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Part A Preliminary

1 Introduction

1.1 The Code of Meeting Practice (Code) is made under the Local Government Act 1993 (Act) and the Local Government (General) Regulation 2005 (Regulation).

1.2 The Code must be interpreted in a manner that is consistent with the Act and the Regulation. In the event of any inconsistency, the Act or Regulation (as the case may be) prevails to the extent of the inconsistency.

1.3 If a specific matter is not addressed in the Act, the Regulation or the Code, the matter must be administered in accordance with a ruling from the Chairperson having regard to advice provided by the Office of Local Government and/or relevant Council Officers.

2 Objectives

2.1 The object of the Code is to provide for the convening and conduct of Meetings.

3 Scope

3.1 The Code applies to Council Meetings, Extraordinary Council Meetings and Committee of Council Meetings.

4 Principles

4.1 Meetings are to be conducted with efficiency and respect to all:

4.2 Meetings should be orderly, efficient and earn the respect of the City’s ratepayers, residents and visitors.

4.3 Meetings should be held in an environment that facilitates respect for the views of others and having regard to process, reasonableness and fairness.

4.4 Councillors and Council Officers should not publicly reflect adversely on each other.

4.5 Meetings are to be conducted in compliance with policy and legislation:

4.5.1 Councillors and Council Officers have an obligation to conduct themselves at Meetings in accordance with the Code of Conduct and accepted standards of behaviour.

4.5.2 Councillors have an obligation to act and make decisions in accordance with Council’s principles as set out in section 8 of the Act.

4.5.3 Meetings should address matters of policy, strategic direction, resource allocation, statutory decisions and other appropriate Council issues. Meetings should not address the day to day management of Council, which is the responsibility of the Chief Executive Officer (CEO) under the Act.

4.5.4 Councillors have an obligation to attend, remain at and participate in Meetings wherever possible.
Part B Meetings

5 Ordinary Council Meetings

5.1 Council must meet on at least 10 occasions each calendar year with each Council Meeting being held in a different month. Council may schedule additional Council Meetings, known as Extraordinary Council Meetings.

5.2 Council must adopt a Meeting cycle by the first Council Meeting of each calendar year. Council may amend its adopted Meeting cycle by resolution. The Meeting schedule is flexible. Council will give public notice of the time and place of Meetings by advertising in a local newspaper as well as on Council’s website.

5.3 Meetings (excluding Inspection Committee Meetings) will be held in the Council Chambers, King Street, Newcastle or such places as may be resolved by Council or nominated by the Lord Mayor.

5.4 Where, prior to the commencement of a Meeting, it becomes apparent that a quorum may not be present at the Meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be put at risk by attending the Meeting because of a natural disaster (such as, but not limited to flood or bushfire), the Lord Mayor may, in consultation with the CEO and, as far as is practicable, with each Councillor, cancel the Meeting. Where a Meeting is cancelled, notice of the cancellation must be published on the Council’s website and using such other means as will bring notice of the cancellation to the attention of as many people as possible.

6 Extraordinary Council Meetings

6.1 Extraordinary Council Meetings are not only held in 'extraordinary' circumstances and can deal with special business or where there is so much business to be dealt with that an additional Meeting is required.

6.2 Extraordinary Council Meetings may be held on a scheduled Ordinary Meeting or Committee Meeting night and Meeting may be called:

   6.2.1 by the Lord Mayor;
   6.2.2 by CEO; or
   6.2.3 by the Lord Mayor if the Lord Mayor receives a request in writing signed by at least two Councillors, which includes the reason for the request.

6.3 If the Lord Mayor receives a request to call an Extraordinary Council Meeting under this section, the Lord Mayor must call the Meeting as soon as practical and no later than 14 days after receiving the request.

6.4 The CEO must give each Councillor notice of an Extraordinary Council Meeting as set out in section 18. The notice must contain the reason for calling the Extraordinary Council Meeting.

6.5 Extraordinary Council Meetings may only deal with:

   6.5.1 matters stated in the notice of the Extraordinary Council Meeting;
   6.5.2 Lord Mayoral Minutes if notice of the Lord Mayoral Minute is included in the notice of the Extraordinary Council Meeting; and
   6.5.3 late items of business as provided in section 20.

7 Meeting duration and unresolved business

7.1 The Chairperson must close a Meeting:

   7.1.1 at 10:00pm; or
   7.1.2 after four hours of Meetings on any one day except where the Meeting resolves to extend the duration of the Meeting.
7.2 Any item of business not resolved at the close of the Meeting must be listed as an item of business at the next Meeting of the same type unless the Meeting resolves to adjourn the item of business to another day.

8 Councillor participation

8.1 Councillors can only participate in a Meeting if the Councillor is present in the Meeting room. A Councillor is present in the Meeting room if that Councillor is in the Meeting room or otherwise in sight of the Meeting (whether or not the Councillor is at the Councillors' table).

8.2 When participating in a Meeting, Councillors must:

   8.2.1 seek the leave of the Chairperson before exiting the Meeting room and indicate to the Chairperson if their absence will be temporary or if they are retiring early from the Meeting;

   8.2.2 apologise to the Chairperson if they arrive late; and

   8.2.3 sit at the Councillors' table and not move around the Meeting room or sit in the gallery.

9 Quorum

9.1 The quorum of a Meeting is the majority of Councillors who hold office at the time of the Meeting. Councillors who are suspended from office are not counted for the purpose of quorum.

9.2 A Meeting must be adjourned if there is no quorum:

   9.2.1 within 30 minutes of the designated starting time of the Meeting;

   9.2.2 at any time during the Meeting; or

   9.2.3 because Councillors leave the Meeting room due to conflicts of interest.

9.3 If a Meeting is adjourned because there is no quorum:

   9.3.1 the Chairperson (or in the absence of the Chairperson, the majority of Councillors present or the CEO) must adjourn the Meeting by fixing a time, date and place for the adjourned Meeting to take place; the CEO must ensure the minutes of the Meeting record the circumstances relating to the absence of a quorum and the names of the Councillors present: and

   9.3.2 the public will be notified of the adjourned Meeting (at minimum on Council's website).

9.4 A Meeting with quorum can be opened but resolutions cannot be passed at a Meeting without quorum.

10 Leave of absence

10.1 A Councillor may request a leave of absence from a Meeting. If possible, the Councillor should indicate the date of the Meeting from which the Councillor intends to be absent.

10.2 A Meeting may resolve to grant a Councillor a leave of absence from a Meeting. A motion to grant a Councillor a leave of absence is a Procedural Motion.

