

DRAFT

CORE COMMITTEE

- CITY COMMUNITY SERVICES AND CULTURE COMMITTEE
- CITY FINANCE AND GOVERNANCE COMMITTEE
- CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE
- INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE

TERMS OF REFERENCE AND MEETING PROCEDURES

2024

Legislative

ACKNOWLEDGEMENT OF COUNTRY

The City of Adelaide acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

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1. PREAMBLE

1. On 26 March 2024 Council established and appointed the Lord Mayor and all Council Members to each of the following Core Committees to assist and support Council in the delivery of the City of Adelaide Strategic Plan 2024-2028:
 - City Community Services and Culture Committee
 - City Finance and Governance Committee
 - City Planning, Development and Business Affairs Committee
 - Infrastructure and Public Works Committee.
2. The Core Committees may be wound up at any time by resolution of the Council.
3. The establishment of the Core Committees (the committees) does not derogate from the power of the Council to act in a matter.
4. The Core Committees will operate until the end of the 2022-2026 term of office unless Council resolves otherwise.

s41(1)
s41(3)

s41(10)

2. CORE COMMITTEES

Purpose of the City Community Services and Culture Committee

5. The City Community Services and Culture Committee will make recommendations to Council on strategies, services, policies, and programs that assist Council to create a beautiful, diverse city that celebrates its natural, cultural and built heritage.
6. The City Community Services and Culture Committee will discuss matters, shape strategy, and make recommendations to Council to assist in the achievement of:
 - Aboriginal and Torres Strait Islander peoples and cultures strongly represented in City life
 - A healthy and resilient community
 - Community development and quality community services
 - Functional zero homelessness
 - A safe, affordable, accessible, well-connected city for all
 - Community use and access to the Adelaide Park Lands
 - Celebration of diverse community, culture and creativity
 - Beautiful, surprising places
 - New cultural and civic infrastructure
 - Protection, preservation, and promotion of our unique built, natural and cultural heritage
 - Global connections and collaborations
 - Housing Policy.

s41(2)

Purpose of the City Finance and Governance Committee

7. The City Finance and Governance Committee will make recommendations to assist Council in undertaking strategic planning and monitoring.
8. The City Finance and Governance Committee will discuss matters and make recommendations to assist Council to:
 - Guide the development and regular review of Council's Long Term Financial Plan, and each annual budget and corporate business plan in alignment with the long-term financial plan and relevant strategies and policies.
 - Monitor the performance of Council's financial and administrative activities, including undertaking the statutory quarterly budget review.

s41(2)

- Recommend to Council new or desired changes to its policies relating to financial and revenue matters, including budgets and rating.
- Undertake the review of Council's policies and recommend any changes which are considered necessary.
- Identify any gaps in Council's Governance and Policy framework and work with other Council committees to identify areas where policy support is required.
- Undertake the annual review of Council's Delegations, Register and recommend any changes which are considered necessary.
- Monitor the City of Adelaide's performance through the receipt of assurance reports on programs, projects and services.
- Monitor and report on the performance of Council owned subsidiaries, against their respective charters with which they have been established.
- Review as required relevant legislation affecting Local Government and recommend appropriate policy responses.

Purpose of the City Planning, Development and Business Affairs Committee

9. The City Planning, Development and Business Affairs Committee will make recommendations to assist Council in relation to strategic, planning development policy issues. s41(2)
10. The City Planning, Development and Business Affairs Committee will discuss matters and make recommendations to assist Council to:
 - Review and, if necessary, guide the development of a city-wide economic development strategy and a local heritage strategy and policy.
 - Guide and oversee the implementation of major projects within the City.
 - Review and consider specific changes to the Development Plan as identified in Council's Plans and/or as initiated by State Government.
 - Advise Council in formulating and delivering appropriate strategies in relation to its strategic property holdings.
 - Review as required, relevant legislation affecting Local Government and recommending appropriate course(s) of action.

Purpose of the Infrastructure and Public Works Committee

11. The Infrastructure and Public Works Committee will make recommendations to assist Council in relation to asset management. s41(2)
12. The Infrastructure and Public Works Committee will discuss matters and make recommendations to assist Council to:
 - Guide the development of an asset management policy framework for the City and make recommendations for consideration in forward financial estimates, and to deal with matters in respect of Council's asset management programs.
 - Oversee the regular evaluation of asset management and programs and the review of relevant service levels.

3. CORE COMMITTEE RESPONSIBILITIES AND REPORTING

13. Whilst the Core Committee format is less structured and seeks less formality than a Council meeting, several procedures emulate those procedures observed by and mandated by Regulation for a meeting of Council. S41(8)
The Core Committees and meetings of the Core Committees will observe the provisions contained in Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*, along with the provisions of this Terms of Reference and Meeting Procedures document.
14. The Core Committees will report directly to Council, presenting recommendations for Council determination.

15. The Core Committees may:
 - Hear deputations.
 - Receive and facilitate a discussion forum for Workshop topics.
 - Receive and consider reports to resolve a recommendation for Council determination.
 - Receive reports for noting.
 - Determine their own procedure provided it is not inconsistent with the Act, Regulations, or this document.
 - Provide advice to each other as necessary.

4. GUIDING PRINCIPLES

16. Procedures in a Core Committee meeting that must be observed are detailed in the *Local Government Act 1999 (SA)* and *Local Government (Procedures at Meetings) Regulations 2013 (SA)*.
17. Council has resolved to apply the provisions of Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*.
18. Procedures within:
 - The *Local Government Act 1999 (SA)* (the Act)
 - Parts 1, 3 & 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*
 - The *Local Government (General) Regulations 2013 (SA)*
 - Behavioural Standards for Council Membershave informed the drafting of the Terms of Reference and Meeting Procedures for the Core Committees.
19. This document includes any Council specific requirements, identifies practices or protocols that support meeting procedures, is in plain language and is a summary of the legislation wherever possible. The following references to the right of text identify legislative requirements:
 - s - A section within the *Local Government Act 1999 (SA)*
 - r – A meeting regulation within the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*
20. Where a procedure is not prescribed, each Core Committee can determine their own procedure provided it is not inconsistent with the Act, Regulations, or this document. Note – several procedures emulate those procedures observed by and mandated by Regulation for a meeting of the Council.
21. This document is drafted to support the guiding principles that the procedures to be observed at meetings of a Core Committee will:
 - contribute to open, transparent, and informed decision making.
 - encourage appropriate public participation in the affairs of the Council.
 - reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting.
 - be sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.
22. This document is written for the information of the public, Council Members and staff of the City of Adelaide and applies to ordinary and special meetings of a Core Committee.

s89

s89(1)

r4

5. BEHAVIOURS

23. Council Members are required to observe the Behavioural Standards as determined by the Minister. The Behavioural Standards published in the Government Gazette on 22 November 2022 are a public declaration of the principles of good conduct and standards of behaviour that the Lord Mayor and Members of Council are expected to demonstrate in the performance of their responsibilities as elected community representatives and within decision-making forums.

s75E

Behavioural Standards

24. Council has adopted a Council Member Behavioural Support Policy, within which Council Members have also committed to the following values and supporting behaviours:
- Value & Respect – We engage with each other respectfully in robust debate. We listen to others' views and speak to the issue and not the person/s.
 - Optimism – We are positive, constructive and creative in our problem solving. We are open-minded and are willing to learn from each other and from staff input.
 - Integrity – We are well prepared and stay focused on agreed strategic priorities. We uphold decisions of Council. Where it is not a unanimous decision, we respectfully communicate the decision to others.
 - Connected – We ensure we provide a safe, supportive environment where people thrive, are listened to and communication is open and transparent.
 - Excellence – We value leading toward clear strategic and inspiring goals and implement outcomes that benefit the community as a whole.
 - Accountability – We value accepting responsibility for our actions.
25. A Presiding Member may determine to exclude a Council Member from a meeting room for a period of up to 15 minutes in the event of:
- an improper or disorderly manner or
 - behaviour that causes interruption to the meeting or a person speaking
26. If a Presiding Member considers that a Council Member has behaved improperly, disorderly, or is causing interruption or interrupts another who is speaking, the meeting will consider the matter and the remaining Council Members may resolve to censure or suspend the Council Member for a part or the remainder of the meeting.

