

DRAFT

CODE OF PRACTICE FOR COUNCIL MEETING PROCEDURES

2024

Legislative

ACKNOWLEDGEMENT OF COUNTRY

The City of Adelaide acknowledges that we are located on the traditional Country of the Kurna 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 Kurna people living today.

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

DRAFT

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1. GUIDING PRINCIPLES

1. Prescribed procedures in a meeting of a Council that must be observed are detailed in *the Local Government Act 1999 (SA)* (the Act) and *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (the Meeting Regulations).
2. Procedures within the:
 - *Local Government Act 1999 (SA)*
 - Parts 1, 2 & 4 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*
 - *Local Government (General) Regulations 2013 (SA)*
 - Behavioural Standards for Council Members

have informed the drafting of this Code of Practice for Council Meeting Procedures (this/the Code).
3. This Code includes any Council prescribed procedure, 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)* (the Act)
 - r – A meeting regulation within the *Local Government (Procedures at Meetings) Regulations 2013 (SA)*
 - rv– A meeting regulation varied (discretionary procedure) by the City of Adelaide
 - rg - A Regulation within *the Local Government (General) Regulations 2013 (SA)*
4. The Council has developed this Code, to vary certain prescribed procedures capable of being varied by Council (discretionary procedures) and identify practices or protocols that support meeting procedures.
The operation of the following mandatory regulations that may be varied and the regulation Council has resolved to vary are [shown in blue below](#):
 - Petitions - Regulation [10 \(2\)](#)
 - Motions - Regulation [12 \(9\)](#), [12 \(10\)](#), [12 \(11\)](#)
 - Amendments to motions - Regulation [13 \(1\)](#), [13 \(3\)](#), [13 \(4\)](#) and [13 \(5\)](#)
 - Addresses by Members – Regulation [15 \(1\)](#), [15 \(2\)](#)
 - Voting - Regulation [16 \(3\)](#)
 - Divisions - Regulation [17 \(3\)](#)
 - Adjourned Business – Regulation [19](#), [19 \(1\)](#), [19\(2\)](#), [19\(3\)](#)
 - Chief Executive Officer may submit report recommending revocation or amendment of council decision- Regulation [21 \(1\)](#), [21 \(2\)](#).
5. Where a procedure is not prescribed, Council can determine its own procedure provided it is not inconsistent with the Act or Regulations.
6. This Code is drafted to support the Guiding Principles that the procedures to be observed at meetings of Council:
 - 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.

s86(8)
r5

r6

s86(8)

r4

2. SCOPE

7. This Code is written for the information of the public, Council Members and staff of the City of Adelaide.
8. The Code applies to:
 - Ordinary and Special Council meetings
9. The Code of Practice for Council Meeting Procedures:
 - provides a plain language summary where possible of the formal requirements of the Act and the Meeting Regulations.
 - variations to the prescribed meeting procedures which have been adopted by Council are included in blue text to apply in substitution for or in conjunction with the formal requirements of the Meeting Regulations.
 - incorporates practices or protocols that support meeting procedures.
10. As recommended by the regulations, Governance will review the operation of this Code annually.

r6

r6(2)

3. BEHAVIOURS

11. Council Members are required to observe the Behavioural Standards as determined by the Minister. The Behavioural Standards published in the Government Gazette 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

12. 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
13. 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.
14. 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

- 15. Public access to meetings underpins a key aim of the Act for transparency and accountability of Council decision making. s90
- 16. Any person attending a meeting of Council is required to: s95
r30
 - 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.
- 17. The Presiding Member may remind any person attending a meeting of Council (as a participant or an observer) of the expectation of behaviour standards at the beginning of the meeting or during the meeting.
- 18. The Presiding Member may request any participant or observer to not behave or not continue to behave in a disorderly or disruptive manner.
- 19. 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.
- 20. 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

