

Title	Council Meeting Operations Policy
Description	A policy to regulate the operation of certain aspects of Council and Committee Meetings.
Category	Council
Type	Policy
Approval authority	Council
Responsible officer	Senior Governance Advisor
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Human Rights compatibility	This policy has been assessed and is compatible with the Victorian Charter of Human Rights of and Responsibilities

1. Purpose

This policy regulates the operation of meetings operated under the City of Yarra City Council Meeting Procedures Local Law Governance Rules 2020, which includes Ordinary and Special meetings of Council and Council's Internal Development Approvals Planning Decisions Committee.

2. Policy

2.1. Public participation at meetings

Council welcomes the opportunity for members of the public to participate in meetings of the Council and the Internal Development Approvals Planning Decisions Committee.

2.1.1. Public Question Time

Members of the public shall be invited to ask a maximum of two questions each during Public Question Time at Ordinary Council Meetings. In determining the order of questions, the Mayor shall first invite persons who have previously submitted their question the Council and then any other interested persons. At the Mayor's discretion, persons who have submitted two questions may be requested to ask their second question only after all other questioners have first had an opportunity to address the Council.

A period of 20 minutes shall be allocated to Public Question Time. If there are members of the public present who wish to ask questions at the conclusion of Public Question Time, Council shall determine, by resolution, whether to extend Public Question Time, or schedule an additional period for public questions at the conclusion of the meeting.

Members of the public present who are unable to ask their question may submit a question in writing if they wish, with a response to be provided within 24 hours.

All questioners accepting the invitation to address the meeting shall ask their questions in accordance with these guidelines (or a variation of these guidelines as determined by the Mayor at their sole discretion).

Questioners shall:

- Speak for a maximum of **five** minutes;
- Direct their question to the Mayor;
- Refrain from making statements or engaging in debate;
- Not raise operational matters which have not previously been raised with the Council administration;
- Not ask questions about matter listed on the agenda for the current meeting.
- Refrain from repeating questions that have been previously asked;
- If asking a question on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Where any question is not answered at the meeting, the Mayor may take the question on notice, in which case a response will be provided within 10 working days.

Questioners who are unable to ask their question personally may submit it in writing beforehand. Such questions will not be addressed at the meeting, but will be taken on notice with a response provided within 10 working days.

The meeting minutes shall record the name of the questioner, the subject matter of the question asked and whether a response was provided at the meeting or the question was taken on notice.

2.1.2. Council **Meeting** Submissions

Prior to the consideration of any Council business reports at a Council Meeting, members of the public shall be invited by the Mayor to make an oral submission. In determining the order of submissions, the **Chairperson** shall first invite persons who have previously notified of their intention to address the Council and then any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Mayor at their sole discretion).

Submitters shall:

- Speak for a maximum of five minutes;
- Direct their submission to the Mayor;
- Confine their submission to the subject under consideration;
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, Councillors will have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

The meeting minutes shall record the name of the submitter and the organisation or group they represent, if any.

2.1.3. ~~Internal Development Approvals~~ Planning Decisions Committee Submissions

Prior to the consideration of any Committee Business Report at a meeting of the ~~Internal Development Approvals~~ Planning Decisions Committee, ~~members of the public parties to an application~~ shall be invited by the ~~Chairperson~~ Chair to make a verbal submission. In determining the order of submissions, the ~~Chairperson~~ Chair shall first invite the applicant or their representatives to submit, followed by formal objectors ~~and finally any other interested persons~~.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the ~~Chairperson~~ Chair at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the ~~Chairperson~~ Chair;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Reflect on prior submissions, avoid repetition and refrain from restating matters that have already been raised ~~Avoid repetition and restating previous submitters~~;
- Refrain from asking ~~Not ask~~ questions or seeking comments from ~~the~~ Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

The meeting minutes shall record the name of the submitter, whether or not they are an applicant or their representative and the organisation or group they represent, if any.