s75F

s86(6b)
r28A

r29

Members of the Public

27. Public access to meetings underpins a key aim of the Act for transparency and accountability of Council and Council Committee decision making.
28. Any person attending a meeting of the committees is required to:
- not intentionally obstruct or hinder proceedings
 - not behave in a disorderly manner
 - not disrupt or interrupt the meeting
 - be respectful in their language and behaviour
 - reserve discussion and conversation for before or after the meeting
 - observe the protocol for electronic devices to be switched off or switched to silent
 - limit the number of distracting activities.

s90

s95
r30

29. The Presiding Member may remind any person attending a meeting of a Core Committee (as a participant or an observer) of the expectation of behaviour standards at the beginning of the meeting.
30. The Presiding Member may request any participant or observer to not behave or continue to behave in a disorderly or disruptive manner.
31. In the event that a participant or person attending a meeting refuses the request of a Presiding Member, that person may be escorted from the meeting or the meeting may be adjourned.
32. A member of the public who behaves in a disorderly manner or causes interruption at a meeting may incur a maximum penalty of \$500.

r30

6. MEETINGS

Core Committees

33. All meetings and Information or briefing sessions (focused on a matter to be presented to a meeting of Council or Council Committee) are open to the public.
34. The public may be excluded from attendance at part of a meeting if the meeting determines that the receipt, discussion and consideration in confidence is necessary and appropriate.
35. An up-to-date schedule of dates, times and places set for ordinary meetings of each Core Committee can be found on www.cityofadelaide.com.au
36. Special meetings may be held at any time. The date, time and place will be published on www.cityofadelaide.com.au

s90(1)
s90A(3)

s90(2)

sch5

s87(5)
s87(6)

Information or briefing session

37. The Council or the Chief Executive Officer may hold an information or briefing session. This session is not a formal meeting and will not indicate a collective view or make decisions.
38. An information or briefing session may be closed to the public if the Council or Chief Executive Officer considers it to be necessary and appropriate for the receipt, discussion, and consideration of a matter in confidence.
39. Information or briefing sessions convened by the Chief Executive Officer will generally be held in the Colonel Light Room, Town Hall, King William Street, Adelaide, or at a place open to the public unless the discussion is one that the Council or the Chief Executive Officer has declared may be held in confidence.
40. An information or briefing session does not require an agenda.
41. The place, date and time, the matter discussed and whether or not the information or briefing session was open to the public will also be made available on the Council's website. If the session was closed to the public, the reasoning for consideration in confidence will also be identified.

s90A(1)
s90A(2)

s90A(4)

s90A(3)

s90A(7)
rg8AB

Frequency, Times, and Locations of Meetings

42. Council has determined that:
 - Ordinary meetings of Council will be held twice in each calendar month (except January and December) on the 2nd and 4th Tuesday commencing at 5.30pm.
 - Ordinary meetings of the four Core Committees, each making recommendations to Council for determination will generally meet once per calendar month (except January and December) on either the first or third Tuesday as follows:
 - City Community Services and Culture Committee (1st at 5.30pm).
 - City Finance and Governance Committee (3rd at 5.30pm).
 - City Planning, Development and Business Affairs Committee (1st at 7.00pm).

s81(1)

s87(1)

- Infrastructure and Public Works Committee (3rd at 7.00pm).

*Note – One ordinary meeting of Council will be held in January and December

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| 43. | Ordinary meetings of Council will be held in the Council Chamber, Town Hall, King William Street, Adelaide, unless determined otherwise by Council. | s81(1) |
| 44. | Ordinary meetings of the Core Committees will be held in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless otherwise determined by Council or the Chief Executive Officer. | s87(1) |
| 45. | All special meetings of Council and Core Committees will take place in the Colonel Light Room, Town Hall, King William Street, Adelaide, unless determined otherwise by the Council, or the Chief Executive Officer (subject to any prevailing decision of the Council). | s81(1)
s87(1) |

7. BEFORE THE MEETING

Public Notice of Meeting and Agenda

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| 46. | Notice to the public of the times and places of all Core Committee meetings will be published on www.cityofadelaide.com.au | s88(1) |
| 47. | Public notice with an Agenda will be displayed at 25 Pirie Street, Adelaide until the completion of the relevant meeting. | s88(1a) |
| 48. | An Agenda is the list of items of business to be considered at a meeting. | s4(1) |
| 49. | The agenda for every meeting will identify any items of business and the basis for any matter recommended to be received, discussed and considered in confidence. | S87(9)
s87(10) |
| 50. | The Notice of meeting and agenda for an ordinary Core Committee meeting will be distributed to Core Committee Members and published on the Council website by Friday 12:00 pm of the week before the meeting. | s88 |
| 51. | Public notice for an ordinary meeting of a Core Committee will be at least 3 days before the meeting. | |
| 52. | One hard copy of the agenda for a Core Committee, including reports or workshop/discussion items and excluding any items recommended to be received and discussed in confidence, will be displayed at 25 Pirie Street, Adelaide until completion of the relevant meeting and made accessible to the public via, the City of Adelaide website at www.cityofadelaide.com.au . | s88
r23
r24 |
| 53. | If the nature of a matter requires that it remains confidential, the matter will be marked 'Confidential' by the Chief Executive in agendas, reports and any other meeting papers dealing with the matter prior to distribution to meeting participants. | s88(5)
s88(6) |
| 54. | Public notice with an agenda for a special meeting of a Core Committee will, wherever possible, be published with at least 24 hours' notice of the meeting. | s88(2) |

Committee Member Notice of Meeting and Agenda

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| 55. | A notice of meeting setting out the date, time, place of meeting and accompanied by the agenda with reports for each Core Committee will be distributed to Core Committee Members and published on the Council website by Friday 12:00 pm of the week before the meeting. | s87(8)
s87(9) |
| 56. | A notice of meeting and agenda with reports for an ordinary meeting of a Core Committee will be at least 3 days before the meeting. | s87(4) |
| 57. | Noting the minimum notice to be given of four hours prior to a special meeting, an agenda with reports for a special meeting will, wherever possible, be distributed with at least 24 hours' notice of the meeting. | s87(7) |
| 58. | If the nature of a matter requires that it remains confidential, the matter will be marked 'Confidential' by the Chief Executive Officer in agendas, reports and any | s87(10) |

other meeting papers dealing with the matter prior to distribution to meeting participants.

59. A person receiving a meeting paper marked 'Confidential' must not provide that paper to any other person or discuss or disseminate information in that paper unless the meeting has resolved that the matter is not treated confidentially.

Agenda Structure for Core Committees

60. The Chief Executive Officer may change the structure of the agenda at any time.
61. The Presiding Member (Chair) with the consent of the meeting may change the order of consideration of an item listed on the agenda.
62. Agenda structures for the Core Committees are provided below.