10.3 If a Councillor intends to attend a Meeting despite having been granted a leave of absence, the Councillor should (if practical) give the Lord Mayor/Chairperson and CEO at least two days' notice.
11 Order of business
11.1 The order of business of Council Meetings and Committee Meetings should be:
   11.1.1 Opening of the Meeting
   11.1.2 Indigenous acknowledgement (Chairperson and all present to stand)
   11.1.3 Prayer (Chairperson and all present to stand)
   11.1.4 Apologies / Leaves of Absence
   11.1.5 Declaration of conflicts of interest
   11.1.6 Confirmation of minutes of previous Meeting
   11.1.7 Lord Mayoral Minutes
   11.1.8 Reports from Committees of the Council (Council Meeting only)
   11.1.9 Reports from Advisory Committees
   11.1.10 Reports from Council Officers
   11.1.11 Councillor Reports
   11.1.12 Notices of Motion
   11.1.13 Petitions
   11.1.14 Confidential matters (public excluded)
   11.1.15 Close of business
11.2 The Chairperson may examine the agenda with Councillors at any time during the Meeting and deal with items of business that Councillors do not wish to debate in accordance with section 49.

12 Decisions
12.1 A decision supported by a majority of votes at a Meeting at which a quorum is present is a decision of Council or the Committee of Council.

13 Circumstances that do not invalidate decisions
13.1 Proceedings at a Meeting are not invalidated because of:
   13.1.1 a vacancy in a civic office;
   13.1.2 failure to give notice of the Meeting to any Councillor;
   13.1.3 any defect in the election or appointment of a Councillor;
   13.1.4 failure of a Councillor to disclose or properly manage a conflict of interest; or
   13.1.5 failure to comply with the Code.

14 Resolving into a Committee of Council
14.1 Council may resolve itself into a Committee of the whole at any time during a Meeting, and will do so for the Public Voice Committee.
14.2 No decisions may be made while the Council is sitting as a Committee of Council except where there is an Instrument of Delegation in place.
Part C Addressing the Meeting

15 Mode of address

15.1 Any person addressing a Council Meeting or Extraordinary Council Meeting must stand. Any person addressing a Committee of Council Meeting may remain seated.

15.2 Any person addressing a Meeting must:
   15.2.1 address Councillors by their official designation (such as Lord Mayor, Deputy Lord Mayor, Chairperson or Councillor);
   15.2.2 address the Councillors not the gallery; and
   15.2.3 address and speak to a member of the public by their designation (that is, Mr, Ms or honorary title).

16 Questions

16.1 A Councillor may:
   16.1.1 through the Chairperson, put a question to another Councillor;
   16.1.2 through the Chairperson, put a question to the CEO; or
   16.1.3 with the permission of the Chairperson and the CEO, put a question to a Council Officer present at the Meeting. Councillor interactions with Council Officers must comply with Council’s policies.

16.2 If practical, reasonable notice should be given to a person to whom a question is put by providing the question in writing to the Chairperson and CEO prior to the Meeting. If a question is put to a person without reasonable notice, that person may choose to take the question on notice and provide a response at a later time.

16.3 Councillors must put questions directly, succinctly and without argument or discussion on the question.

16.4 If, in the view of the Chairperson, a question is not correctly put, the Chairperson may rule the question out of order.

16.5 The Chairperson may limit discussion on any reply or refusal to reply to a question.

16.6 Routine or non-urgent requests for information should be referred to the CEO’s Office and not considered at Meetings.
Part D Notices, agendas and Business Papers

17 Notice of Council Meetings and Committee of Council Meetings

17.1 The CEO must send to each Councillor at least seven days before each Council Meeting and Committee of Council Meeting a notice of Meeting specifying the following:

17.1.1 location of the Meeting;
17.1.2 time of the Meeting;
17.1.3 date on which the Meeting is to be held; and
17.1.4 business proposed to be transacted at the Meeting (agenda).

18 Notice of Extraordinary Council Meetings

18.1 The CEO must send to each Councillor at least three days before an Extraordinary Council Meeting a notice of Meeting specifying the following:

18.1.1 location of the Meeting;
18.1.2 time of the Meeting;
18.1.3 date on which the Meeting is to be held; and
18.1.4 business proposed to be transacted at the Meeting (agenda).

18.2 If an Extraordinary Council Meeting is called because of an emergency (as determined by the Lord Mayor or CEO), three days' notice is not required.

19 Agenda and Business Papers

19.1 The CEO must ensure the agenda for a Meeting states:

19.1.1 all matters to be dealt with arising out of the proceedings of the former Meeting including all unresolved business;
19.1.2 if the Lord Mayor is the Chairperson, any matter that the Chairperson proposes, at the time when the Business Paper is prepared, to put to the Meeting as a Lord Mayoral Minute; and
19.1.3 any business of which due notice has been given.

19.2 If in the opinion of the CEO an item of business is a matter that is likely to be considered in a closed part of a Meeting in accordance with Part G:

19.2.1 the confidential nature of the item of business is to be indicated on the agenda;
19.2.2 the confidential business may be set out in confidential Business Papers; and
19.2.3 the confidential business must be referred to in the general Business Papers prepared for the same Meeting.

19.3 The CEO must make the agenda and Business Papers available to Councillors before making the Business Papers available to members of the public.

19.4 The CEO must make the agenda and general Business Papers for a Meeting available to members of the public at no cost before and during the Meeting. Confidential Business Papers will not be made available to the public.

19.5 The CEO must not include in the agenda for any Meeting any business of which due notice has been given if, in the opinion of the CEO, the business is (or the implementation of the business would be) unlawful. The CEO must report any such exclusion to the Meeting.
20  Late items of business

20.1 For a Meeting (including an Extraordinary Council Meeting) to consider an item not listed for consideration on the Business Papers:

20.1.1 the Meeting must pass a motion to have the business transacted at the Meeting; and

20.1.2 the Chairperson must rule the business proposed to be brought to be of great urgency.

20.2 A motion to consider a late item of business at an Extraordinary Council Meeting may only be considered after all other items of the agenda have been considered.

20.3 A motion to consider a late item of business is a Procedural Motion.

20.4 Nothing in this section limits the discretion of the Chairperson in respect of Lord Mayoral Minutes provided for in section 44.

21  Reports of the Office of Local Government

21.1 When a report of the Office of Local Government is presented to a Meeting in accordance with section 433 of the Act, Council must ensure that the report is:

21.1.1 tabled at that Meeting; and

21.1.2 available for the information of Councillors and members of the public at all reasonable times.