4. MEETINGS

Council and Council Committees

- 21. All meetings of Council, Council Committee and Information or briefing sessions (focused on a matter to be presented to meeting of Council or Council Committee) are open to the public. s90(1)
s90A(3)
- 22. 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. s90(2)
- 23. An up-to-date schedule of dates, times and places set for ordinary meetings of the following meeting forums: sch5
 - Council
 - City Community Services and Culture Committee (Core Committee)
 - City Finance and Governance Committee (Core Committee)
 - City Planning, Development and Business Affairs Committee (Core Committee)
 - Infrastructure and Public Works Committee (Core Committee)
 - Reconciliation Committee
 - Audit and Risk Committee
 - CEO Performance Review Panel
 - Chief Executive Officer Selection Panel

can be found on www.cityofadelaide.com.au
- 24. Special meetings of Council may be held at any time, the date, time and place will be published on www.cityofadelaide.com.au s82

Information or briefing session

25. 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. s90A(1)
s90A(2)
26. 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. s90A(4)
27. 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. s90A(3)
28. An information or briefing session does not require an agenda.
29. The place, date and time, the matter discussed and whether 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(7)
rg8AB

Frequency, Times, and Locations of Meetings

30. The City of Adelaide 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. s81(1)
 - 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: s87(1)
 - 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).
 - Infrastructure and Public Works Committee (3rd at 7.00pm).
- *Note – One ordinary meeting of Council will be held in January and December
- The Audit and Risk Committee meets at least six times a year, with ordinary meetings generally held on a Friday at 8.30am.
 - The Reconciliation Committee meets quarterly, with ordinary meetings generally held on a Wednesday at 2.30pm.
 - The CEO Performance Review Panel and Chief Executive Officer Selection Panel meet as and when required.
31. Ordinary meetings of Council will be held in the Council Chamber, Town Hall, King William Street, Adelaide, unless determined otherwise by Council. s81(1)
- Ordinary meetings cannot be held on Sundays or on public holidays. s81(5)
- Ordinary meetings may not be held before 5pm unless Council resolves otherwise by a resolution supported unanimously by all members of the Council. s81(6)
32. Ordinary meetings of Council Committee 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)

33. All special meetings of Council and Council Committee 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).
34. Core Committees and other Council Committees meet and attend to business in accordance with their respective Terms of Reference. s41(8)

5. BEFORE THE COUNCIL MEETING

Public Notice of Council Meeting and Agenda

35. Notice to the public of the times and places of all Council meetings will be published on www.cityofadelaide.com.au s84(1)
36. Public notice with an Agenda will be displayed at 25 Pirie Street, Adelaide until the completion of the relevant meeting. s84(1a)
s132(1a)
37. An Agenda is the list of items of business to be considered at a meeting. s4(1)
38. 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. s83(5)
39. The Notice of meeting and agenda for an ordinary Council meeting will be distributed to Council Members and published on the Council website by Friday 12:00 pm of the week before the meeting. s84
s88
40. Public notice for an ordinary meeting of the Council will be at least 3 days before the meeting. s84(2)
41. One hard copy of the agenda for all Council meetings, 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. s84(5)
s84(6)
s84(3)
42. 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 other meeting papers dealing with the matter prior to distribution to meeting participants.
43. Public notice with an agenda for a special meeting of the Council will, wherever possible, be published with at least 24 hours' notice of the meeting or as soon as practicable after the time that notice of the special meeting is given to Council Members. s84(2)(b)

Council Member Notice of Council Meeting and Agenda

44. A notice of meeting setting out the date, time, place of meeting and accompanied by the agenda with reports for an ordinary meeting of Council will be distributed to Council Members and published on the Council website by Friday 12:00 pm of the week before the meeting. s83(3)
s83(4)
45. A notice of meeting and agenda with reports for an ordinary meeting of the Council will be distributed at least 3 days before the meeting. s83(1)
46. 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. s83(2)
47. 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 Council Members. s83(5)

48. 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

Council Meeting Agenda Structure

49. The Chief Executive Officer may change the structure of the agenda at any time.
50. The Presiding Member with the consent of the meeting may change the order of consideration of an item listed on the agenda.
51. Agenda structures for Ordinary and Special Meetings of the Council are provided below.