Ordinary Meeting Agenda

1. Acknowledgement of Country
2. Apologies and Leave of Absence
3. Confirmation of the Minutes
4. Declaration of Conflict of Interest
5. Deputations
6. Workshops
7. Reports for recommendation to Council
8. Reports for noting
9. Exclusion of the Public (if required) *
10. Confidential workshops (if required) *
11. Confidential reports for Recommendation to Council (if required) *
12. Confidential reports for noting (if required) *
13. Closure

*Note - Items 9, 10, 11 and 12 will only be listed on the agenda when an Item is presented with a request for consideration in a meeting closed to the public

Special Meeting Agenda

1. Acknowledgement of Country
2. Apologies and Leave of Absence
3. Declaration of Conflict of Interest
4. Deputations (must relate to the purpose of the special meeting)
5. Reports (Chief Executive Officer Reports) (or purpose of the special meeting)
6. Closure

*Note – An item to exclude the public will only be listed on the agenda when an Item is presented with a request for consideration in a meeting closed to the public

Developing the Agenda

63. The Chief Executive Officer is responsible for Agenda development and publication for Council and Committee meetings.
64. The Chief Executive Officer may change the structure of the agenda at any time.
65. The public may contribute to an agenda via a request to speak as a deputation.
66. To enable effective decision-making at the meetings of the Core Committees, Council Members must commit to reading agendas in advance of the meetings and addressing any questions or concerns about the content to the relevant Director or to the Chief Executive Officer.

s87(9)

s87(9)

Contribution to Committee Agenda by a member of the public**Deputation**

67. The public can be heard in a meeting via a deputation request. r11
68. A deputation request must identify who will be speaking and the purpose for seeking (topic) to be heard by one of the Core Committees in a meeting.
69. A person, or persons, wishing to appear via a deputation at a meeting must complete a Registration Form and forward it to the Council by email to COAGovernanceTeam@cityofadelaide.com.au. Or lodge the form in person at the Customer Centre 25 Pirie Street, Adelaide. r11(1)
70. For a matter not on the agenda, the request for a deputation must be received by 5:00 pm Wednesday in the week prior to a scheduled meeting prior to allow for publication in the agenda.
71. A deputation request for a matter on the agenda must be received by 12:00 pm on the business day before the meeting.
72. A deputation to a special meeting must relate to the purpose of the special meeting. The registration form for a deputation request to a special meeting must be lodged no later than two hours prior to the commencement of the special meeting.
73. Any person(s) wishing to appear via a deputation on behalf of an organisation must provide evidence that the organisation and/or body they represent has approved the deputation.
74. Deputation requests will be provided to the Chair of the meeting who will determine if the deputation will be heard at the meeting or refused. r11(2)
r11(3)
75. If the request for a deputation is granted or refused, the person requesting the deputation will be advised and provided with attendance details. r11(4)
76. If the Chair refuses to allow a deputation to appear at a meeting, they will provide a verbal report explaining the decision to the meeting. The meeting may overrule the decision of the Chair and resolve to hear the deputation. r11(5)
r11(6)
77. The Chair will allow a maximum of three deputations unless the meeting determines otherwise.
Note – Council may refer the hearing of a deputation to a Core Committee. r11(7)
78. If three deputation requests have been granted, the person requesting the deputation will be advised that the request will be put to the meeting. At this point the person requesting the deputation will also be given the option to put their request to the next meeting.

Conditions in Accepting a Deputation Request

79. Each request to be heard as a deputation in a meeting will be considered on a case-by-case basis by the Chair.
80. The Chair will take the following considerations into account:
- the subject matter of the proposed deputation
 - whether the subject matter is within the power of a Council
 - relevance to the agenda for that meeting – and if not, relevance to the Council's powers, functions or role
 - the size and extent of the agenda for the meeting
 - whether the subject matter has previously been the basis of a deputation at another meeting
 - the benefit to the Council of receiving the deputation

- the history of deputations from the person, i.e. the way the person or organisation has approached deputations previously, the behaviour displayed, the relevance of information presented, or the way information has been presented.

81. A deputation request granted prior to publication of an agenda will list the name of the speaker and the topic.
82. Members of a Core Committee will be advised on the day of a meeting of a deputation request granted after the publication of an agenda.

Reports listed requesting consideration in Confidence

83. To support transparency and accountability, Council endeavors to receive reports in public wherever possible and any reports proposed to be considered in confidence will be in line with relevant legislation.
84. Confidential items are listed toward the end of the agenda to minimise disruption to the meeting and public gallery.
85. The matter will be listed with the basis for consideration in confidence.
86. A Council Member must not disclose information, or a document identified for consideration in confidence.
87. Staff must not disclose information, or a document identified for consideration in confidence.

s91

s62(4a)

s110A

Late Reports

88. From time to time, a report will be prepared for the consideration of a Core Committee after the compilation of reports for the preparation of the agenda. This will only occur when there is a matter of urgency that requires a timely decision by the Council.
89. A late report will be listed on the agenda with a notation advising the report will be distributed separately. It will then be circulated to Council Members via email and published on Council's website at the earliest opportunity prior to the meeting.
90. A late report not circulated with an agenda for a meeting will be attached to the minutes of the meeting.

Attendance at Meetings

Leave of Absence

91. Whilst absence from a meeting may, on occasion, be unavoidable, it is recommended practice to request a 'leave of absence' when a Council Member knows in advance that they will be unable to attend two or more Council meetings. Council has given delegation to the Chief Executive Officer to grant leave of absence requests.
92. A Council Member who stands as a candidate for election as a member of Parliament in South Australia is granted leave of absence from the office of a member of the council from the date on which nominations for the election close until the result of the election is publicly declared.

s55A

Apologies

93. Apologies for non-attendance at a Core Committee meeting must be forwarded to the Chair and Chief Executive Officer before the scheduled start time of the meeting. Apologies will be recorded in the minutes, and time permitting, in the agenda.

Non-Attendance at Meetings

94. A Council Member who does not attend a Core Committee meeting without a formal leave of absence or an apology will be recorded in the minutes as absent.

Leaving during a Meeting

95. If a Council Member needs to leave the Colonel Light Room, they should indicate this to the Chair (e.g. by standing, facing the chair and making eye contact before leaving the meeting).
96. This will also provide the minute taker the opportunity to record the movement from the Colonel Light Room. Council Members should be aware that as soon as they leave their seats, they are considered to have left the meeting.

Identifying Conflict of Interest

Committee Members

97. The Act outlines material and general conflicts of interest and disclosure. It is the responsibility of all Council Members to be aware themselves with these Sections to inform them of the considerations and behavior required.
98. Council Members should review the agenda and supporting papers and reports prior to attending a Core Committee meeting and have considered their potential interest in the matters to be discussed at the meeting. A copy of the Conflict-of-Interest form will be circulated with the agenda.
99. A Council Member will complete a Conflict-of-Interest form prior to the meeting to outline their conflict and how they intend to manage it. This will be submitted to COAGovernanceTeam@cityofadelaide.com.au who will also provide it to the Chair no later than 12:00 pm on the day of the meeting.
100. If a Council Member wishes to seek advice about a possible conflict of interest before a meeting, they should contact the Manager Governance or Team Leader Council Governance. If necessary, staff will refer the matter to the Council's lawyers for advice.
101. Council Members are required to inform the meeting of a conflict of interest.
At the beginning of each meeting, the Chair will ask all Council Members present to identify any conflict of interest with any matter listed on the agenda.
The Council Member is required to describe the nature of the interest and indicate whether they plan to participate in deliberation on the matter.
Prior to the Core Committee commencing consideration of the matter, the Council Member who identified a conflict of interest, is required to declare the conflict, describe the nature of the interest and advise how they will manage the conflict of interest.

Staff

102. It is a condition of employment and the responsibility of all staff to acquaint themselves with relevant sections of the Act to inform them of the considerations and behaviour required.
103. The Chief Executive Officer must inform the Core Committee and staff must inform the Chief Executive Officer.
104. Staff providing advice or making recommendations are also required to inform the meeting.