22  Petitions

22.1 If a person would like a petition to be tabled at a Meeting, that person should provide the petition to the CEO by 5pm on the day 12 days before the Meeting or to a Councillor sufficiently in advance of the Meeting.

22.2 A petition should contain the following information:

22.2.1 a clear and concise statement identifying the subject of the petition;

22.2.2 a statement specifying the number of pages of the petition and the number of signatures; and

22.2.3 the full printed name, address, phone number and signature of the person lodging the petition, together with the name of the organisation/group they represent (if the petition is submitted on behalf of an organisation or group).

A copy of the petition, other than information as at 22.2.1 and 22.2.2, will not be included in Council's Business Papers, and therefore will not be made publicly available. A copy of the petition will however, be circulated to the Councillors for their information and/or to assist in performing their civic duty.

23  Lord Mayoral actions

23.1 If in cases of necessity the Lord Mayor has exercised a policy making function of Council between Meetings, the Lord Mayor must report his or her actions to the next Meeting.
Part E Chairperson

24 Chairperson of Extraordinary Council Meetings and Council Meetings

24.1 The Chairperson of a Council Meeting or an Extraordinary Council Meeting must be:

24.1.1 the Lord Mayor;
24.1.2 the Deputy Lord Mayor; or
24.1.3 if the Lord Mayor and the Deputy Lord Mayor are absent from the Council Meeting or an Extraordinary Council Meeting, a Councillor elected to chair the Meeting by the Councillors present in accordance with section 27.

Chairperson of Committee of Council Meetings

25 The Chairperson of a Committee of Council Meeting must be:

25.1.1 the Lord Mayor;
25.1.2 the Deputy Lord Mayor;
25.1.3 if the Lord Mayor and Deputy Lord Mayor do not wish to be Chairperson, a member of the Committee of Council elected by Council; or
25.1.4 if Council does not elect such a member, a Councillor member of the Committee of Council elected to chair the Meeting by the Councillors present in accordance with clause 26.

Election of Chairperson

26 If required, the election of a Chairperson must be:

26.1.1 the first business of the Meeting; and
26.1.2 conducted:

(a) by show of hands;
(b) by the CEO or a Council Officer designated by the CEO; or
(c) if neither the CEO nor a Council Officer designated by the CEO are present, by the person who called the Meeting or a person acting on their behalf.

26.2 If two or more Councillors receive the same number of votes and no other candidate receives a greater number of votes:

26.2.1 the person conducting the election must arrange for the names of the Councillors who have equal numbers of votes to be written on similar slips and then fold the slips to prevent the names from being seen, mix the slips and draw one of the slips at random; and
26.2.2 the Councillor whose name is on the drawn slip is the Chairperson.

27 Precedence of Chairperson

27.1 When the Chairperson rises during any Meeting:

27.1.1 any person speaking or seeking to speak must, if standing, immediately resume his or her seat; and
27.1.2 every person present must be silent to enable the Chairperson to be heard without interruption.
Part F Meeting Attendance

28  Public

28.1 All Meetings are open to the public except those Meetings (or parts of Meetings) which are by resolution closed to the public as provided in Part G.

28.2 The public must act in a respectful manner and in accordance with any directions of the Chairperson.

28.3 A member of the public is not entitled to be present at a Meeting if that person has been expelled from that Meeting as provided in section 77.

29  Councillors, CEO and Council Officers

29.1 All Councillors and the CEO are entitled to attend Meetings.

29.2 Council Officers may attend Meetings for the purpose of providing information and advice to the Meeting.

29.3 A Councillor, or any other person, is not entitled to be present at a Meeting if that person has been expelled from that Meeting as provided in section 77.

30  Exclusion of the CEO or Council Officer

30.1 A Meeting may, by resolution, exclude the CEO from part of a Meeting if the matter under consideration relates to:

   30.1.1 the terms and conditions of the CEO’s employment; and/or
   30.1.2 any issue related to the CEO’s performance of contract.

30.2 A Meeting may, by resolution, exclude a Council Officer from part of a Meeting if the matter under consideration at that part of the Meeting relates to the Council Officer’s employment or a related issue.
Part G Closing Meetings

31  Bases for closing Meetings

31.1 A Meeting may resolve to close all, or part, of any Meeting which is to consider:
   31.1.1 personnel matters concerning particular individuals (other than Councillors);
   31.1.2 the personal hardship of any resident or ratepayer;
   31.1.3 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
   31.1.4 commercial information of a confidential nature that would, if disclosed:
      (a) prejudice the commercial position of the person who supplied it;
      (b) confer a commercial advantage on a competitor of the Council; or
      (c) reveal a trade secret.
   31.1.5 information that would, if disclosed, prejudice the maintenance of law;
   31.1.6 matters affecting the security of the Council, Councillors, Council Officers or Council property;
   31.1.7 advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege provided that the advice concerns legal matters that:
      (a) are substantial issues relating to a matter in which the Meeting;
      (b) are clearly identified in the advice; and
      (c) are fully discussed in that advice; and
   31.1.8 information concerning the nature and location of a place or an item of Aboriginal significance on community land.

31.2 A Meeting may close to the public so much of the Meeting as it comprises a motion to close another part of the Meeting to the public.

31.3 A Meeting must only remain closed during the discussion of matters referred to in this section if:
   31.3.1 closing the Meeting is necessary to preserve confidentiality, privilege or security; and
   31.3.2 if the matter concerned is a matter (other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) that on balance is contrary to the public interest.

31.4 For the purpose of determining whether the discussion of a matter in an open Meeting would be contrary to the public interest, it is irrelevant that:
   31.4.1 a person may misinterpret or misunderstand the discussion; or
   31.4.2 the discussion of the matter may:
      (a) cause embarrassment to Council, a Committee of Council, Councillors, the CEO or any Council Officer; or
      (b) cause a loss of confidence in Council or a Committee of Council.

32  Motion to close a Meeting

32.1 A motion to close a Meeting (or part of a Meeting) must indicate:
   32.1.1 the bases for closing the Meeting as provided in section 31; and
   32.1.2 a brief explanation of why discussion of the matter in an open Meeting would be, on balance, contrary to the public interest except if the matter is:
(a) a personnel matter concerning particular individuals;
(b) about the personal hardship of a resident or ratepayer; or
(c) a trade secret.

32.2 Only business stated in the motion to close the Meeting may be transacted during the closed Meeting (or part of a Meeting).