Ordinary Council Meeting Agenda:

1. Acknowledgement of Country
2. Acknowledgement of Colonel William Light
3. Prayer
4. Pledge
5. Memorial silence
6. Apologies and Leave of Absence
7. Confirmation of Minutes
8. Declaration of Conflict of Interest
9. Deputations
10. Petitions
11. Recommendation/Advice from Committee/s and Advice from Kadaltilla (if required)
12. Reports for Council (Chief Executive Officer Reports)
13. Lord Mayor's Report
14. Councillors' Reports (including external representative reports) (Monthly)
15. Motions on Notice
16. Motions without notice
17. Questions on Notice
18. Questions without Notice
19. Exclusion of the public (if required) *
20. Confidential Reports (if required) *
21. Closure

*Note - Items 19 and 20 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 Council 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 for Council (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

s83(4)

Developing the Council Agenda

- 52. The Chief Executive Officer is responsible for Agenda development and publication for Council meetings. s83(4)
- 53. The Chief Executive Officer may change the structure of the agenda at any time.
- 54. The public may contribute to an agenda with the presentation of a petition or via a request to speak as a deputation r10
r11
- 55. A Council Member may contribute to an agenda through the presentation of business via a Motion on Notice or Question on Notice. r9
r12
- 56. To enable effective decision-making at the meetings of Council, 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.

Contribution to Council Agenda by a member of the public

Petition r10

- 57. The public can communicate with Council in a meeting by presenting a petition.
- 58. A petition to the Council must: r10(1)
 - 1. identify a head petitioner and the contact details of that person
 - 2. be legible
 - 3. set out the request or submission of the petitioners
 - 4. include the name and address of each person who signed the petition
 - 5. be addressed to the Council and delivered to the principal office of the Council. Council will accept Electronic Petitions where the above criteria have been met.
- 59. A petition must be addressed to the Council and delivered via email to COAGovernanceTeam@cityofadelaide.com.au and/or in person at the Customer Service Centre at 25 Pirie Street, Adelaide.
- 60. A suggested format for each page of a petition is available on the council's website.
- 61. The petition must be received by 5:00 pm Wednesday in the week prior to a scheduled meeting date to support inclusion and publication in the agenda for the meeting.
- 62. The Chief Executive Officer will ensure that a petition received complies with Council specifications.
- 63. The petition is then placed on the agenda for the next ordinary meeting of Council or a Council Committee as relevant. rv10(2)
- 64. If a petition is received after the deadline but prior to the next Ordinary Meeting, verbal notification will be provided to the meeting of receipt of a petition.
- 65. If a petition is scheduled for the meeting, the topic will be listed on the agenda and a report identifying the topic, the subject of the petition, the number of signatories and the purpose of the petition (being the nature of request or submission) will be presented, with a recommendation acknowledging the number of signatories and the petition received. rv10(2)
- 66. To protect the privacy of signatories, the original petition will be distributed to the Lord Mayor and Council Members only.
- 67. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.

Deputation Request

68. The public can be heard in a meeting via a written deputation request. r11(1)
69. A deputation request must identify who will be speaking and the purpose for seeking (topic) to be heard by Council in a meeting.
70. 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)
71. For a matter not listed on the agenda, the request for a deputation must be received by 5:00 pm Wednesday in the week prior to a scheduled meeting date to allow for publication in the agenda.
72. A deputation request for a matter listed on the agenda must be received by 12:00 pm on the business day before the meeting.
73. 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.
74. 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.
75. Deputation requests will be provided to the Presiding Member of the meeting who will determine if the deputation will be heard at the meeting or refused. r11(2)
r11(3)
76. 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)
77. If the Presiding Member refuses to allow a deputation to appear at a meeting, a verbal report explaining the decision to the meeting will be provided by the Presiding Member. The meeting may overrule the decision of the Presiding Member and resolve to hear the deputation in the meeting of Council or refer the hearing of the requested deputation to a meeting of a Core Committee. r11(5)
r11(6)
r11(7)
78. The Presiding Member will allow a maximum of three deputations unless the meeting determines otherwise.
79. If three deputation requests have been granted, the person requesting the deputation will be advised that the request must 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

80. Each request to be heard as a deputation in a meeting will be considered on a case-by-case basis by the Presiding Member.
81. The Presiding Member 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.