8. AT THE MEETING

105. The Chair and all present at a meeting are required to observe the provisions in this Terms of Reference and Meeting Procedures document.
106. The Chair must be fair and impartial to all in a meeting to maintain order and to ensure that the conduct of the meeting adheres to this document.
The Chair is not excluded from debate and may add to the debate nearing its end (so as to not lead whilst presiding).

s73
s74
s75
s75A
s75B
s75C
s75D

s109
s120

s120(1)
s120(2)

s120(4)

107. To support shared values and supporting behaviours Council Members have resolved to responsibly lead in demonstrating and supporting constructive and positive behaviour in effective decision-making. S75F
108. In the event a procedure is not prescribed, by the Act, regulation or determined in this document, for a circumstance that occurs in a meeting, the Chair and/or a meeting may determine a procedure to manage the circumstance having considered the following Guiding Principles: r4
s89(1)
- to be fair and contribute to open transparent and informed decision-making,
 - to encourage appropriate participation by people present at the meeting,
 - to reflect levels of formality appropriate to the nature and scope of the responsibilities exercised at the meeting, and
 - to demonstrate certainty to give Council Members and other key stakeholders confidence in the deliberation undertaken at the meeting.
109. The Chief Executive Officer is responsible for ensuring that minutes are kept of the proceedings at every Council or Council Committee meeting. s91(1)

Recording of Meetings and Use of Mobile Phones

110. Recording of meetings (including audio, photographs and/or video) by Council Members or third parties will only be allowed with the prior approval of the Chair.
111. If the public session of the meeting is being recorded and/or streamed live to the internet, the Chair or the Chief Executive Officer will announce this at the start of the meeting.
112. Mobile telephones (including other devices capable of emitting sound), must be switched off or in vibration or silent mode during Committee Meetings, workshops and Chief Executive Officer Briefings. Members of Council shall not send text messages or emails, or make or receive telephone calls, during Committee meetings when present in the Colonel Light Room.
If the meeting is or goes 'in-camera' mobiles are to be removed from access, with tablets to be used to access meeting papers only.
113. Council Members should limit their use of mobile phones during Core Committee meetings, workshops and Chief Executive Officer Briefings. If Council Members need access to their phone, Council Members are required to leave the Colonel Light Room to take a call without disruption to the meeting.

Quorum to start Core Committee meeting

114. A meeting is not able to conduct any business until a quorum is present. s85(1)
r26(1)
115. The quorum for a meeting is ascertained by dividing the total number of members by two, ignoring any fraction resulting from the division, and adding one. Council has not determined a minimum number for the quorum of a Core Committees. s85(1)
r26(2)
116. A Council Member who is suspended from office or granted leave because of standing for Parliament is not counted in the total number of members when ascertaining quorum. s85(2)
s55A(1)
117. When the total number of members is 12, quorum for a meeting of a Core Committee to proceed is seven.

Adjournment of meeting prior to start time

118. If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to an alternative specified day and time. r7(2)

119. If a meeting is adjourned by the Chief Executive Officer to another day notice will be given to each Council Member and a notice displayed at 25 Pirie Street, Adelaide.

r7(5)

Presiding at a Core Committee meeting

120. When the Chair is present, the Chair must preside.
In the absence of the Chair, the Deputy Chair will preside.
121. The Chair and Deputy Chair of Core Committees are appointed by the Council on an annual basis.
122. In the absence of the Chair and the Deputy Chair, a Council Member selected via nomination is chosen to preside, by resolution of the members present. The Council Member chosen may preside until the Chair or Deputy Chair is present.

s41(4)

Appointing a Chair for a meeting

123. In the absence of the Chair and Deputy Chair, the process to appoint a Chair for the meeting is as follows:
- Nominations sought.
 - A secret ballot for selection if required.
 - Appointment through resolution
124. With a quorum present, the Chief Executive Officer, Manager Governance or Governance officer will ask for nominations for a Council Member to preside.
125. Nominations do not require a seconder, nor do they need to be in writing.
126. To proceed to an appointment a Council Member will be requested to indicate acceptance of their nomination.
127. If there is only one nomination, a mover and seconder will be sought to appoint the Council Member to the role of Chair for the meeting.
128. If there is more than one nomination, a ballot will be conducted. The ballot may be conducted electronically or via a paper ballot. A record of individual votes in a secret ballot is not retained.

Ballot Process

129. The Chief Executive Officer, Manager Governance or Governance officer will identify the name of each nominee and request each Council Member to vote by marking their ballot with an X for their preferred nominee.
130. All Council Members present will indicate which Member(s) they wish to vote for via their ballot. A Governance officer will distribute and collect the ballot and conducts the count.
131. The Council Member with the most votes will be declared the winner.
132. The Chief Executive Officer confirms the count and reports the numbers to the Chair.
133. In the case of a tied ballot, another ballot will be conducted where Council Members are to cast a vote for their preferred candidate from the tied candidates. If a revote cannot determine a clear winner and there is a continuing tie, then lots must be drawn to determine which candidate(s) will be excluded.
134. The Manager Governance or Governance officer will place the name of the nominees tied into a voting box. The name of the candidate/s withdrawn are excluded from the ballot. After lots are drawn the remaining candidate is the winner.
135. The successful candidate is announced.
136. The meeting makes the appointment by resolution, namely a mover/seconder for a motion to appoint and a majority vote in favour by show of hands.

Starting the Core Committee Meeting

137. The Chair will seek the attention of all Council Members present and start an ordinary or special meeting at the time given in the Notice for the meeting or soon thereafter when a quorum is present.

r7(1)

Adjournment for want of a quorum

138. If, after 30 minutes from the start time given in the notice for the meeting, a quorum is not present, the Chair or, in the absence of a Chair, the Chief Executive Officer, will adjourn the meeting to an alternative specified day and time.
139. If the meeting is adjourned after 30 minutes, the minutes of the meeting will identify the meeting adjourned for want of a quorum, the names of the Council Members present and the date and time the meeting is expected to reconvene.
140. If debate is interrupted for want of a quorum and the meeting is then adjourned the debate, on resumption of the meeting, will continue from the point at which it was interrupted unless otherwise determined by the Chief Executive Officer to re-present the matter.
141. A meeting can be adjourned from time to time and from place to place, on another day or the same day as the notice for the meeting.
142. If a meeting is adjourned to another day notice will be given to each Council Member and a notice displayed at 25 Pirie Street, Adelaide.

r7(3)

r7(4)

r19(2)

s89(2)

r7(5)

Decision making by Resolution

143. A matter for decision at a meeting will be decided by a majority of the votes cast by the Council Members present at the meeting and entitled to vote.

r27(1)

By Resolution

144. The decision-making process for meetings is by resolution ie

- A motion,
- That is moved, seconded and
- voted on by show of hand in favour or against.
- A majority in favour becomes a decision and the resolution.

The process also includes debate (speaking), possible amendment or variation and final voting by the Council Members present and entitled to vote.

145. The outcome of a majority vote in favour of a motion is referred to as the resolution. The phrase 'by resolution' is used to refer to the decisions of Council and a Core Committee.
146. The resolutions of the Core Committee decision-making process are for the purpose of recommendation to Council for determination, except for several matters that relate to the operation of the meeting.
147. Resolutions of the Core Committee requiring Council determination are presented in a report from the Core Committee by the Chief Executive Officer.

r27(3)

s75B(3)
r27(2)

r16(1)

Voting

148. The Chair, or Deputy Chair or another Council Member presiding in a meeting of a Core Committee has a deliberative vote with no casting vote in the event of an equality of votes.
149. Subject to Conflict-of-Interest provisions, each member of a Core Committee has a deliberative vote and must vote whilst present in the meeting.
150. Prior to a vote, the Chair, or any other Council Member, may ask the Chief Executive Officer to read out a motion to be voted upon.

151. To vote, the Chair will ask for the votes of those Council Members in favour and then for the votes of those members against. r16(2)
152. Those Council Members present and entitled to vote must vote and clearly indicate by show of hands when asked to vote by the Chair. r27(2)
153. This process can be repeated as often as is necessary to enable the Chair to determine the result of the voting and then declare the outcome. r16(2)
154. A Council Member who is not in their seat is not permitted to vote. r16(3)
155. The outcome of a vote will be declared by the Chair in a meeting of a Core Committee to be:
- Carried (majority in favour) (decision made)
 - Lost (majority against) (no decision)
 - Lost due to an equality of votes (no decision).