32.3 The motion to close the Meeting and the bases for the closure must be recorded in the minutes of the Meeting.

33  **Public representations**

33.1 Before a Meeting (or part of a Meeting) is closed, members of the public are permitted to make representations to the Meeting about whether the Meeting should be closed to the public.

33.2 The Chairperson must determine the number of public representations to be made to the Meeting taking into consideration the importance of the issue and the level of public interest.

33.3 Public representations must be limited to two minutes per person unless Council resolves to extend this time.

34  **Matters not identified as confidential**

34.1 If a matter has not been identified in the agenda as being heard in a closed Meeting but it becomes apparent during discussion that the matter is a matter referred to in clause 31.1, the Meeting must:

34.1.1 consider any public representations;
34.1.2 determine (by resolution) whether the matter is a matter that can be deferred to the next Meeting; and
34.1.3 if the matter cannot be deferred, determine (by resolution) to close the Meeting as provided in this Part.

35  **Access to Business Papers relating to closed Meetings**

35.1 Where a Meeting closes any part of a Meeting, the Meeting may determine (by way of resolution) to provide public access to the Business Papers and minutes on a specified date.

35.2 The public must not be provided with access to Business Papers and minutes of a closed Meeting (or part of a Meeting) if the Meeting considered:

35.2.1 personnel matters concerning particular individuals;
35.2.2 the personal hardship of any resident or ratepayer;
35.2.3 a trade secret;
35.2.4 a matter, which if disclosed, could give rise to an action for a breach of confidence;
35.2.5 a matter, which if disclosed, would constitute an offence against an Act; or
35.2.6 part of a draft or adopted plan of management that is the subject of a resolution of confidentiality under section 36DA of the Act.

36  **Resolutions passed at closed Meetings**

36.1 If a Meeting passes a resolution during a Meeting (or part of a Meeting) that is closed to the public, the Chairperson must make the resolution publicly available as soon as practical after the Meeting (or part of the Meeting) has ended.
Part H Minutes

37 Recording Minutes

37.1 The CEO, or a Council Officer designated by the CEO, must ensure that all motions, amendments and resolutions are recorded in the minutes of a Meeting.

37.2 The following matters should generally be included in the minutes of a Meeting:

37.2.1 details of each motion moved and any amendments;
37.2.2 the names of the mover and seconder of each motion and amendment;
37.2.3 whether each motion and amendment is passed or lost;
37.2.4 the circumstances and reasons relating to the absence of a quorum together with the names of the Councillors present;
37.2.5 the dissenting vote of a Councillor, if requested;
37.2.6 if a division is called, the names of the Councillors who voted for the motion and against the motion;
37.2.7 the grounds for closing part of a Meeting to the public; and
37.2.8 the disclosure of a conflict of interest.

37.3 The CEO, or a Council Officer designated by the CEO, may record a Meeting by way of an electronic recording device as provided in Part I.

38 Confirmation of Minutes

38.1 A motion proposing the adoption of the minutes as an accurate statement of the business transacted at the previous Meeting must be dealt with before proceeding to consider other items of business.

38.2 A motion to adopt the minutes of the previous Meeting should be proposed and seconded by Councillors who were present at the Meeting to which the minutes relate.

38.3 Debate relating to a motion to adopt the minutes of the previous Meeting is restricted to the accuracy of the minutes as a true record of the Meeting.

38.4 Minutes of a Council Meeting may be confirmed at an Extraordinary Council Meeting. Minutes of an Extraordinary Council Meeting may be confirmed at a Council Meeting. Minutes of a Committee of Council Meeting should ordinarily be confirmed at the next Meeting of that Committee of Council.

39 Signature

39.1 The minutes of the previous Meeting must be signed and dated by the Chairperson at the subsequent Meeting after they have been confirmed as being an accurate record.
Part I – Recording, webcasting and photography

40 Recording

40.1 Record, for the purpose of this section, refers to recording by any electronic device capable of recording speech including a video camera.

40.2 The CEO, or a Council Officer designated by the CEO, may Record a Meeting. Recordings will only be used to ensure the accuracy of the minutes of the Meeting and as required by law.

40.3 Journalists or members of a recognised media organisation may Record the Meeting provided written notice has been lodged with Lord Mayor/Chairperson and CEO by 5pm on the day of the Meeting. A person may be expelled from a Meeting for Recording a Meeting without notice. Recordings may only be used for the purpose of accuracy of reporting as notes for accuracy of minutes or quotes, and are not for broadcast on any channel or device, or to be shared publicly. Recording a Meeting is recording the Meeting as Webcast and in Minutes and should not be a Recording of any private third party conversations or comments within the Council Chamber of Councillors, staff, guests or members of the gallery.

40.4 Any other person (including members of the public) may only Record a Meeting with the authority of the Meeting. A person may be expelled from a Meeting for Recording a Meeting without authority.

40.5 Only Councillors, the CEO, Council Officers designated by the CEO or persons permitted by law are entitled to access Recordings of Meetings.

40.6 Councillors are entitled to listen to or make a copy of the Recording of a Meeting for the purpose of ensuring the accuracy of the minutes of the Meeting or a purpose directly related to that purpose.

40.7 The Recording of a Meeting must be kept in a safe place for a minimum of 12 months from the date of the Meeting and only be destroyed in accordance with applicable records management legislation.

41 Webcasting

41.1 Webcast, for the purpose of this section, refers to the live web transmission of Meetings over the internet.

41.2 The CEO, or a Council Officer designated by the CEO, may Webcast a Meeting. Webcasts will only be used for Webcasting and as required by law.

41.3 At the start of each Meeting that will be Webcast, the Chairperson must advise the Meeting room that the Meeting will be Webcast.

41.4 The CEO must ensure:

41.4.1 persons in the Meeting room are advised that the Meeting may be Webcast by providing notification on signs in the Meeting room and such other notices as required; and

41.4.2 Webcasting is terminated if:

(a) the Meeting is closed as provided in section in Part G; or

(b) the CEO or the Meeting are of the opinion that continued Webcasting may prejudice the Meeting or infringe the rights or safety of an individual.

42 Photography

42.1 Photography in the Council Chamber is generally allowed except as restricted by the relevant legislation. The Chairperson may direct any person in the Council Chamber who is in breach of legislation to refrain from taking photographs.
Part J Motions

43 Chairperson’s duty with respect to motions

43.1 The Chairperson must:

43.1.1 receive and put to a Meeting any valid motion that is brought before that Meeting; and

43.1.2 rule out of order any motion that is unlawful or the implementation of which would be invalid.

43.2 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to be rejected.