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

Contribution to Council Agenda by a Council Member

Motion on Notice

84. A Council Member may place on an agenda an item of business via a Motion on Notice given to the Chief Executive Officer no later than 5pm on the Monday in the week prior to a meeting of the Council conducted on a Tuesday. Any motion received after that time will be listed on the next Council Agenda. r12(1)
r12(2)
- Motions on Notice may also be submitted to the Lord Mayor via the Council Liaison Officer.
- The Lord Mayor may only accept a motion if the subject matter is within the power of the Council. r12(7)
85. If the item of business is seeking to revoke or amend a resolution of the current Council term, the Council Member must raise via a Motion on Notice. r12(3)
86. At least seven clear days' (does not include the day notice is given or the day of the meeting) notice prior to a meeting of the Council is required for a Motion on Notice to be listed as an item of business. r3(2)
r12(2)
87. Before a Motion on Notice is submitted, it is preferred that the Council Member speaks to the Chief Executive Officer, Chief Operating Officer or appropriate Director regarding the context. Council Members should consider alignment with strategic priorities as well as budget impacts when presenting a Motion on Notice.
88. A Motion on Notice will be listed on the agenda with the name of the Council Member and subject title and the proposed motion published in the agenda with an administration comment to support informed decision making.
89. A Council Member can circulate a proposed motion to other members prior to the meeting to contribute to fully informed decision-making, however, Council Members should not discuss the merits of a motion or act in a way that could be perceived as seeking or having reached a decision outside of the meeting.

Notice of a Question

90. A Council Member may raise a question as an item of business on the agenda via a Question on Notice given to the Chief Executive Officer no later than 5pm on the Monday in the week prior to a meeting of Council conducted on a Tuesday. Any question received after that time will be listed on the next Council Agenda. r9(1)
r9(2)
- A Question on Notice may also be submitted to the Lord Mayor via the Council Liaison Officer
91. Before a Question on Notice is submitted, it is preferred that the Council Member speaks to the Chief Executive Officer, Chief Operating Officer or appropriate Director regarding the context.
92. At least seven clear days' (does not include the day notice is given or the day of the meeting) notice prior to a meeting of Council is required. r3(2)
r9(1)

- | | | |
|-----|--|----------|
| 93. | A question considered to be vague, irrelevant, insulting or improper may not be answered at the meeting. | r9(6) |
| 94. | A Question on Notice will be listed on the agenda with the name of the Council Member and subject title and the proposed question published in the agenda. | r9(2)(a) |
| 95. | A Question on Notice and the reply provided at the meeting will be included in the Minutes of the meeting. | r9(2)(b) |
| 96. | A Question on Notice and the reply will be taken as read, unless otherwise raised with the Lord Mayor prior to the meeting. | |

Reports listed requesting consideration in Confidence

- | | | |
|------|---|---------------------|
| 97. | 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. | s8(a)
s90
s91 |
| 98. | Confidential items are listed toward the end of the agenda to minimise disruption to the meeting and public gallery. | |
| 99. | The matter will be listed with the basis for consideration in confidence. | s91 |
| 100. | A Council Member must not disclose information, or a document identified for consideration in confidence. | s62(4a) |
| 101. | Staff must not disclose information, or a document identified for consideration in confidence. | s110A |

Late Reports

102. From time to time, a report will be prepared for the consideration of Council 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.
103. 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 the Council's website at the earliest opportunity prior to the meeting.
104. 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

- | | | |
|------|--|-----------|
| 105. | 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. The council has given delegation to the Chief Executive Officer to grant leave of absence requests. | |
| 106. | A Council Member absent for more than three consecutive Council meetings without leave of absence being granted may lead to a declaration of a casual vacancy. | s54(1)(d) |
| 107. | 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

108. Apologies for non-attendance at a Council meeting should be forwarded to the Chief Executive Officer and Lord Mayor 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