Leave of the meeting

156. Leave of the meeting may be sought by a Council Member to:
- Extend their three-minute speaking time by an additional two minutes r15(1)
 - Vary, alter or withdraw the motion or amendment r14(1)
 - Make a personal explanation. r15(3)
157. Leave of the meeting may be sought by the Chair to assist in the conduct of the meeting.
158. When sought by the Chair, in the absence of objection, leave of the meeting is granted.
159. Where there is an objection, the Chair, will put the matter to the meeting to vote by a majority show of hands and declare leave granted or declined. r3(4)
160. A division may be called on whether leave of the meeting is granted. r3(4)

Division

161. If the meeting has moved on to the next agenda item, a division cannot be called.
162. Immediately after the outcome of a vote has been declared, a division can be requested and will occur. r17(1)
163. A division may be requested on the outcome of a vote for a motion, formal motion, amendment, variation or leave of the meeting.
164. The action of each Council Member in a division and the outcome of the division will be recorded and published in the minutes. r17(4)
165. A division may alter the outcome of the vote for which the division has been called.
166. If a division is called for, it must be taken immediately, and the previous decision declared by the Chair as to whether the matter was carried or lost is set aside. r17(2)
167. There is no obligation upon a Council Member to vote in a division in the same manner that they voted on the immediately preceding decision.
168. The division will be taken as follows: r17(3)
- the Council Members voting in favour will, stand in their places until the name of all the Council Members standing are identified out loud to the meeting and the vote is recorded.
 - the Council Members voting against will, until the vote is recorded, sit in their seats.
 - the Chair will count the number of votes and then declare the outcome.

169. Each Council Member of the Core Committee, including the Chair, participates in a division requested at the meeting.

Speaking, Motion/Amendments/Variations in Decision-making

Addressing each other

170. When the Lord Mayor is present at a meeting, the Lord Mayor is to be addressed as 'Lord Mayor'.
171. At a meeting of a Core Committee, the Presiding Member is to be addressed as 'Chair'.
172. At a meeting a Council Member should address the Chair and the meeting not the public gallery.

Speaking

173. To support shared values and supporting behaviours Council Members have resolved to:
- engage with each other respectfully in robust debate.
 - listen to others' views and speak to the issue and not the person/s.
 - be positive, constructive and creative in our problem solving.
 - be open minded and willing to learn from each other and from staff input.
174. A Council Member must not speak for longer than three minutes at any one time without the leave of the meeting.
If leave is granted, a Council Member may speak for an additional two minutes only.
175. Following the moving/seconding of a motion or amendment, that is accepted by the Chair and before the meeting for determination, a member may speak:
- Once to a motion (including the Chair, immediately prior to the mover in reply who will be summing up).
 - Once to each amendment to a motion.
 - With leave of the meeting, provide a personal explanation, but not introduce any new matter.
 - As the mover in response to a question seeking clarity on the motion or amendment, but not introduce any new matter.
 - As the mover requesting leave of the meeting to vary, alter or withdraw a motion or amendment.
 - As the mover of a motion or amendment to sum up.
176. Following the moving/seconding of a motion, that is accepted by the Chair and before the meeting for determination, speaking once to a motion is an opportunity to
- Speak in favour or against the motion OR
 - Speak to move an amendment OR
 - Speak requesting the mover/seconded to consider a variation OR
 - Speak to move a formal motion.
177. Following the moving/seconding of an amendment, that is accepted by the Chair and before the meeting for determination, speaking once to an amendment is an opportunity to
- Speak in favour or against the amendment OR
 - Speak requesting the mover/seconded to consider a variation OR
 - Speak to move a formal motion
177. The subject matter of a personal explanation may not be debated.
178. The contribution of a Council Member must be relevant to the subject matter of the debate.

s51(9)

s75F

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|---|---------------------------------|
| 179. A Council Member whilst speaking or through their behaviour must not behave in an improper or disorderly manner. | s86(6a)(a)
)
r29(1)(a) |
| 180. It is at the discretion of the Chair, whether to control improper and/or disorderly behaviour by way of a few warnings before imposing regulation. | |
| 181. A Council Member whilst speaking or through their behaviour must not speak to cause interruption or interrupt another Council Member who is speaking, unless they are: <ul style="list-style-type: none"> • Objecting to words being used by the Council Member speaking • Raising a point of order • Advising of a loss of a quorum. | s86(6a)(b)
r28A(3)
r29(2) |

Speaking to raise a Point of Order

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| 182. A point of order is raised to draw attention to and must relate to an alleged breach of the Act, a meeting regulation or this document in relation to the proceedings of the meeting. | r3
r28 |
| 183. The Chair may call to order a Council Member who is in breach. | r28(1) |
| 184. A Council Member may raise a point of order and must identify the nature of the breach. | r28(2) |
| 185. A point of order takes precedence in the meeting until determined. | r28(3) |
| 186. Discussion in the meeting is to cease whilst the Chair considers and then rules on the point of order raised. | r28(4) |
| 187. If the ruling is accepted, the meeting continues in accordance with the direction in the ruling and discussion in the meeting resumes from where it was before the point of order was raised. | |
| 188. The meeting may resolve to not agree with the ruling and in so doing the ruling will have no effect and the point of order is annulled. | r28(7) |
| 189. If the ruling is objected to, a motion that the ruling is not agreed must be moved and seconded immediately. | r28(5) |
| 190. Prior to the motion to not agree with the ruling being put to a vote, the Chair may make a statement in support of the ruling. | r28(6) |
| 191. If the motion to not agree with the ruling is lost, the ruling of the Chair stands, and the meeting continues in accordance with the direction in the ruling. | |
| 192. If the motion to not agree with the ruling is carried, the resolution binds the meeting and the ruling will have no effect, the Point of Order is annulled and the meeting continues. | r28(7) |

Speaking to ask a Question in a meeting

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| 193. During consideration of an item of business Council Members may direct a question in a respectful manner through the Chair and the Chief Executive Officer in relation to the item of business. | |
| 194. A question raised in relation to an item of business is not an opportunity to debate or express an opinion on the matter the subject of the question. | |
| 195. Staff will respond to questions from the floor at the invitation of the Chair and will acknowledge the Chair. | |
| 196. The Chair may: <ul style="list-style-type: none"> • Allow a reply to a question to be given at the next meeting. • Rule that a question not be answered if the Chair considers that the question is vague, irrelevant, insulting or improper. | |

197. A question raised during an item of business and the reply will not be included in the minutes of the meeting unless a motion is moved/seconded and carried to do so, at the time the reply is given.

Motion, Amendments and Variations

198. The following is a precis of the decision-making process:
- Motion (moved/seconded)
 - Motion accepted/refused by Chair
 - Debate on motion
 - Leave of the meeting to vary, alter or withdraw motion
 - Amendment – 2 only
 - Amendment (moved/seconded by Council Members who have not spoken in the debate)
 - Debate on an amendment
 - Leave of the meeting to vary, alter or withdraw an amendment
 - Mover of amendment (or amendment as varied) to sum up.
 - Vote on an amendment (or amendment as varied) and outcome declared by Chair
 - Division called on the vote for amendment (or amendment as varied) and outcome declared
 - Debate continues on motion (motion as varied or as amended)
 - Mover of the motion (or motion as varied or motion as amended) afforded the opportunity to sum up prior to a vote.
 - Vote on the motion or motion as amended and outcome declared by Chair.
 - Division called on a vote for the motion (or motion as varied or motion as amended and outcome declared.
 - A formal motion, in addition to a motion, is a procedural way to determine how a meeting will proceed, during a decision-making process. A formal motion, shown below, may be moved by a member who has not spoken:
 - The meeting proceed to the next business
 - The question (amendment or motion) be put
 - The question (item or motion) lie on the table
 - The meeting be adjourned

199. The following outlines in more detail the decision-making process:

Motion

The Chair may refuse to accept a motion if:

- In their opinion the motion is beyond the power of the Council or Core Committee.

