provide details.</p> <p>10. Should a personal representative be able to ask a question on behalf of another person? <b>No</b>  (a) If no, please provide your reasons.  It would be difficult to verify if the personal representative was actually the representative for the person want to ask the question and is open to abuse.</p>
<p>7. Presentations to Council</p> <p>Local governments commonly allow for presentations (also known as deputations) to be made to inform council decisions. Councils may set a policy for whether they hear presentations at council meetings and/or committee meetings, or at other meetings, and the circumstances in which a presentation may be heard.</p> <p>It is proposed that local governments will continue to have discretion to choose whether and when to hear presentations.</p> <p>To allow for a decision to be made in advance of the meeting, it is proposed that either the presiding member or CEO will make the decision on whether a presentation is heard at a meeting, based on any policy established by the council.</p> <p>Accordingly, it is proposed that a council may establish a policy that determines:</p> <ul style="list-style-type: none"> <li>• the types of meetings at which presentations may be heard</li> <li>• whether the responsibility for making decisions on presentation requests sits with either the presiding member or CEO</li> <li>• any other matters to guide the presiding member or CEO's decision making towards requests.</li> <li>• New Regulations are also proposed to:</li> <li>• allow a person, or group of people, to lodge a request in accordance with the council's policy to provide a presentation at least 48 hours before the meeting</li> </ul>	<p>11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? <b>Yes</b></p> <p>12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? <b>Yes</b></p> <p>13. Should a standard time limit be set for public presentations? <b>Yes</b></p> <p>14. Would 5 minutes be a suitable time limit for public presentations? <b>Yes</b> with discretion to extend time.</p>

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<ul style="list-style-type: none"> <li>require the presiding member or CEO to decide and provide a response to the person requesting the presentation by 12 noon the day of the meeting</li> <li>provide that if the presiding member or CEO refuses an application, they are to provide their reasons to the applicant and advise of the refusal at the meeting</li> <li>limit presentations to 5 minutes (not including questions) unless there is a resolution to extend the time limit</li> <li>allow council and committee members to ask questions of presenters</li> </ul> <p>11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? Yes / No (a) If no, please provide reasons.</p> <p>12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? Yes / No (a) If no, please provide reasons and suggest an alternative.</p> <p>13. Should a standard time limit be set for public presentations? Yes / No (a) If no, please provide reasons.</p> <p>14. Would 5 minutes be a suitable time limit for public presentations? Yes / No (a) If no, please provide reasons and suggest an alternative.</p>	
<p>8. Petitions Many local governments have a tradition of accepting petitions, mirroring the practice of Parliament. Regulations are proposed to:</p> <ul style="list-style-type: none"> <li>enable any person to petition a local government by lodging a petition to the council on any matter, including petitions which may be critical of actions or decisions of the local government</li> <li>require the lead petitioner to provide their contact details</li> <li>require any person signing a petition to state their suburb/town, and declare whether they are residents and/or electors of the district</li> <li>require the petitioner to tally the number of signatories</li> <li>limit rejection of a petition to only when it is not in the prescribed form</li> <li>require that the council is to consider each petition and must determine how it is to respond, such as by seeking a report from the CEO</li> <li>allow local governments to establish an electronic petitioning system if they wish</li> <li>require all petitions received and outcomes from petitions to be summarised in a report to the annual meeting of electors.</li> </ul> <p>15. Do the proposed regulations provide an effective system for managing petitions? Yes / No (a) If no, please provide reasons and suggested alternatives.</p>	<p>15. Do the proposed regulations provide an effective system for managing petitions? <b>No</b> (a) If no, please provide reasons and suggested alternatives.</p> <ul style="list-style-type: none"> <li>- Not have electronic petitions</li> <li>- Lead petitioner to be an elector and all other signatories to be from local government area, they can be electors or residents</li> </ul>