43.3 When a motion contrary to a recommendation of a report of a Committee or Council Officer is put to a Meeting, the Chairperson must ask the CEO (before the motion is debated) whether there is any legal, technical, operational or procedural reason why the motion should not be carried.

44 Lord Mayoral Minute

44.1 The Lord Mayor is entitled to put to a Council or Committee of Council Meeting, without notice, in the form of a written, signed minute (Lord Mayoral Minute), any matter that the Lord Mayor wishes to bring to the attention of the Meeting. The Lord Mayor is entitled to put a Lord Mayoral Minute to an Extraordinary Council Meeting if notice of the Lord Mayoral Minute is included in the notice of the Extraordinary Council Meeting.

44.2 The Lord Mayor may move the adoption of a Lord Mayoral Minute without the motion being seconded.

44.3 A recommendation made in a Lord Mayoral Minute is, so far as adopted by the Meeting, a resolution of the Meeting.

44.4 A Chairperson who is not the Lord Mayor is not entitled to put a Lord Mayoral Minute to a Meeting.

45 Notices of motion

45.1 A motion must only be considered at a Meeting if:

45.1.1 notice of the motion in writing is received by the CEO by 5pm on the day 12 days before the scheduled Meeting; and

45.1.2 notice of the motion has been sent to Councillors in accordance with Part D.

45.2 Where the notice of motion requires expenditure of funds on works and/or services other than those already provided for in Council’s current adopted operational plan, the CEO will:

45.2.1 arrange for the preparation of a report on the availability of funds for implementing the motion if adopted; or

45.2.2 defer consideration of the matter by Council pending the preparation of such a report. Councillors will be notified in writing where a matter is to be deferred.

45.3 This section does not apply to the consideration of business at a Meeting if the business:

45.3.1 is already before or directly relates to a matter that is already before the Meeting;

45.3.2 is the election of a Chairperson to preside at the Meeting;

45.3.3 is put to the Meeting as a Lord Mayoral Minute; or

45.3.4 is a motion for the adoption of the recommendations of a Committee of Council.
46  **Unacceptable motions**

46.1 The Chairperson may rule that a motion or an amendment is out of order if, in the view of the Chairperson, the proposed motion or amendment:

46.1.1 is vague and equivocal in its language;

46.1.2 is the direct negative of, or is inconsistent with, a resolution passed by the Meeting;

46.1.3 is an amendment which is a direct negative of the motion which it proposes to amend;

46.1.4 proposes an action that is unlawful;

46.1.5 is outside the authority of the Meeting;

46.1.6 contains defamatory statements;

46.1.7 is unnecessary in that it proposes a course of action or policy already resolved by the Meeting;

46.1.8 is vexatious; or

46.1.9 is proposed solely as a way to impede the orderly transaction of business.

46.2 A Councillor may move a motion of dissent to a ruling under this section in accordance with section 59.

47  **Repeat motions**

47.1 A notice of motion having the same effect as a motion rejected by a Meeting may be lodged if less than three months has elapsed since the resolution was rejected and if signed by three councillors.

47.2 If a motion previously rejected by a Meeting is again rejected by a Meeting, no motion to the same effect may be brought to any Meeting within three months of that rejection.

47.3 The provisions of this section may not be evaded by substituting a motion differently worded, but in principle the same.

48  **Motions to be seconded**

48.1 Unless a seconder is not required in accordance with the Code:

48.1.1 a motion or amendment cannot be spoken to until it has been seconded; and

48.1.2 a motion or amendment that is not seconded lapses.

49  **Motions put without debate or discussion**

49.1 Provided there is no objection from any Councillor present, any motion before a Meeting may be put to the vote without discussion or debate.

50  **Limitations of speeches**

50.1 A Councillor who moves a motion has:

50.1.1 the right of first address to the Meeting;

50.1.2 the right of reply to the motion, which must not address any material or argument that has not already been put to the Meeting; and

50.1.3 the right to speak to any amendment.

50.2 A Councillor who seconds a motion has a right to address the Meeting before the motion is put.

50.3 A Councillor (other than the mover of a motion) has the right to speak once to the motion and once on each amendment. A Councillor may not, without the consent of the Meeting, speak more than once to a motion or an amendment.
50.4 Ordinarily, Councillors will be permitted to speak to a motion in the order in which they indicate an intention to speak to a motion. However, once the mover of a motion and (unless they choose to hold over their speaking rights) the seconder of a motion have spoken to the motion:

50.4.1 the Chairperson may enquire of those Councillors wishing to speak whether they are speaking for or against a motion;

50.4.2 the Chairperson may alternate the speaking order of Councillors, against and for the motion having regard to the order in which Councillors have indicated an intention to speak to a motion; and

50.4.3 once two Councillors have spoken for the motion and two Councillors have spoken against the motion, or no Councillor expresses an intention to speak against the motion, a Procedural Motion that the motion be now put may be moved by any Councillor pursuant to section 58.

51 Time for speeches

51.1 A Councillor may not, without the consent of the Meeting, speak for longer than three minutes at any one time.

51.2 If a Councillor asks a question, the time taken for the question to be answered is not included in the three minutes allowed for the Councillor's address.

51.3 The Chairperson may permit a Councillor, who claims to have been misrepresented or misjudged, to make an additional statement explaining only the misrepresentation or misunderstanding for no longer than an additional three minutes.

52 Absence of mover of notice of motion

52.1 If a Councillor who has placed a notice of motion on the Business Papers is absent from a Meeting:

52.1.1 the Chairperson may defer the motion until the next Meeting at which the motion can be considered; or

52.1.2 any other Councillor may move the motion at the Meeting.

53 Amendments

53.1 Any Councillor may propose an amendment to any motion put to a Meeting.

53.2 An amendment to a motion requires a mover and a seconder. The amendment must be dealt with before voting on the original motion. Debate is allowed only in relation to the amendment and not the original motion (the original motion is suspended while the amendment is considered).

53.3 If the amendment is passed, the motion is changed to include the amendment and this new motion is debated. If the amendment is not supported, the original motion stays in its original form and debate resumes.

53.4 Only one amendment should be before the Meeting at any time. If several amendments are proposed, each should be moved, seconded, debated and voted on before the next. Where possible, the amendments should be put forward and debated in the order in which they affect the original motion.

53.5 The Chairperson may rule an amendment to be new business and therefore out of order.

54 Foreshadowed Motions

54.1 A Councillor may advise a Meeting of an intention to put forward a Foreshadowed Motion.

54.2 The Chairperson cannot accept a Foreshadowed Motion until the original motion is decided.
54.3 Foreshadowed Motions must be dealt with in the order in which they have been brought to the attention of the Meeting.

