

Councillor Abrahamzadeh - MoN - Meeting Procedures Code of Practice

Tuesday, 16 July 2024
Council

Council Member
Councillor Arman Abrahamzadeh

Public

Contact Officer:
Anthony Spartalis, Acting Chief
Operating Officer

MOTION ON NOTICE

Councillor Arman Abrahamzadeh will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

'That Council:

Reviews its Code of Practice for Meeting Procedures as soon as practicable and any other relevant document(s) to enable CEO Briefings, workshops, Elected Member training sessions and Special Committee meetings to take place no earlier than 5:30pm.'

ADMINISTRATION COMMENT

1. Administration has commenced a review of the Code of Practice for Meeting Procedures.
2. Administration anticipates presenting the review to the City Finance and Governance Committee by September 2024.
3. The current Code of Practice for Meeting Procedures does not set out a time for Chief Executive Officer (CEO) Briefings, Workshops, Council Member Training Sessions or Special Committees Meetings.
4. At the Council Meeting on 28 November 2023, Council resolved the time and place of Ordinary Council Meetings for 2024. It was decided that Council Meetings would take place from 5.30pm on the second and fourth Tuesday of every month.
5. At the Council Meeting on 26 March 2024, Council resolved in relation to the four core committees that:
 - 5.1. the City Community Services and Culture, and City Planning, Development and Business Affairs committees would be held on the first Tuesday of the month starting at 5.30pm and 7pm, respectively; and
 - 5.2. the City Finance and Governance, and Infrastructure and Public Works committees will be held on the third Tuesday of the month starting at 5.30pm and 7pm respectively.
6. Administration will be bringing a report to the November 2024 City Finance and Governance Committee meeting that will ask Council to determine the time and place for Ordinary Council Meetings for 2025. A further report will be presented in early 2025 for the consideration of the time and place for the four core committee meetings.
7. Should Council resolve to support the proposed motion, it is recommended that a further report by Administration be presented at a future City Finance and Governance meeting outlining the options available for Council's consideration.
8. Administration takes this opportunity to remind Council Members that:

- 8.1. Under section 81 (6) of the *Local Government Act 1999* (the Act), only Ordinary Council Meetings must start after 5pm;
- 8.2. Under section 90A of the Act, Information or CEO Briefing sessions, can be called by the CEO and the CEO determines the time and place;
- 8.3. Section 87 (1) of the Act, states: *Ordinary meetings of a council committee will be held at times and places appointed by the council, or subject to a decision of the council, the council committee.*
- 8.4. Section 87 (2) of the Act states: *A council or council committee must, in appointing a time for the holding of an ordinary meeting of a council committee, take into account—*
 - (a) *the availability and convenience of members of the committee; and*
 - (b) *the nature and purpose of the committee.*
- 8.5. In relation to Council Meetings, section 82 (3) of the Act states: *Special meetings may be held at any time.*
- 8.6. In relation to Council Committee Meetings, section 87 (6) of the Act states: *Special meetings of a council committee may be held at any time.*
9. It is important to note that under legislation, special council and committee meetings can be called at any time and therefore any decision of Council to only hold special council or committee meetings at a specific time will be superseded by the Act and subsequent Regulations.
10. Noting that if the preference of Council Members is to continue to hold CEO Briefings, Workshops, Council Member Training Sessions and Special Committee meetings on a Tuesday night, then a recission motion may be required to facilitate a later start time for Council and Committee meetings.

Should the motion be carried, the following implications of this motion should be considered. Note any costs provided are estimates only – no quotes or prices have been obtained:	
Public consultation	Not Applicable
External consultant advice	Not Applicable
Legal advice / litigation (eg contract breach)	The <i>Local Government (Procedures at Meetings) Regulations 2013</i> allows Council to adopt a Code of Practice that establishes procedures for Council and Committee (where the Act or Regulations allow). Two-thirds of Council members in attendance must vote in favour of the Code of Practice for Meeting Procedures to be adopted.
Impacts on existing projects	Not Applicable
Budget reallocation	Not Applicable
Capital investment	Not Applicable
Staff time in preparing the workshop / report requested in the motion	Not Applicable
Other	Not Applicable
Staff time in receiving and preparing this administration comment	To prepare this administration comment in response to the motion on notice took approximately 5.5 hours.