2.1.4. ~~Formal Submissions~~

~~Where Council is considering a matter where a person has a right to make a submission under section 223 of the Local Government Act 1989, the provisions above applying to informal submissions shall apply, with the amendments below. All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).~~

- ~~• Persons (or their representatives) who have notified of their intention to appear in person under section 223(1)(a)(iv) shall be given the first opportunity to address the Council, and no time limit shall apply (although submitters are encouraged to limit their submission to five minutes).~~
- ~~• Submitters who have not notified Council of their intention to appear in person shall be given the next opportunity to address the Council, and a five minute time limit shall apply.~~

~~Following public submissions, Councillors will have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.~~

~~Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.~~

2.2. Petitions and joint letters

Council is committed to participatory democracy and will ensure that members of the public have convenient and practical means to contribute to Council's decision-making process. ~~To that end, petitions and joint letters will be accepted where they comply with the Governance Rules and contain the name, address and signatures of at least twelve persons. Provided the intent of the Governance Rules is followed, reasonable accommodations shall be made to accept electronic petitions.~~

~~Where petitions are received, the Group Manager, Chief Executive's Office will ensure a procedure is maintained for receiving and responding to petitions and joint letters received by Council. The Petitions and Joint Letters Procedure maintained by the Group Manager, Chief Executive's Office shall that:~~

- ~~Adhere to the spirit of this policy;~~
- ~~Ensure that a letter of acknowledgment is sent to the individual or relevant organisation within seven days;~~
- ~~Ensure that the Mayor and relevant Ward Councillor(s), or where appropriate, all Councillors, are informed (formally or informally) of the receipt of petitions and joint letters promptly;~~
- ~~Ensure that petitions and joint letters are responded to as quickly as appropriate having regard to their size, nature and complexity;~~
- ~~Ensure Council is advised of any changes to the Petitions and Joint Letters Procedure, when made with the Chief Executive Officer's approval from time to time;~~
- ~~Provide guidance is provided to community members and staff alike as to the procedure to be followed in preparing, submitting and responding to petitions and joint letters; and~~
- ~~Address any other issue/issues considered relevant by the Chief Executive Officer are addressed.~~

~~Council shall maintain a page on its website to provide assistance to community members as to how to prepare and submit petitions, including electronic petitions.~~

2.3. Access to meeting papers

2.3.1. Council Meetings

The agenda of each Council meeting and will be published on Council's website in advance of each meeting. Every endeavour shall be made to ensure the agenda and all accompanying documents are available for download at least ~~four-six~~ full days before the meeting (for Tuesday evening meetings, this is ~~Friday-Wednesday~~ evening). Where this is not possible, a note shall be placed on the website explaining when the agenda will be available.

In order to minimise paper use, hard copies of full meeting agendas will only be provided to members of the public on request. Attendees are encouraged to download relevant papers from Council's website but, if this is not practicable, hard copies may be requested by contacting Council's Governance department by midday on the day of the meeting. These hard copies will then be made available for collection at the meeting. ~~Hard copies of papers for agenda items will be restricted to five copies and only provided for items for which multiple submissions are expected, as assessed by the Governance Officer or requested by a Councillor.~~

At each meeting, a summary document setting out the order of business will be available for attendees on a first come, first served basis.

The minutes of each Council meeting will be published on Council's website before the subsequent Council meeting. These minutes are to be considered a draft only, as they are still subject to

ratification by Council. Where it is not possible to prepare the minutes prior to the subsequent meeting, a note shall be placed on the website explaining when the minutes will be available.

2.3.2. ~~Internal Development Approvals~~ Planning Decisions Committee Meetings

The agenda of each ~~Internal Development Approvals~~ Planning Decisions Committee meeting and will be published on Council's website in advance of each meeting. Every endeavour shall be made to ensure the agenda and all accompanying documents are available for download at least ~~five~~ seven full days before the meeting (for Wednesday evening meetings, this is ~~Friday~~ Wednesday evening). Where this is not possible, a note shall be placed on the website explaining when the agenda will be available.

In order to minimise paper use and for copyright reasons, hard copies of meeting agendas will not be provided. Attendees are encouraged to download relevant papers from Council's website.

The minutes of each ~~Internal Development Approvals~~ Planning Decisions Committee meeting will be published on Council's website before the subsequent committee meeting. These minutes are to be considered a draft only, as they are still subject to ratification by the committee. Where it is not possible to prepare the minutes prior to the subsequent meeting, a note shall be placed on the website explaining when the minutes will be available.

2.4. Officer presentations at meetings

Presentations of officer reports at Council and Committee meetings shall take place prior to consideration of the agenda item, and prior to the receipt of any public submissions.

An officer presenting a report to any meeting of the Council or a Committee shall provide a brief summary of the report being considered on the agenda when so requested by the ~~Chairperson~~ Chair.