54.4 The Chairperson may rule any Foreshadowed Motion to be new business and therefore out of order.
Part K Procedural Motions

55  **General**

55.1 All motions provided in this Part are Procedural Motions.

55.2 Procedural Motions:

- 55.2.1 must be accepted by the Chairperson;
- 55.2.2 must be seconded unless otherwise provided in this Part; and
- 55.2.3 can not be amended except to provide clarification.

55.3 Notice requirements in the Code do not apply to Procedural Motions.

56  **Motion to recomit a matter**

56.1 If during the Meeting a Councillor becomes aware that they have misunderstood a matter on which a vote has already been taken, the Councillor may request that the matter be recommitted.

56.2 The mover of a motion to recommit a matter may speak only to their misunderstanding of the matter and may not speak to the substantiative motion, the vote or the resolution.

57  **Motion to alter order of business**

57.1 The order of business at any Meeting (except an Extraordinary Council Meeting) may be altered if a resolution to that effect is carried.

57.2 Only the mover of a motion to alter the order of business may speak to the motion before it is put. The seconder has no right to address the Meeting and there is not right of reply.

58  **Motion that a motion be now put**

58.1 A Councillor may move that a motion or amendment be now put:

- 58.1.1 if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it; or
- 58.1.2 if at least two Councillors have spoken in favour of the motion or amendment and at least two Councillors have spoken against it.

58.2 Only the mover of a motion that a motion be now put may speak to the motion before it is put. A seconder is not required.

58.3 If the motion that a motion be now put is passed, the Chairperson must not allow further debate or comment by any person except for the right of reply by the mover of the motion or amendment.

58.4 If a motion that the original motion or amendment be now put is rejected, the Chairperson must allow the debate on the motion or amendment to be resumed.

59  **Motion of dissent**

59.1 A Councillor may move a motion of dissent from a ruling of the Chairperson.

59.2 The Chairperson must suspend the business of the Meeting until a decision is made on the motion of dissent.

59.3 Only the mover of a motion of dissent and the Chairperson may speak to the motion before it is put. The mover of a motion of dissent does not have a right of reply and the Chairperson must put the motion of dissent to the Meeting immediately after the Chairperson has spoken to it.
59.4 If a motion of dissent is carried, the Chairperson must recommence the suspended business as though the Chairperson’s ruling on the point of order had not been made.

59.5 If, as a result of the ruling overturned by the motion of dissent, any motion or business had been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed in accordance with the Code.

60  **Motion to adjourn a matter**

60.1 A Councillor may move a motion to adjourn a matter under consideration if the Councillor has not exercised their right to speak to the substantive motion before the Meeting.

61  **Motion to adjourn a Meeting**

61.1 A Councillor may move a motion to adjourn a Meeting.

61.2 If a Meeting resolves to adjourn the Meeting for 24 hours or less, notice is not required to reconvene the Meeting.

61.3 If a Meeting resolves to adjourn the Meeting for longer than 24 hours, notice for the reconvening of the Meeting must be given as provided in the Act and Regulation.

62  **Motion to refer the matter**

62.1 A Councillor may move a motion to refer a matter to a Committee of Council or an Advisory Committee.

63  **Motion that the matter be left on the table**

63.1 A Councillor may move a motion that the matter be left on the table if the Councillor has not exercised their right to speak to the substantive motion before the Meeting.

64  **Motion that a motion be voted on in seriatim**

64.1 Where a motion comprises multiple parts, a Councillor may move a motion that the matter be voted on in seriatim.
Part L Rescission

65  Rescinding or altering resolutions

65.1 A resolution (or part of a resolution) passed by a Meeting may not be rescinded or altered except by a motion to that effect of which notice has been given. The notice of motion must be:

65.1.1 signed by three Councillors if less than three months has elapsed since the resolution was passed;
65.1.2 provided to the CEO by 5pm on the day three days before the scheduled Meeting; and
65.1.3 sent to Councillors in accordance with Part D.

65.2 If notice of a motion to rescind a resolution is given at the Meeting at which the resolution was carried, the resolution must not be carried into effect until the rescission motion has been dealt with.

65.3 A notice of motion to rescind a resolution which involves the granting of development consent under the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act) should not be given after that development consent is effective in accordance with the EP&A Act.

65.4 If a motion to rescind or alter a resolution is rejected by a Meeting, no motion to the same effect may be brought forward to any Meeting within three months of that rejection.

65.5 The provisions of this Part may not be evaded by substituting a motion differently worded but in principle the same.

65.6 A motion to which this section applies may be moved on the report of a Committee of Council and any such report must be recorded in the minutes.

65.7 The provisions of this Part do not apply to Procedural Motions.
Part M Voting

66 Voting entitlements

66.1 Each Councillor is entitled to one vote on each motion put to a Meeting while that Councillor is present in the Meeting room.

66.2 A Councillor who is present in the Meeting room but who fails to vote on a motion put to the Meeting is taken to have voted against the motion.

66.3 A Councillor who is absent from the Meeting room when a vote on a motion is put to the Meeting is not counted as having cast a vote.

66.4 Voting at a Meeting must be by open means (such as on the voices or by a show of hands) except in relation to the election of a Deputy Lord Mayor which Council may resolve to be by secret ballot.

67 Casting vote

67.1 The Chairperson of a Meeting has in the event of an equality of votes a second or casting vote.

67.2 Before a Chairperson exercises their second or casting vote, they must have exercised their vote in their own right.

68 Counting of votes

68.1 The decision of the Chairperson about the result of a vote is final unless a Councillor immediately requests a show of hands or two Councillors immediately request a division.

69 Voting by division

69.1 If two Councillors request voting by division, the Chairperson must ensure that:

69.1.1 the division takes place immediately; and

69.1.2 each Councillor stands to vote, is identified by name to the Meeting and whether they are for or against the motion.

69.2 The CEO must ensure the names of Councillors who voted for and against the motion are recorded in the Meeting’s minutes.

69.3 Councillors abstaining from voting in a division are taken to have voted against the motion.

70 Recording of voting on Planning Decisions

70.1 A division must be called whenever a motion for a Planning Decision is put at a Meeting (including any Meeting that is closed to the public). This is to assist the CEO to keep a register containing the names of the Councillors who voted for and against the motion.
Part N Disclosure Obligations

71 Conflicts of interest – Councillors

71.1 A Councillor must declare a conflict of interest in accordance with legislation and the Code of Conduct before the matter to which the conflict relates is considered by the Meeting.