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

Leaving during a Meeting

110. If a Council Member needs to leave the Council Chamber, they should indicate this to the Presiding Member (e.g. by standing, facing the chair and making eye contact before leaving the meeting).
111. This will also provide the minute taker the opportunity to record the movement from the Council Chamber. 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

Council Members

112. 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.
113. Council Members should review the agenda and supporting papers and reports prior to attending a Council 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.
114. 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 Presiding Member no later than 12:00 pm on the day of the meeting.
115. 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.
116. Council Members are required to inform the meeting of a conflict of interest. At the beginning of each meeting, the Presiding Member 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 Council 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

117. 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.

s73
s74
s75
s75A
s75B
s75C
s75D

s109
s120

118. The Chief Executive Officer must inform the Council and staff must inform the Chief Executive Officer. s120(1)
s120(2)
119. Staff providing advice or making recommendations are also required to inform the meeting. s120(4)

6. AT THE COUNCIL MEETING

120. The Presiding Member and all present at a meeting are required to observe this Code. s86(8)(a)
r5
121. The Presiding Member 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 Code. S75F
122. In the event a procedure is not prescribed, by the Act, regulation or determined in this Code, for a circumstance that occurs in a meeting, the Presiding Member and/or meeting may determine a procedure to manage the circumstance having considered the following Guiding Principles: s86(8)(b)
r4
- to be fair and contribute to open transparent and informed decision-making,
 - to encourage appropriate participation by people present at the meeting,
 - to reflects 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.
123. The Chief Executive Officer is responsible for ensuring that minutes are kept of the proceedings at every Council meeting. s91(1)

Recording of Meetings and Use of Mobile Phones

124. 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 Presiding Member.
125. If the public session of the meeting is being recorded and/or streamed live to the internet, the Presiding Member or the Chief Executive Officer will announce this at the opening of the meeting.
126. Mobile telephones (including other devices capable of emitting sound), must be switched off or in vibration or silent mode during Council Meetings, workshops and Chief Executive Officer Briefings. Members of Council shall not send text messages or emails, or make or receive telephone calls, during Council meetings when present in the Council Chamber or 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.
127. Council Members should limit their use of mobile phones during Council meetings, workshops and Chief Executive Officer Briefings. If a Council Member needs to access their phone, Council Members are required to leave the Council Chamber or Colonel Light Room to take a call without disruption to the meeting.

Quorum to start Council meeting

128. A meeting is not able to conduct any business until a quorum is present. s85(1)
129. The quorum for a Council meeting is ascertained by dividing the total number of members by two, ignoring any fraction resulting from the division, and adding one. s85(1)
130. 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)

131. When the total number of members is 12, the quorum for a meeting of the Council to proceed is seven.

Adjournment of meeting prior to start time

132. 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)
133. 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 the Council meeting

Council

134. When the Lord Mayor is present, the Lord Mayor must preside. s86(1)
135. In the absence of the Lord Mayor the Deputy Lord Mayor will preside over the meeting. s86(2)
136. Section 20(4) of the *City of Adelaide Act 1998 (SA)* identifies that the Council may resolve to have a Deputy Lord Mayor. A Council Member is appointed to the office of Deputy Lord Mayor by the Council on an annual basis.
137. If the Deputy Lord Mayor is not available, a Councillor selected via nomination is chosen by resolution of the Council Members present. s86(2)

Appointing a Presiding Member for a Council meeting

138. In the absence to the Lord Mayor and Deputy Lord Mayor, the process to appoint a Council Member to preside is as follows:
- Nominations sought.
 - A secret ballot for selection if required.
 - Appointment through resolution.
- The Chief Executive Officer will preside until the matter is decided. s86(3)
139. With a quorum present, the Chief Executive Officer, Manager Governance or Governance officer will ask for nominations for a Council Member to preside.
140. Nominations do not require a seconder, nor do they need to be in writing.
141. To proceed to an appointment a Council Member will be requested to indicate acceptance of their nomination.
142. If there is only one nomination, a mover and seconder will be sought to appoint the Council Member to the role of Presiding Member for the meeting.
143. 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

144. The Chief Executive Officer, Manager Governance or Governance officer will identify the name of each nominee and request each member to vote by marking their ballot with an X for their preferred nominee/s.
145. All Council Members present will indicate which member(s) they wish to vote for via ballot. A Governance officer distributes and collects the ballot and conducts the count.
146. The Council Member with the most votes from the ballot will be declared the winner.
147. The Chief Executive Officer confirms the count and reports the numbers to the Presiding Member or the meeting.