A motion requires a mover and seconder.

If there is no seconder there is no motion and it lapses.

The mover of a motion:

- may speak to the motion at the time of moving the motion, or
- seek a seconder and then speak to the motion moved, or
- may reserve their right to speak at a later stage in the debate.

The seconder of a motion:

- may speak to the motion at the time of seconding the motion, or
- may speak after the mover, or
- may reserve the right to speak later in the debate on the motion.

Debate (each member speaking once only to the motion).

A Council Member who has spoken to a motion may not move or second an amendment to the motion at a later stage of the debate.

Amendments – 2

Each amendment can be either carried or lost.

An amendment to a motion is an alteration to the wording of a motion, it is not a motion.

The amendment should not substantially change the intent of the motion nor contradict it (a direct negative). An amendment that goes beyond this is not an amendment and must be rejected by the Chair.

Amendment moved/seconded by a Council Member who has not already spoken to the motion.

If there is no seconder there is no amendment and it lapses.

The mover and seconder of an amendment will have spoken to the motion and may not speak again to the motion.

The mover of an amendment:

- may speak to the amendment at the time of moving the amendment, or
- seek a seconder and then speak to the amendment moved, or
- may reserve their right to speak at a later stage in the debate.

The seconder of an amendment:

- may speak to the amendment at the time of seconding the amendment, or
- may speak after the mover, or
- may reserve the right to speak later in the debate on the amendment.

Each Council Member may speak once to each amendment to address the content of the amendment and its effect on the motion.

The Chair may speak or make a statement relevant to the debate prior to the mover of the amendment summing up.

Variation to an Amendment or Motion

The mover of the amendment or motion with the consent of the seconder, may seek leave of the meeting to vary, alter or withdraw the amendment or motion.

Without the consent of both the mover and seconder a request to vary cannot proceed.

No debate on content of a variation.

The Chair must seek leave to vary immediately by show of hands.

A division may be called on the outcome of the vote.

Amendment or Amendment as varied

Debate

The mover of the amendment is afforded the opportunity to sum up after all speakers have been heard prior to a vote on the amendment.

The mover, in summing up closes debate on the amendment.

Vote on the amendment (as is or as varied) and outcome declared.

A division may be called on the vote for the amendment (as is or as varied) and outcome declared.

Motion or Motion as amended or Motion as varied

Debate by a member who has not already spoken to the motion.

The mover of the motion is afforded the opportunity to sum up after all speakers have been heard and any or all amendments have been dealt with prior to a vote on the motion.

The mover in summing up closes debate on the motion.

The Chair may speak or make a statement relevant to the debate prior to the mover of the motion summing up on a motion.

Vote on the motion (as is, or as amended or as varied) and outcome declared.

A division may be called on the vote for the motion (as is, or as amended or as varied) and outcome declared.

Formal Motions

There are five formal motions, the following apply to each:

Only a Council Member who has yet to speak in debate on the motion may move a formal motion.

A Council Member who has spoken in the debate may second a formal motion.

A formal motion moved/seconded takes precedence over the item, an amendment or motion before the meeting.

No debate unless an adjournment is sought.

No summing up by the mover.

Vote taken immediately by the Chair.

A division may be called on the outcome of the vote.

If a formal motion is lost:

- The meeting will resume at the point it was interrupted.
- During debate, a similar formal motion cannot be moved until at least one Council Member has spoken.

The five formal motions are:

1. The meeting proceed to the next item of business

If the formal motion is carried during debate on a motion the motion lapses and the meeting proceeds to the next item of business.

If the formal motion is carried during debate on an amendment, the amendment lapses and the meeting resumes debate on the motion without further reference to the amendment.

2. The question be put

If the formal motion is carried during debate on a motion the motion must be put to the vote without further debate.

If the formal motion is carried during debate on an amendment the amendment must be put to the vote without further debate.

3. The question lie on the table

If carried the meeting moves to the next item of business.

Resumption of debate (at the point of interruption) on the matter can only occur later through resolution.

Any question that lies on the table lapses at the next general election and will be reported to the council at the first ordinary meeting.

4. The question be adjourned

Formal motion must include the reason for adjournment and the details for resumption.

Debate may only occur on the details for resumption.

If carried the motion is disposed of but debate can resume at the later time.

The adjournment can be to a later hour of the same day, to another day or to another place and debate will continue from the point it was adjourned.

5. [The meeting be adjourned](#)

Formal motion must include the reason for adjournment and the details for resumption.

Details for resumption may include a specific time or place or a time and place to be determined by the Chief Executive Officer.

Debate may only occur on the details for resumption.

If carried the meeting ends without the consideration of any further business.

If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was adjourned unless the Chief Executive Officer determines to re-present the matter.

The adjournment of the meeting can be to a later hour of the same day, to another day or to another place and debate will continue from the point it was adjourned.

s89(2)

Business not dealt with because of an adjournment must be dealt with before any new business at a subsequent meeting.

r19(3)

[Resolutions](#)

200. Once debated, the Chair puts the motion to a vote and if carried by a majority of votes, it becomes a resolution of the meeting. Resolutions of the Core Committees are implemented by the Chief Executive Officer.

r27(1)

201. A Core Committee cannot make decisions except by resolution.

202. In the meeting, the Chair will facilitate a motion being moved, seconded, debated and voted upon by the Council Members present.

Core Committee Agenda Order of Business

203. With a minimum of seven Council Members present, the Chair will open/commence the meeting and introduce the business of the meeting in the order as listed in the agenda, unless otherwise determined.

[Protocol](#)

Acknowledgement of Country

The Chair will state:

'Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

[Apologies and Leave of Absence](#)

The Chair will advise the meeting of any known apologies or leave.

[Confirmation of Minutes](#)

The Chair will seek a mover/seconded for a motion to confirm the minutes of a previous meeting. In the absence of any discussion the motion will be put to the vote and the outcome declared.

r8
r25

Discussion on the minutes must only relate to the accuracy as a record of proceedings.

At or after the meeting, once the minutes have been confirmed, the Chair will initial each page of the minutes and place their signature and the date of confirmation at the foot of the last page of the minutes.

[Declaration of Conflict of Interest](#)

The Chair will ask Council Members to declare and identify the item to which there is a conflict at the beginning of the meeting.

When the conflict occurs during the meeting, the Council Member will need to ensure that they declare and describe the interest in accordance with the requirements of the Act. Council Members will also need to complete the Conflict-of-Interest form and provide it to Council Governance staff.

s75B(1)
s75C(1)

A disclosure made at a Core Committee meeting will be recorded in the minutes, including the details of whether the Council Member remained in the meeting, and if the member remained, the way all members voted.

s75B(3)
s75C(5)

The Chief Executive Officer will also inform the Core Committee of any conflict of interest as will staff providing advice or making recommendations.

s120

Deputations

Council may refer the hearing of a deputation to a Core Committee.

r11

The agenda lists deputations granted as at the date of Agenda Publication.

The Chair will advise the meeting of any deputation not listed and any request declined.

The meeting may overrule the decision of the Chair and resolve to hear the deputation or refer the hearing of the requested deputation to a meeting of a committee.

If the meeting grants a deputation the Chair will invite the deputation to speak at the conclusion of deputations listed to be heard.

The Chair will invite each deputation to speak for up to five minutes. An additional two minutes may be granted with leave of the meeting.

The identity of the person making the deputation, the subject, and the purpose of the address, will be recorded in the Minutes of the meeting.

Material distributed to a meeting and referenced as part of the address may be attached to the Minutes for reference if the speaker agrees; this must be done through a resolution of the Core Committee.

The inclusion of material in the Minutes is subject to an assessment by the Chief Executive Officer as to whether the material is to be disallowed based on it being defamatory, offensive or insulting in content.

Council Members can ask questions about the deputation provided they observe the guiding principles described in Part Four of this document.