71.2 When a Councillor declares a conflict of interest the following must be recorded in the minutes of the Meeting:

71.2.1 the details of the declaration (this must also be recorded in the register of disclosures); and

71.2.2 the Councillor’s times of departing and returning to the Meeting room (unless the Councillor is not required to leave the Meeting room).

72 Conflicts of interest – other persons

72.1 If a Council Officer has a pecuniary or significant non-pecuniary interest in a matter before a Meeting and the Council Officer may reasonably be expected to make recommendations on that matter, the Council Officer must declare the interest in writing to the CEO in accordance with the Code of Conduct.

72.2 If a person addressing a Meeting in a matter has a pecuniary or significant non-pecuniary interest in relation to that matter, that person must disclose that interest to the Meeting.

72.3 The payment of remuneration or fees by Council, a statutory body or the Crown is not a conflict of interest under this section.

73 No knowledge

73.1 A person (including a Councillor and Council Officer) does not breach this Part if the person did not know and could not reasonably be expected to have known that the matter under consideration at the Meeting was a matter in which they had a conflict of interest.

74 Allegations of breaches of the Code of Conduct

74.1 A Councillor must not make allegations of suspected breaches of the Code of Conduct at Meetings.

74.2 An allegation of a breach of the Code of Conduct raised at a Meeting must be referred to the CEO (or Lord Mayor if the allegation is against the CEO) and not debated at the Meeting.
Part O Order

75  Point of order

75.1 A point of order may be raised about any procedural matter relating to the orderly conduct of the Meeting and without limitation may include:

75.1.1 Councillors speaking or whispering while another Councillor is addressing the Meeting;
75.1.2 verbal interjections;
75.1.3 failure to abide by the provisions of the Code;
75.1.4 discourtesy to fellow Councillors during a Meeting;
75.1.5 exceeding time limits without the agreement of the Meeting;
75.1.6 addressing the Meeting without the permission of the Chairperson; or
75.1.7 any actions or comments that could be considered to be a breach of the Code of Conduct.

75.2 A Councillor who claims that another person is out of order may call the attention of the Chairperson to the matter.

75.3 The Chairperson may, without the intervention of any Councillor, call a person to order if, in the opinion of the Chairperson, it is necessary to do so.

75.4 The Chairperson must rule on a point of order immediately after it is raised but, before doing so, may invite the opinion of the Meeting by without limitation:

75.4.1 providing Councillors with an opportunity to express their view on the point of order; or
75.4.2 providing Councillors with an opportunity to indicate, by open means (such as by voices or show of hands), whether they believe the behaviour or matter raised is out of order.

75.5 The Chairperson’s ruling on a point of order must be obeyed unless a motion dissenting from the ruling is passed.

76  Act of disorder

76.1 A Councillor commits an act of disorder if the Councillor at a Meeting:

76.1.1 contravenes the Act or Regulation;
76.1.2 assaults or threatens to assault another Councillor or person present at the Meeting;
76.1.3 moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Meeting or addresses or attempts to address the Meeting on such a motion, amendment or matter;
76.1.4 insults or abuses any other Councillor or person;
76.1.5 makes personal reflections on or implies improper motives to any other Councillor or person;
76.1.6 says or does anything that is inconsistent with maintaining order at the Meeting or is likely to bring the Council or Committee of Council into contempt; or
76.1.7 disturbs the orderly conduct of a Meeting.

76.2 The Chairperson must rule on an act of disorder immediately after it is raised but, before doing so, may invite the opinion of the Meeting by without limitation:
76.2.1 providing Councillors with an opportunity to express their view on the act of disorder; or
76.2.2 providing Councillors with an opportunity to indicate, by open means (such as by voices or show of hands), whether they believe the behaviour or matter raised is an act of disorder.

76.3 If a Councillor has committed an act of disorder, the Chairperson must request the Councillor to:
76.3.1 apologise without reservation for the act of disorder;
76.3.2 withdraw a motion or an amendment which is an act of disorder; and/or
76.3.3 retract the act of disorder.

76.4 If an act of disorder occurs at a Meeting, the Chairperson may adjourn the Meeting for a period of not more than 15 minutes. When the Meeting is reconvened after the adjournment, the Meeting must, on a question put by the Chairperson, decide whether to proceed with the Meeting. The motion to proceed with the Meeting is a Procedural Motion.

76.5 The Chairperson’s ruling on an act of disorder must be obeyed unless a motion dissenting the ruling is passed.

77 **Expulsion from a Meeting**

77.1 A Councillor may be expelled from a Meeting by resolution of the Meeting (any Councillor may move a motion) for:
77.1.1 committing an act of disorder under section 76; and
77.1.2 failing to comply with a direction of the Chairperson pursuant to section 76.3.

77.2 Any other person may be expelled from a meeting by resolution (a Councillor may move a motion) of the Meeting.

77.3 A Meeting may by resolution readmit a Councillor or any other person who was expelled at an earlier part of the Meeting. Such motion may be moved by a Councillor.

77.4 The expulsion of a Councillor from the Meeting does not prevent any other action from being taken against the Councillor for the act of disorder.

77.5 A motion to expel or readmit a Councillor is a Procedural Motion.

78 **Removal of persons after expulsion**

78.1 The Chairperson may order the removal of a Councillor or any other person if they fail to leave the place where a Meeting is being held after being expelled from the Meeting.

78.2 If a Councillor or any other person fails to leave the place where the Meeting is being held after being expelled from a Meeting, the police may, be called to remove the person from the Meeting place.

79 **Censure**

79.1 Council may by resolution formally censure a Councillor for misbehaviour. Such a formal censure resolution may only be passed if Council is satisfied that the Councillor has misbehaved on one or more occasions.

79.2 A formal censure resolution may not be passed except by a motion to that effect of which notice has been given in accordance section 17.

79.3 Council must specify in the formal censure resolution the grounds on which it is satisfied that the Councillor should be censured.
79.4 A motion for a formal censure resolution may, without limitation, be moved on the report of a Committee of Council or Advisory Committee, and any such report must be recorded in the minutes of the Meeting.

80 **Suspension**

80.1 Where a Councillor’s behaviour has:

80.1.1 been disruptive over a period, and involved more than one incident of misbehaviour during that period, and the pattern of behaviour during that period is of such a sufficiently serious nature as to warrant the Councillor’s suspension; or

80.1.2 involved one incident of misbehaviour that is of such a sufficiently serious nature as to warrant the Councillor’s suspension,

Council may by resolution initiate the process for suspension of the Councillor under the Act.
Part P Committees of the Council

81 Establishment
81.1 Council may, by resolution, establish such Committees of the Council as it considers necessary.
81.2 Council may delegate any of its functions to a Committee of Council other than those functions identified in section 377 of the Act.
81.3 Council must specify the functions of each Committee of Council on establishing that Committee. Council may from time to time amend those functions.
81.4 The Meeting cycle for any Committee of Council will be determined from time to time by resolution of Council or the Committee of Council.