<p>Part 3: Conduct of debate 9. Orderly conduct of meetings New Regulations are proposed to create a duty for all people present at a meeting to:</p> <ul style="list-style-type: none"> <li>ensure that the business of the meeting is attended to efficiently and without delay</li> <li>conduct themselves courteously at all times</li> <li>allow opinions to be heard within the requirements of the meetings procedures.</li> </ul> <p>It is also proposed that the Regulations:</p> <ul style="list-style-type: none"> <li>allow members to raise points of order to bring the presiding member's attention to a departure from procedure</li> <li>provide that it is a minor breach for a presiding member to preside in a manner which is unreasonable or contravenes the requirements of the Act or Regulations</li> <li>empower the presiding member to call a person to order and:             <ul style="list-style-type: none"> <li>– should a member not comply with a third call to order, the presiding member may direct them to speak no further (but they may continue to cast their vote) for the remainder of the meeting, with failure to adhere to the direction being a minor breach</li> <li>– if any other person does not comply with one call to order, the presiding member may direct them to leave the meeting, with failure to do so being an offence</li> </ul> </li> <li>provide that a council may vote to rescind a direction made by a presiding member for a member to not speak further during a meeting</li> <li>provide that a member who has had a direction made against them to not speak further cannot move or second a motion that attempts to rescind the decision.</li> </ul> <p>16. Do these measures provide a suitable framework to maintain order in meetings? Yes / No (a) If no, what are the suggested changes?</p>	<p>16. Do these measures provide a suitable framework to maintain order in meetings? <b>Yes, partially.</b></p> <p>Q) Clarification is needed on the first point. It states that the business of the meeting is attended to efficiently. What is the definition of efficiently. For example: If an item is being debated, but Council members are constantly asking for clarification from each other and officers and an item may take 2 hours, how is this going to be dealt with through the regulations. Is this considered not efficient?</p> <p>Object to the proposed inclusion of a minor breach by a presiding member who presides in a manner which is "unreasonable". Introducing the subjective concept of "unreasonableness" is unnecessary when it is proposed that a minor breach will occur where a presiding member breaches the Act or Regulations.</p> <p>Any attempts to unduly restrict the ability of elected members to ask questions at any time during debate is the opposite of good governance.</p>

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<p>10. Motions and amendments Existing meeting procedures address many matters relating to the processes of decision making. This includes motions and amendments (including foreshadowed and alternate motions), notices of motion by members, reasons for changes to the CEO’s recommended motion, passing motions “en bloc”, and how voting occurs. The existing system of motions (including foreshadowed, amendment, alternate and revocation motions) are proposed to be broadly maintained. Council members may raise motions that are not part of the agenda of a meeting to recommend a proposal for consideration. For instance, a motion might propose a new policy or decision. Local governments commonly require notice of a motion to be provided in advance of a council meeting. This is to allow council members time to review the motion and for the CEO and administration to provide advice needed to assist council members with making a decision on a motion. Providing notice to other council members, the CEO and administration can support a more fulsome consideration of the motion. Regulations are proposed to require council members to provide written notice of motions at least 1 calendar week before the council meeting commences. This would generally allow those motions to be included in the meeting agenda, which must be published 72 hours before the commencement of the meeting. It is proposed that council members will still be able to move amendments and alternative motions during debate on agenda items without providing written notice in advance of the meeting. This provides for members to be able to consider all options and suggestions for an item included in the agenda of a meeting. It is proposed that reasons for notices of motion, amendments and other decisions that are changed at a meeting would still be required.</p> <p>17. Is a period of 1 calendar week an appropriate notice period for motions? <b>Yes / No</b> (a) If no, what is your suggested alternative?</p> <p>18. Are these proposals for motions suitable? <b>Yes / No</b> (a) If no, please provide reasons.</p>	<p>17. Is a period of 1 calendar week an appropriate notice period for motions? <b>Yes</b> Including motions in the Agenda Briefing Forum (ABF) is important to give time for proper research, questions, and deliberation. Timing should allow for discussion and questions at ABF so items should fit deadline for ABF inclusion. "Working days" should be used to be consistent with standard legislative drafting, not calendar days or weeks. (a) If no, what is your suggested alternative?</p> <p>18. Are these proposals for motions suitable? <b>Yes</b> The answer to what is an appropriate period for Notices of Motion (not amendments) depends entirely on when the Agenda for the OCM is published, and how much time is sufficient for an officer response. Since all LGs are different, a one-size-fits-all approach should be avoided, and each Council should decide individually. (a) If no, please provide reasons. As above</p>