The Chair may rule the speaker ineligible to continue in a deputation if in their opinion, the subject matter is:

- not one in which the Council has a direct interest or responsibility.
- not the topic outlined in the request to make a deputation.
- one which relates to the prosecution of expiation notices, summonses or any other litigation.
- more appropriately addressed by other means.
- vague, irrelevant, insulting or improper.

Workshops

No decision making will occur in response to a Workshop item.

The report in this section is intended to be taken as read, to enable the Chair to facilitate a discussion and exchange of information on each item.

The Chair will ensure that each Council Member has an opportunity to participate in discussion and no new information is being discussed to call the meeting to order to move on to the next workshop or report.

Reports for recommendation to Council

Reports provide information and advice to assist in decision-making.

Reports in this section contain a recommendation based on expertise and provide a starting point for deliberation and resolution by the Core Committee.

The recommendation in the report may be moved as a motion, moved with alteration, or not moved at all and a different motion moved.

The decision of the Core Committee will be presented as a recommendation to Council for determination.

The Core Committee may resolve to defer a matter to another meeting or another Core Committee.

Reports for noting

The meeting will be requested to resolve that the report be received and noted.

Exclusion of the Public

An order to exclude the public will be sought for each item with a request for consideration in confidence.

s90(2)

When a resolution is passed to consider an item in confidence:

- members of the public gallery and administration not required to be present are asked to leave the meeting room and move to a location where the meeting cannot be overheard or viewed.
- the doors of the meeting room are closed.

The Core Committee will disconnect any live stream of a meeting for the period that the meeting is closed to the public.

Confidential items

All confidential items on the agenda are clearly identified as confidential.

Each report in this section includes a recommendation that incorporates a confidentiality order.

s91(7)
s91(9)

The Chair will seek a resolution for the recommendation/s listed in the reports in this section.

The confidentiality order within a resolution of a Core Committee is included in the public minutes of the meeting to inform the community of the confidential status of the matter.

s91(9)

Council Members who wish to retain confidential papers for reference are required to keep them in a secure location.

Closure

In the absence of Items to be considered in confidence the Chair will formally close the meeting at the conclusion of Reports for noting.

At the conclusion of deliberation in confidence the meeting will re-open for the Chair to formally close the meeting.

Core Committees will aim to determine all matters within the agenda before the close of the meeting. The Core Committee meeting will finish once all items have been dealt with, or at 8.30 pm, whichever is met sooner.

Tabling of Information

204. A Council Member may require the Chief Executive Officer to table any documents of the Council relating to a motion that is before a meeting.
205. The Chief Executive Officer must then table the documents within a reasonable time or at a time determined by the Presiding Member after considering the wishes of the meeting.
206. If the Council Member who has required the tabling indicates that they are unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled.

r18

207. If the document sought is not able to be tabled, a formal motion may be sought to enable the meeting to proceed with other items on the agenda.
208. In making the request a Council Member must:
- specify the document or documents that they are seeking with reasonable particularity to enable them to be identified and located; and
 - explain how the document or documents are relevant to the motion that is before the meeting; and
 - the request must be reasonable in all the circumstances.
209. The Chief Executive Officer may, in tabling a document, indicate that the document should be dealt with confidentially.

Facilitating informal discussion with a short-term suspension of meeting procedures

210. If the Chair considers that the conduct of a meeting would benefit from allowing or facilitating informal discussions, the Chair may, with the approval of at least two thirds of the members present at the meeting, suspend the operation of meeting provisions for a period determined by the Chair.
211. The Chair will apply the Guiding principles prior to seeking a suspension and will identify the reason and time frame of the suspension when seeking at least 2/3rds approval by show of hands.
212. If a suspension occurs, it should be limited to achieving the purpose for which it was declared and:
- the suspension, including the reasons and period of suspension, will be entered in the minutes.
 - the meeting may proceed provided that a quorum is maintained, but during the period of suspension:
 - the provisions of the Act must continue to be observed
 - no act or discussion will have any status or significance under the meeting provisions which have been suspended
 - no motion may be moved, seconded, amended or voted on other than a motion that the period of suspension should be ended.
213. The period of suspension will come to an end if:
- the Chair determines that the period should be ended,
- OR
- at least two thirds of the Council Members present at the meeting resolve that the period should be ended.
214. If a suspension occurs the provisions of Part 4 of Chapter 5 and Chapter 6 of the Act, must continue to be observed (Member integrity and behaviour and Meetings)

Provisions to manage interruptions or improper/disorderly behaviour

215. The Chair may make a statement at the beginning of each meeting that sets out their expectations and/or the behavioural standards expected at a Council or Council Committee meeting, which may include their views about what amounts to improper or disorderly behaviour:

For these purposes, the Macquarie Dictionary definitions are used. The adjective 'proper' is defined as 'conforming to established standards of behaviour or manners, correct or decorous', and the adjective 'improper' is defined as 'not in accordance with propriety or behaviour, manners etc' or 'unsuitable, inappropriate, as for the purpose of the occasion'.

The adjective 'orderly' is defined as 'observant of system or method, as persons, the mind, etc., characterized by or observant of order, rule or discipline' and the adjective

'disorderly' is defined as 'law violating, or opposed to, constituted order, contrary to public order or morality'.

216. It is at the discretion of the Chair, whether to control improper and/or disorderly behaviour by way of a few warnings before resorting to reliance upon a procedure that could result in a Council Member being excluded, suspended from part or the remainder of a meeting or being censured.
217. It is expected that Council Members will support the Chair, in their endeavours to maintain appropriate standards of behaviour during meetings, without the need to implement a provision that would result in exclusion or could result in censure or suspension.
218. A Council Member must not, while at a Council or Core Committee meeting—
- behave in an improper or disorderly manner; or
 - cause an interruption or interrupt another Council Member who is speaking.
- It is not an interruption if the Council Member is:
- objecting to words used by a Council Member who is speaking; or
 - calling attention to a point of order; or
 - calling attention to want of a quorum.
219. The Chair may implement one of two formal options in response to improper and/or disorderly behaviour:
- exclude the Council Member from the meeting for improper and/or disorderly behaviour for up to 15 minutes
- OR**
- having identified the improper and/or disorderly behaviour request the meeting to consider the conduct identified and determine if it wishes to take action against the Council Member.
- If the option to exclude is implemented, the Chair cannot then request the meeting to consider the conduct and determine if it wishes to take any action against the Council Member.
- Exclusion of a member from the meeting by the Chair**
220. The Chair may direct a Council Member to leave the meeting for a period of up to 15 minutes, if the Chair considers that a Council Member has behaved improperly, in a disorderly manner or caused interruption to the meeting or a person speaking.
- The direction of the Chair is absolute and if disagreed with cannot be reversed through resolution of the meeting.
221. Prior to leaving the meeting, the Council Member must be allowed to make a personal explanation.
222. Whilst the Council Member who has been directed to leave by the Chair is excluded from the meeting room, no matter (including formal motions or amendments to motions) may be put to the vote, however motions or amendments may be moved and seconded and discussion on any matter before the meeting may continue.
223. If the Council Member refuses the direction of the Chair, or re-enters the meeting during the period of exclusion set by the Chair, the meeting through resolution may censure or suspend the Council Member for part or the remainder of the meeting.
- Meeting to consider conduct and action in response to interruption of meeting**
224. A Council Member whilst in a meeting must not:
- behave in an improper or disorderly manner; or

s86(6a)
r29(1)

r29(2)

r28A(1)
s86(6b)

r29

r28A(2)

s86(6a)
s86(6b)

r28A(1)

s86(6d)

r28A(4)

r29(1)

- cause an interruption or interrupt another Council Member who is speaking.

It is not an interruption if the Council Member is:

- objecting to words used by a Council member who is speaking; or
- calling attention to a point of order; or
- calling attention to want of a quorum.

r29(2)

225. The Chair may indicate to the meeting that they consider that a Council Member is behaving improperly, in a disorderly manner or caused interruption to the meeting or a person speaking.

r29(3)

This indication may be in response to observation or a ruling in response to a Point of Order.