148. 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.
149. 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.
150. The successful candidate is announced.
151. The meeting makes the appointment by resolution, namely a mover/seconded for a motion to appoint and a majority vote in favour by show of hand.s

Appointments to Office, External Boards or Committees

152. The Presiding Member in a Council meeting is to call for all nominations to appoint Council Members, including, for example, a Committee Chair, Deputy Lord Mayor or nominations to board and committees.
153. If an external board or committee requests a nomination from Council, a report for Council will be prepared detailing the purpose of the board or committee, the representation, meeting dates and any applicable remuneration. Additional information including qualifications or accreditation will also be included.
154. The appointment of a Council Member to the office of Deputy Lord Mayor, will follow the process for nomination and ballot process outlined above except for part 148 above.
155. The prescriptive provision in the Act for appointing a Deputy Lord Mayor does not provide for a revote on a tied ballot to determine a clear winner. When appointing a Deputy Lord Mayor, a tied ballot must only be determined by lots being drawn to determine which candidate/s will be excluded. After lots are drawn the remaining candidate is the winner.
156. Council will require any Council Member appointed as a Council representative to an external organisation to report on their involvement in activities associated with that organisation.

s51(8)

Starting the Council Meeting

Council

157. In an ordinary meeting of the Council, the Chief Executive Officer will seek the attention of all Council Members present at the time given in the Notice for the meeting or soon after when a quorum is present to announce the Lord Mayor, who will enter the Council Chamber behind the Mace and assume the chair to commence the meeting.
158. In a special meeting of the Council, the Lord Mayor will seek the attention of all Council Members present and commence the meeting at the time given in the Notice for the special meeting or soon after when a quorum is present.

r7(1)

r7(1)

Adjournment of Council Meeting for want of a quorum

159. If, after 30 minutes from the start time given in the notice for the meeting, a quorum is not present, the Presiding Member or, in the absence of a Presiding Member, the Chief Executive Officer, will adjourn the meeting to an alternative specified day and time.
160. 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.

r7(3)

r7(4)

161. 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.** rv19(2)
162. A Council 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. s86(9)
163. 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(5)

Decision making by Resolution

164. 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. s86(4)

By Resolution

165. The decision-making process for meetings is by resolution ie
- A motion,
 - That is moved, seconded and
 - voted on by show of hands 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 members present and entitled to vote.
166. 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 committee.
167. 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 Core Committee meeting.
168. Resolutions of the Council are implemented by the Chief Executive Officer.

Voting

169. The Lord Mayor, or Deputy Lord Mayor or another Council Member presiding in a meeting of Council does not have a deliberative vote but has a casting vote in the event of an equality of votes. s86(6)
170. Except for the Presiding Member each Member of Council has a deliberative vote and subject to Conflict-of-Interest provisions must vote whilst present in the meeting. s86(5)
171. Prior to a vote, the Presiding Member, or any other Council Member, may ask the Chief Executive Officer to read out a motion to be voted upon. r16(1)
A motion before the meeting is displayed on screen in a meeting.
172. To vote, the Presiding Member will ask for the votes of those Council Members in favour and then for the votes of those Council Members against. r16(2)
173. Those Council Members present and entitled to vote must vote and clearly indicate by show of hand when asked to vote by the Presiding Member.
174. This process can be repeated as often as is necessary to enable the Presiding Member to determine the result of the voting and then declare the outcome. r16(2)
175. A Council Member, who is not in their seat, is not permitted to vote. r16(3)
176. The outcome of a vote will be declared by the Presiding Member at a meeting of Council to be:
- Carried (majority in favour) (decision made)
 - Lost (majority against) (no decision).