<p>11. Debate on a motion The practice of motions being moved and seconded and debate alternating between speakers for and against the motion is used in meeting procedures statewide. Some local governments have a further requirement where if a motion is not opposed, no debate occurs, and the motion is recorded as passing unanimously.</p> <p>Regulations are proposed to provide for the following rules for formal debate on a motion or amendment:</p> <ul style="list-style-type: none"> <li>any motion must be seconded before it may be debated (or carried without debate)</li> <li>a motion is carried without debate if no member is opposed to the motion</li> <li>if a member is opposed, the mover and seconder may speak and are followed by alternating speakers against and for the motion, with a final right of reply for the mover</li> <li>speeches must be relevant to the motion under debate and no member must speak twice – except for the mover’s right of reply, or if the council decides to allow further debate</li> <li>no member can speak for longer than 5 minutes without the approval of the meeting.</li> </ul> <p>19. Do you support these rules for formal debate on a motion or amendment? <b>Yes / No</b> (a) If no, what is your suggested alternative?</p> <p>20. Is 5 minutes a suitable maximum speaking time during debate? <b>Yes / No</b> (a) If no, what should be the default maximum speaking time?</p> <p>21. Is a general principle against speaking twice on the same motion suitable? <b>Yes / No</b> (a) If no, please provide reasons.</p>	<p>19. Do you support these rules for formal debate on a motion or amendment? <b>Yes</b></p> <p>20. Is 5 minutes a suitable maximum speaking time during debate? <b>Yes</b></p> <p>21. Is a general principle against speaking twice on the same motion suitable? <b>Yes</b>, save for the mover and if Council has voted to suspend the rule against speaking twice.</p>
<p>12. Questions by members The current practices for members asking formal questions at meetings varies throughout the sector. Some local governments have a “questions from council members” period; other local governments allow members to place questions on notice for future meetings.</p> <p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>council members can ask the CEO questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting</li> <li>council member questions are to be answered during the “questions from council members” agenda item</li> <li>council members must seek permission from the presiding member to ask the CEO clarifying questions during debate.</li> </ul> <p>22. Should the new standardised provisions include a maximum time limit for the “questions from council members” agenda item? <b>Yes / No</b> (a) If no, please provide details.</p> <p>23. Is 1 day of notice for a question from a council member sufficient? <b>Yes / No</b></p>	<p>22. Should the new standardised provisions include a maximum time limit for the “questions from council members” agenda item? <b>No</b> (a) If no, please provide details. These questions are vital to be answered for the decision makers. These are important for democratic deliberation. Sometimes a pressing and vital local issue arises that may require several questions. Flexibility in this area is useful.</p> <p>23. Is 1 day of notice for a question from a council member sufficient? <b>Unable to agree</b> <b>Yes</b> as long as they can be taken on notice. <b>No</b>, there should be no requirement for elected members to have to give notice of questions they wish to ask. That would undemocratically and unfairly restrict the ability of an elected member to raise questions that arise after the notice period, after receipt of additional information, and even after hearing questions from other elected members.</p>

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<p>(a) If no, what is your suggested alternative and why?</p> <p>24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes / No</p> <p>(a) If no, what is your suggested alternative and why?</p>	<p>24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? <b>Yes</b></p>