In so doing, the Chair will ask the Council Member to make a personal explanation about their behaviour prior to leaving the room for the meeting to consider the matter.

r29(4)

The relevant Council Member must leave the meeting while the matter is considered.

226. The meeting will then consider the conduct and determine if it wishes to take any action against the Council Member.

r29(5)

If the remaining Council Members resolve that the Council Member has behaved in the manner indicated by the Chair, those Council Members may, by resolution:

- censure the relevant Council Member; or
- suspend the Council Member for a part, or for the remainder, of the meeting

227. A resolution to censure the Council Member is an expression or statement of dissatisfaction with the Council Member's performance, conduct and/or behaviours. Such a resolution has no further effect other than as a formal, public reprimand that is expressed publicly and recorded in the Minutes of the meeting.

228. Suspension of the Council Member by resolution will be reserved for the most serious behaviours.

229. A Council Member who refuses to leave a meeting, or enters a meeting in contravention of a suspension, is guilty of an offence and a maximum penalty of \$1250 may apply.

r29(6)

Closure of a Core Committee Meeting

230. Core Committees will aim to determine all matters within the agenda before the close of the meeting.

231. Core Committee meetings will finish once all items have been dealt with, or at 8:30 pm, whichever is met sooner.

232. The Chair may seek leave of the meeting to extend the time of closure of the meeting past 8:30 pm until all business has been dealt with.

233. Any items not dealt with at the meeting by midnight of that date will be adjourned until the next meeting of Council (if time critical) or Core Committee (Ordinary or Special).

9. AFTER THE MEETING

Minutes of Core Committees

234. If the meeting is adjourned after 30 minutes, for want of a quorum, the minutes of the meeting will identify the meeting adjourned for want of a quorum, the names of the Council Members present and the date and time the meeting is expected to reconvene.

r7(4)

235. The minutes of the proceedings of a meeting will include—

- the names of the Council Members present at the meeting.
- the name of any Council Member who is not present because the Council Member is suspended or taken to have been granted leave of absence from the

r25
r8

office of Member of the Council.

- in relation to each Council member present—
 - the time at which the person entered or left the meeting; and
 - unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
 - if, during the meeting, the Council Member is excluded, a statement that the Council Member was excluded and the period for which the member was excluded.
- each motion or amendment, and the names of the mover and seconder.
- any variation, alteration or withdrawal of a motion or amendment.
- whether a motion or amendment is carried or lost.
- any disclosure of interest made by a Council Member

If a Member of the Council discloses a general conflict of interest in a matter to be discussed at a meeting of a Core Committee, the following details must be recorded in the minutes of the meeting:

s75B(3)

- the Council Member's name.
- the nature of the interest, as described by the Council Member.
- the way the Council Member dealt with the general conflict of interest.
- if the Council Member voted on the matter, the way the Council Member voted.
- the way the majority of persons who were entitled to vote at the meeting voted on the matter.

If a Member of the Council discloses a material conflict of interest in a matter to be discussed at a meeting of a Core Committee, the following details must be recorded in the minutes of the meeting:

s75C(5)

- the Council Member's name.
- the nature of the interest, as described by the Council Member.
- if the Council Member took part in the meeting under Ministerial approval, the fact that the member took part in the meeting.

- an account of any personal explanation given by a Council Member.
- details of the making of an order to exclude the public from the meeting

If an order is made to exclude the public, a note must be made in the minutes of the making of the order specifying -

 - the grounds on which the order was made; and
 - the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and
 - if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.

s90(2)
s90(7)

- a note of the making of an order to keep a matter confidential

If through resolution there is an order to keep a matter confidential, a note must be made in the minutes specifying -

 - the grounds on which the order was made.
 - the duration of the order or the circumstances in which the order will cease to apply.
 - a period after which the order will be reviewed.
- details of any adjournment of business.

s91(9)

- a record of any request for documents to be tabled at the meeting.
- a record of any documents tabled at the meeting.
- a description of any oral briefing given to the meeting on a matter of council business.
- any other matter required by or under the Act or any regulation.
 - Upon resolution of the meeting a Question without notice and reply
 - A Division (names of who voted in favour, names of who voted against and the result of the vote)
 - Suspension of meeting procedures (including reason for, period of suspension, time commenced and time ended).

AND

- Carried unanimously (as directed by the Chair).
 - The opening and closing time of the meeting.
 - The names of Council Members with Apologies and approved leave of absence.
 - The names of Council Members who have not provided an apology or been granted a leave, as being absent.
 - A record of any undertaking given by the Chief Executive Officer.
 - In relation to a deputation, the identity of the speaker and the subject and purpose of the deputation.
 - Acknowledgment of Country.
 - The topic of each Workshop, Discussion Facilitator and Precis of Topic presented.
236. The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is not possible, at a subsequent meeting. r25(2)
237. On confirmation of the minutes, the Chair must, on hardcopy or electronically: r8(3)
- initial each page of the minutes, which are to be consecutively numbered.
 - place their signature and the date of confirmation at the foot of the last page of the minutes
238. The Chair may initial/date/sign the minutes at or after the meeting.
239. Council Members will receive a copy of all minutes of proceedings within 5 days of the meeting. s91(3)
240. Minutes excluding proceedings retained in confidence, will be available on the City of Adelaide website www.cityofadelaide.com.au following distribution to Council Members. s132 Sch5

Deputation Speakers

241. Council resolved on 29 November 2022 that the Office of Lord Mayor during the 2022-2026 Term of Office will write to all deputation speakers thanking them for making their deputation.

Live streamed meetings

242. If an audio and or visual recording of a meeting for live streaming (excluding any portion of the meeting closed to the public) is produced, it will be available via the City of Adelaide YouTube channel, accessible on the City of Adelaide website www.cityofadelaide.com.au

In addition, the Chair or the Chief Executive Officer, upon opening the meeting will advise if the public session of the meeting is being recorded and/or streamed live to the internet. The recording and/or streaming of a meeting shall be determined on a case by case basis by the Chief Executive Officer.

10. OTHER MATTERS

Special meetings of Core Committees

243. Special meetings may be held at any time. s87(6)

Where practicable, the Chief Executive Officer will endeavour to ensure that special meetings of Core Committee, will not be held prior to 5.00pm, taking into consideration the following:

- Urgency of business
- Expected length of meeting
- Quorum requirements and availability of Council Members.

244. If a request with an agenda for a special meeting is given to the Chief Executive Officer, the Chief Executive Officer must call a special meeting of a Core Committee at the request of: s87(5)

- the relevant Chair, or
- at least two Council Members of the relevant Core Committee.

245. A Council Member of the Core Committee must receive notice of a special meeting at least four hours prior to the commencement of the special meeting. s87(7)

246. Public notice with an agenda for a special meeting of the Core Committee will, wherever possible, be published with at least 24 hours' notice of the meeting.

Provisions that Apply to Core Committees

247. The Terms of Reference and meeting provisions contained in the Core Committee Terms of Reference were resolved by Council on ## September 2024. s41(8)

Review

248. As part of Council's commitment to deliver the City of Adelaide Strategic Plan 2024-2028, services to the community and the provision of transparent information, all policy documents are reviewed as per legislative requirements or when there is no such provision a risk assessment approach is taken to guide the review timeframe.

249. The Core Committee Terms of Reference will cease to operate if the Core Committee is wound up through Council resolution or at the conclusion of the 2022-2026 Term of Office.

Review History

250. In the event of:

- statutory provisions enacted by the Parliament of the State of South Australia being amended; or
- resolution of the Council;

the Terms of Reference will automatically be updated and a description of the edit included in the review history table below.

Trim Reference	Authorising Body	Date	Description of Edits
	Council	##/09/2024	Determined by Council

Contact:

For further information contact the Governance Program

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