The purpose of the presentation is to bring the meeting's attention to critical issues pertinent to the matter being considered and any additional information, which has come to light subsequent to the circulation of the report (it is not necessary to restate the recommendation contained in the report).

Officer presentations shall be concise and take no longer than three minutes, except in circumstances where it is necessary for more detailed and complex information to be provided.

Officers shall be prepared to take questions from Councillors in regards their report in addition to providing such other relevant information as may be requested.

2.5. Transmission of meeting proceedings

It is Council's policy to support measures that increase transparency of Council's decision-making.

2.5.1. Council Meetings

The audio and video of ~~Ordinary Council Meetings and Special~~ all Council Meetings shall be streamed live to Council's website and will be available to members of the public, without a need for pre-registration.

Following each Council meeting, these recordings shall be freely available for viewing for a period of at least twelve months.

Where necessary, redactions may be made to the recording to ensure that the recording is suitable for lawful publication including compliance with (but not limited to) the following legislation:

- Copyright Act 1968 (Cth)
- Defamation Act 2005 (Vic)
- Local Government Act ~~1989~~ 2020 (Vic)

- Privacy and Data Protection Act 2014 (Vic)

Determinations on the need for the redaction of meeting proceedings shall be made by the Group Manager Chief Executive's Office, with a view to keeping redactions to a minimum and ensuring the maximum amount of information is included.

Portions of a meeting which are closed to members of the public under section ~~89(2)66~~ of the Local Government Act ~~1989~~2020 shall not be transmitted or recorded.

A notation shall be placed in the minutes of the meeting to alert readers to the existence of the recording and how it may be obtained.

2.5.2. ~~Internal Development Approvals~~ Planning Decisions Committee

The proceedings of the ~~Internal Development Approvals~~ Planning Decisions Committee shall be audio recorded only for the purpose of assisting the minute clerk with the accurate recording of the minutes of meetings. Portions of a meeting which are closed to members of the public under section ~~89(2)66~~ of the Local Government Act ~~1989~~2020 shall not be recorded.

Audio recordings of meetings of the ~~Internal Development Approvals~~ Planning Decisions Committee shall not be published and will not be available to members of the public, except where authorised under the Freedom of Information Act 1982.

The audio recording shall be retained only until Council has confirmed the minutes of that meeting.

2.6. **Urgent Business**

Under section 46(2)(d) of the Local Government Act 2020, the Chief Executive Officer may propose that items of urgent business be added to the agenda after consulting with the Mayor.

Urgent business shall only be admitted to an agenda if ~~written notice setting out the proposed matter to be raised has been given to the Chairperson by 5pm prior to the meeting and the Chairperson~~ the Chair has approved the admittance of the item.

The ~~Chairperson~~ Chair shall advise the meeting of any matter(s) of urgent business that has been approved.

~~In regard to matters of urgent business that have been admitted to the meeting agenda, unless it is imperative that a decision be made on a particular item, the motion shall be that a further report be presented to the appropriate meeting at a future date.~~

~~In addition to the requirement above, urgent business may not be admitted to a Special Council Meeting unless section 84(4) of the Local Government Act 1989 has been complied with, namely that "unless all Councillors are present and unanimously agree to deal with another matter, only the business specified in the notice or resolution is to be transacted."~~

2.7. **Conclusion of meetings**

~~All meetings of Council and Special Committees of Council shall conclude not later than 11.00 pm unless the meeting is extended beyond that time by a resolution of the meeting.~~

2.7. **General Business**

General Business motions may only be considered where they:

- call for a report to be prepared for subsequent consideration by Council or a Delegated Committee;
- arise from a matter considered by a Council Advisory Committee and presented as part of a Delegate's Report.

- seek Council to undertake advocacy in relation a matter of established Council policy (such as sending a letter of setting out Council's position in a matter); or
- are symbolic or ceremonial in nature (such as a condolence motion or motion to congratulate a member of the public upon the receipt of an award).

General Business motions cannot be considered where they:

- would require a material expenditure or commitment of council resources;
- establish Council policy; or
- are beyond Council's powers to implement.

Where, in the opinion of the Chief Executive Officer, taking action on an item of General Business would be contrary to these provisions or the interests of Council, implementation of that resolution shall be placed on hold and a further report shall be brought to Council as soon as practicable to seek further direction.

3. Related Documents

- Yarra City Council Meeting Procedures Local Law Governance Rules 2020

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