177. In the event of a tied vote the Presiding Member will cast in favour or against the matter and declare the outcome of the vote to be carried or lost. s86(6)
178. The vote when a nomination/appointment process is required will be conducted via a secret ballot unless the Council resolves to conduct the vote by show of hands.
- Leave of the meeting**
179. Leave of the meeting may be sought by a Council Member to:
- [Extend their three-minute speaking time by an additional two minute only](#) rv15(1)
 - Vary, alter or withdraw the motion or amendment r14(1)
 - Make a personal explanation. r15(3)
180. Leave of the meeting may be sought by the Presiding Member to assist in the conduct of the meeting. r3(4)
181. When sought by the Presiding Member, in the absence of objection, leave of the meeting is granted.
182. Where there is an objection, the Presiding Member will put the matter to the meeting to vote by a majority show of hands and declare leave granted or declined. r3(4)
183. A division may be called on whether leave of the meeting is granted. r3(4)
- Division**
184. If the meeting has moved on to the next agenda item, a division cannot be called.
185. Immediately after the outcome of a vote has been declared, a division can be requested and will occur. r17(1)
186. A division may be requested on the outcome of a vote for a motion, formal motion, amendment, variation or leave of the meeting.
187. 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)
188. A division may alter the outcome of the vote for which the division has been called.
189. If a division is called for, it must be taken immediately, and the previous decision declared by the Presiding Member as to whether the matter was carried or lost is set aside. r17(2)
- 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.
190. The division will be taken as follows:
- 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. rv17(3)
 - the Council Members voting against will, until the vote is recorded, sit in their seats.
 - the Presiding Member will count the number of votes and then declare the outcome.
191. The Lord Mayor, Deputy Lord Mayor or another Council Member when presiding at a Council meeting does not vote in a division except to cast a vote in favour or against, if the division is tied. s86(6)

Speaking, Motion/Amendments/Variations in Decision-making

Addressing each other

- 192. When the Lord Mayor is presiding at a meeting of Council, the Presiding Member is to be addressed as 'Lord Mayor'. s51(9)
- 193. At a Council meeting a Council Member should address the Presiding Member and the meeting not the public gallery.

Speaking

- 194. To support shared values and supporting behaviours Council Members have resolved to: s75F
 - 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.
- 195. Following the moving/seconding of a motion or amendment, that is accepted by the Presiding Member and before the meeting for determination, a member may speak:
 - Once to a motion (including the Presiding Member, immediately prior to the mover in reply who will be summing up). r12(10)
 - [Leave of the meeting may only be sought once to speak again to a motion.](#) rv12(10)(b)
 - Once to each amendment to a motion.
 - With leave of the meeting, provide a personal explanation, but not introduce any new matter. r15(3)
 - [As the mover in response to a question seeking clarity on the motion or amendment, but not introduce any new matter.](#) rv12(10)(a)
 - As the mover requesting leave of the meeting to vary, alter or withdraw a motion or amendment. r14(1)
 - As the mover of a motion or amendment to sum up. r12(10)(c)
- 196. Following the moving/seconding of a motion, that is accepted by the Presiding Member and before the meeting for determination, speaking once to a motion is an opportunity to
 - Speak in favour or against the motion, OR r13(1)
 - Speak to move an amendment, OR
 - Speak requesting the mover/seconded to consider a variation, OR r14(1)
 - Speak to move a formal motion. r12(12)
- 197. Following the moving/seconding of an amendment, that is accepted by the Presiding Member and before the meeting for determination, speaking once to an amendment is an opportunity to
 - Speak in favour or against the amendment, OR r14(1)
 - Speak requesting the mover/seconded to consider a variation, OR r12(12)
 - Speak to move a formal motion.
- 198. [A Council member must not speak for longer than three minutes at any one time without the leave of the meeting.](#) rv15(1)
[If leave is granted, a Council Member may speak for an additional two minutes only.](#)
- 199. [A Council Member may raise a matter of urgency during the business item Motions without Notice listed on the Council Agenda.](#) rv15(2)
- 200. A Council Member may, with leave of the meeting, make a personal explanation, but not introduce any new matter. r15(3)