<p>13. Procedural motions</p> <p>Various procedural motions are provided for in each local governments’ meeting procedures. They help with managing a meeting effectively and democratically.</p> <p>Regulations are proposed to provide for the following procedural motions to be put without debate:</p> <ul style="list-style-type: none"> <li>• a motion to vary the order of business (e.g. to move a report in the order of business so it is considered earlier)</li> <li>• a motion to adjourn debate to another time</li> <li>• a motion to adjourn the meeting</li> <li>• a motion to put the question (close debate)</li> <li>• a motion to extend a member’s speaking time</li> <li>• a motion to extend public question time</li> <li>• a motion to extend the time for a public presentation</li> <li>• a motion to refer a motion to a committee or for the CEO to provide a new or updated report to a future meeting</li> <li>• a motion of dissent in the presiding member’s ruling (for example, to overturn the presiding member’s direction that a member does not speak further)</li> <li>• a motion to close a meeting to the public in accordance with the Act.</li> </ul> <p>25. Should any of these procedural motions not be included? Yes / No</p> <p>(a) If yes, please identify which motions and why they should not be included.</p> <p>26. Are any additional procedural motions needed? Yes / No</p> <p>(a) If yes, please provide suggestions and explain why.</p>	<p>25. Should any of these procedural motions not be included? <b>No</b></p> <p>26. Are any additional procedural motions needed? <b>Yes</b></p> <p>(a) If yes, please provide suggestions and explain why. Add in “That the motion be deferred”. It is a more frequently used procedural motion than others.</p>
<p>14. Adverse reflection</p> <p>In addition to aspects of the model code of conduct, existing meeting procedures seek to prevent inappropriate language and adverse reflections from occurring at meetings.</p> <p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>• a person, including a member, cannot reflect adversely on the character of members, employees or other persons – if they do so they must withdraw their remark</li> <li>• members cannot adversely reflect on the decisions of the council, except in making a motion to revoke or change a decision</li> <li>• failure to withdraw adverse reflection is to be dealt with as disorderly conduct (including as a potential minor breach)</li> <li>• a member who is concerned about a remark that may be an adverse reflection may raise a point of order with the presiding member.</li> </ul> <p>27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? Yes / No</p> <p>(a) If yes, please provide more information to explain the circumstances.</p>	<p>27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? <b>No</b></p> <p>We should address repeated events of adverse reflection over multiple meetings .We need to address banning, removing them from the meeting etc</p> <p>Q. How is “to be dealt with as disorderly conduct” proposed to be managed other than as a potential minor breach?</p>
<p>Part 4: Other matters</p> <p>15. Meeting minutes and confirmation</p> <p>Existing meeting procedures provide for the method of confirmation of the minutes. It is proposed to amend the Regulations to provide a clear process for correcting minutes by:</p> <ul style="list-style-type: none"> <li>• allowing a member who identifies errors with unconfirmed minutes to provide a CEO with any proposed corrections by 12 noon the day before a meeting at which the minutes are to be confirmed</li> <li>• requiring any proposed corrections to the minutes to be presented to council for a decision with a recommendation from the CEO</li> <li>• Requiring DLGSC to be notified if a local government fails to adopt or defers confirmation of the minutes of a meeting.</li> </ul> <p>28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes / No</p> <p>(a) If no, how much notice should be required and why?</p>	<p>28. Is 1 day sufficient notice for a proposed correction to the minutes? <b>Yes</b>, however more time is better. That depends on the nature of the correction to the minutes. However limiting corrections to the minutes to only those where notice is given to the CEO the day before is contrary to an elected member’s implied obligations under the Act and Regulations to seek to correct the minutes record as and when the need for corrections arise.</p> <p>Q) Why can’t corrections to Minutes be moved at the meeting without notice?</p> <p>Q) Can a recommendation from the CEO to correct the minutes be verbal, at the meeting when it was raised or is there a requirement for a further report?</p> <p>Q) Why does the DLGSC need to know If conformation of minutes are deferred or fails to be adopted?</p> <p>Q) If the DLGSC does need to be advised, when would that be and in what form?</p>
<p>16. Electronic meetings and attendance</p> <p>In 2020, Regulations were introduced in response to the COVID-19 pandemic to enable councils to hold meetings electronically and for council members to attend using electronic means. This allowed councils to continue making critical decisions during the pandemic. The use of videoconferencing and the adoption of livestreaming has also encouraged public access and participation in local government. On 9 November 2022, the Local Government (Administration) Amendment Regulations 2022 took effect, meaning local governments could</p>	<p>29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? <b>Yes</b></p> <p>30. Has the ability for individual members to attend meetings electronically been beneficial? <b>Yes</b></p> <p>31. Do you think any changes to electronic meetings or electronic attendance are required? <b>No</b></p>