82 Membership
82.1 A Committee of Council is to consist of the Lord Mayor and such other Councillors as are elected or appointed by Council.
82.2 A Councillor ceases to be a member of a Committee of Council if the Councillor (other than the Lord Mayor):
   82.2.1 has been absent from three consecutive Meetings of the Committee of Council without providing reasons acceptable to the Committee of Council for the member's absences; or
   82.2.2 has been absent from at least half of the Meetings of the Committee of Council during the immediately preceding calendar year without providing to the Committee of Council acceptable reasons for the member's absences.
82.3 This section does not apply if all Councillors are members of the Committee of Council.

83 Attendance
83.1 A Councillor who is not a member of a Committee of Council is entitled to attend and speak at a Meeting of the Committee of Council.
83.2 A Committee of Council may by resolution permit a Councillor who is not a member of the Committee to give notice of business for inclusion in the Business Papers of the next Meeting of the Committee.

84 Voting
84.1 A Councillor who is not a member of the Committee of Council is not entitled to:
   84.1.1 move or second a motion at Committee of Council Meeting; or
   84.1.2 vote at the Committee of Council Meeting.

85 Recommendations
85.1 Council may consider the recommendations contained in a report of a Committee of Council either separately or concurrently.
85.2 The recommendations of a Committee of Council are, so far as adopted by the Council, resolutions of Council.
Part Q Advisory Committees

86 Council May Establish Advisory Committees

86.1 Council may by resolution establish such Advisory Committees as it considers necessary. The resolution must include the adoption of a constituting document (such as a Charter) and Meeting schedule.

86.2 The provisions of the Code do not apply to the operation or Meeting procedure of Advisory Committees.

86.3 Council may by resolution request that an Advisory Committee create a working party to consider a particular issue or undertake a particular activity.

87 Recommendations of Advisory Committees

87.1 An Advisory Committee must submit reports to Council or a Committee of Council in accordance with the Advisory Committee’s constituting document but not less than annually.

87.2 Council or a Committee of Council may consider the recommendations contained in a report of an Advisory Committee either separately or all concurrently.

87.3 The recommendations of an Advisory Committee are, so far as adopted by the Council (or a Committee of Council), resolutions of the Council (or a Committee of Council).

Part R Briefings and Workshops

88 Briefings

88.1 The CEO may schedule Briefings for any Meeting.

88.2 Council or any Committee of Council (insofar as it is delegated the authority to do so) may by resolution request that the CEO schedule a Briefing on an issue. Such resolution must include a clear statement about the subject of the requested Briefing.

88.3 As they constitute part of a Meeting, all Briefings are open to the public except those Briefings which are by resolution closed to the public in accordance with Part G.

89 Workshops

89.1 The CEO may schedule Workshops and invite all Councillors to attend.

89.2 Council or any Committee of Council (insofar as it is delegated the authority to do so) may by resolution request that the CEO schedule a Workshop. The resolution must include a clear statement about the subject of the requested Workshop.

89.3 Workshops must not be used for detailed or advanced discussions where agreement is reached and/or a decision is made. No agreement will be sought from Councillors at Workshops.

89.4 Workshop briefing papers will contain information but no recommendations. Workshop briefing papers will be made available to all Councillors irrespective of whether they are in attendance at the Workshop.

89.5 All Workshops are closed to the public except those Workshops (or parts of the Workshop) which are opened to the public by resolution of Council or a Committee of Council (insofar as it is delegated the authority to do so) or the CEO.

89.6 The provisions of the Code (except this Part) do not apply to the operation or Meeting procedure of Workshops. Meeting procedures at Workshops will be agreed between the Workshop convenor and the participants.
Appendix A - Definitions

Advisory Committee means a committee established by resolution of Council, whose purpose is to provide guidance and make recommendations to the elected Council within a particular area of expertise. Its members can consist of community members, members of key stakeholder groups and/or Councillors.

Apology means notification that a Councillor will not be attending a Meeting. An apology does not amount to a leave of absence.

Business Papers means any documents relating to the agenda items of a Meeting.

Briefing means a presentation on a specified topic by the CEO, Council Officers or invited persons followed by an opportunity for Councillors to ask questions regarding the topic.

CEO means the Chief Executive Officer/General Manager of Newcastle City Council.

Chairperson means the Chairperson identified in Part E.


Committee of Council means a committee of the whole which all members are Councillors as provided by clause 259 of the Regulation.

Council means the governing body of Newcastle City Council.

Councillor means a person elected or appointed to civic office as a member of the governing body of Council and includes the Lord Mayor.

Foreshadowed Motion means a motion that relates to the motion currently before the Meeting.

Inspection Committee means a Committee of Council constituted to perform site inspections.

Meeting means a Council Meeting, Extraordinary Council Meeting and a Committee of Council Meeting. A specific reference to a Council Meeting, Extraordinary Council Meeting or a Committee of Council Meeting means the clause, section or Part applies only to that specific type of Meeting.

Minister means the New South Wales Government Minister responsible for Local Government.

Planning Decision means a decision made in the exercise of a function of Council under the Environmental Planning and Assessment Act 1979 (NSW) including a decision relating to:

a) a development application;

b) an environmental planning instrument;

c) a development control plan; or

d) a development contribution plan.

Procedural Motion means a motion that is not a substantive motion of business before the Meeting.

Workshop means an informal gathering to provide information to Councillors on issues. Workshops may involve Councillors, the CEO, Council Officers and other invited persons. Only Part R of the Code applies to Workshops.

Unless stated otherwise, a reference to a clause, section or Part is a reference to a clause, section or Part of the Code.
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<td><strong>Relevant strategic direction</strong></td>
</tr>
</tbody>
</table>
| **Relevant legislation/codes (reference specific sections)** | Local Government Act 1993 (NSW)  
Local Government (General) Regulation 2005 (NSW)  
Privacy and Personal Information Protection Act 1998 (NSW) |
| **Other related policies/descriptions/strategies** | Code of Conduct  
Interaction between Councillors and Staff Policy  
Public Voice Policy |
| **Related forms**    | N/A |
| **Required on website** | Yes |
| **Authorisations**   | N/A |