**Town of Victoria Park Council Submission on Local Government Reform Consultation Paper – Standardised Meeting Procedures**

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<p>conduct council and committee meetings electronically outside of emergency situations and that council and committee members could attend in-person meetings using electronic means, such as videoconferencing.</p> <p>The State Government committed to a public consultation process to gain feedback on the effect of these changes following 12 months of operation.</p> <p>29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? Yes / No / Unsure or unable to comment (a) If no, please explain why.</p> <p>30. Has the ability for individual members to attend meetings electronically been beneficial? Yes / No / Unsure or unable to comment (a) If no, please explain why.</p> <p>31. Do you think any changes to electronic meetings or electronic attendance are required? Yes / No / Unsure or unable to comment (a) If yes, please provide details of the changes and explain why they are needed.</p>	
<p>17. Council committees Sections 5.8 to 5.18 of the Act provide for the establishment of committees that may assist with decision-making. Section 7.1A provides for the establishment of an audit committee. The standardised meeting procedures will only apply to those committees established under sections 5.8 and 7.1A.</p> <p>It is proposed that provisions for committees be similar to requirements for council meetings. Committees may need to provide a more flexible meeting environment, in terms of time limitations and procedure, to facilitate the consideration of issues in detail. This is reflected in meeting procedures across the State.</p> <p>Regulations are proposed to provide that:</p> <ul style="list-style-type: none"> <li>• a committee meeting is to be called when requested by the presiding member of the committee, the mayor or president, or a third of the committee's members</li> <li>• certain meeting procedures such as the order of debate, speaking twice and time limits do not apply to a committee</li> <li>• a committee is answerable to the council and must provide at least 1 report to council on its activities each year.</li> </ul> <p>32. Are any other modifications needed for committee meetings? Yes / No (a) If yes, please provide details of the modifications and explain why.</p>	<p>32. Are any other modifications needed for committee meetings? <b>Yes</b> (a) If yes, please provide details of the modifications and explain why. What about committees with delegated authority? If they have delegated authority, they have decision-making power. In this case all meeting procedure regulations should apply. Q.) why is one report to Council on the Committees activities required? Committee's have their reports ratified at the following Council meeting. Providing a report to Council on their activities is not going to serve any purpose.</p>
<p>18. Meeting of electors The Act establishes that the mayor or president is to preside at electors' meetings, and any resolutions passed by an electors' meeting are considered at a following council meeting.</p> <p>As electors' meetings are quite different to council meetings, comment is sought about whether parts of the proposed standard should apply for electors' meetings.</p> <p>33. Should parts of the proposed standard apply at electors' meetings? Yes / No (a) If yes, please explain what may be required.</p>	<p>33. Should parts of the proposed standard apply at electors' meetings? <b>Yes</b> (a) If yes, please explain what may be required.</p> <ul style="list-style-type: none"> <li>• Adverse Reflections and other standards that ensure civil debate should be required.</li> <li>• Any steps that allow for more diverse community participation would be good.</li> <li>• Procedural Motions</li> <li>• Time limits on speaking</li> <li>• The power of the presiding member, the conduct of the debate, general conduct such as no adverse reflections or offensive language and procedural motions.</li> </ul>
<p>19. Any other matters Feedback is welcome on any other element of local government meetings for consideration in the further development of the new Regulations.</p> <p>34. Do you have any other comments or suggestions for the proposed new Regulations? (a) If yes, please explain what may be required.</p>	<p>34. Do you have any other comments or suggestions for the proposed new Regulations? <b>Yes</b> (a) If yes, please explain what may be required.</p> <ul style="list-style-type: none"> <li>• Public Question time should only occur before the items on the agenda for decision are dealt with.</li> <li>• The presiding member should always be able to move and second motions and participate in debate without having to vacate the chair.</li> <li>• En bloc/Exception resolutions should extend to absolute majority items. If there is full quorum, and no dissent to the item, then it can be passed unanimously, which is of itself an absolute majority decision. Currently such matters require to be put separately.</li> </ul>