201. The subject matter of a personal explanation may not be debated. r15(4)
202. The contribution of a Council Member must be relevant to the subject matter of the debate. r15(5)
203. A Council Member whilst speaking or through their behaviour must not behave in an improper or disorderly manner. s86(6a)(b)
r29(1)(a)
204. It is at the discretion of the Presiding Member, whether to control improper and/or disorderly behaviour by way of a few warnings before imposing regulation.
205. 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: s86(6a)(b)
r28A(3)
r29(2)
- Objecting to words being used by the member speaking
 - Raising a point of order
 - Advising of a loss of a quorum

Speaking to raise a Point of Order

206. 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 Code in relation to the proceedings of a meeting. r3
r28
207. The Presiding Member may call to order a member who is in breach. r28(1)
208. A Council Member raising the point of order must identify the nature of the breach. r28(2)
209. A point of order takes precedence in the meeting until determined. r28(3)
210. Discussion in the meeting is to cease whilst the Presiding Member considers and then rules on the point of order raised. r28(4)
211. 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.
212. 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)
213. If the ruling is objected to, a motion that the ruling is not agreed must be moved and seconded immediately. r28(5)
214. Prior to the motion to not agree with the ruling being put to a vote, the Presiding Member may make a statement in support of the ruling. r28(6)
215. If the motion to not agree with the ruling is lost, the ruling of the Presiding Member stands, and the meeting continues in accordance with the direction in the ruling.
216. 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

217. During consideration of an item of business Council Members may direct a question in a respectful manner through the Presiding Member and the Chief Executive Officer in relation to the item of business. r9
218. A question raised in relation to an item of business is not an opportunity to debate or express an opinion on the matter or the subject of the question.
219. Staff will respond to questions from the floor at the invitation of the Presiding Member and will acknowledge the Presiding Member.

220. An agenda for an ordinary meeting of Council also lists an item of business titled 'Questions without Notice' to enable a Council Member to raise any matter as a question.

r9(3)

221. The Presiding Member may:

- Allow a reply to a question to be given at the next meeting.
- Rule that a question not be answered if considered to be vague, irrelevant, insulting or improper.

r9(4)

r9(6)

222. A question raised during an item of business or during 'Questions without Notice' 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.

r9(5)

Motions, Amendments and Variations

223. The following is a precis of the decision-making process:

- Motion (moved/seconded)
- Motion accepted/refused by Presiding Member
- Debate on motion
- Leave of the meeting to vary, alter or withdraw motion
- Amendment – 2 only
 - Amendment (moved/seconded by 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 Presiding Member
 - 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 Presiding Member.
- 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.

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

Motions

The Presiding Member may refuse to accept a motion if:

- In consideration of the Guiding Principles, considers the motion is better dealt with by way of written notice for another meeting or
- In their opinion the motion is beyond the power of the Council or Council Committee.

r12(6)

r4

r12(7)

A motion requires a mover and seconder.

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

r12(8)

The mover of a motion:

rv12(9)

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

The seconder of a motion:

rv12(9)

- 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 Council Member speaking once only to the motion).

r12(10)

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.

r12(11)

Amendments – 2 only

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 Presiding Member.

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

r13(1)

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

r13(2)

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

r13(3)

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 Presiding Member 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.

r14(1)

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

r14(1)

No debate on content of a variation.

r14(2)

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

r14(2)

r3(4)

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

r3(4)

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 amendment (as is or varied) and outcome declared.

r17

Motion or Motion as amended or Motion as varied

Debate by a Council Member who has not already spoken to the motion

r12(10)

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.

r12(10)(c)

The mover in summing up closes debate on the motion.

The Presiding Member may speak or make a statement relevant to the debate prior to the member 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.

r17

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.

r12(12)

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

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

r12(15)

No debate unless an adjournment is sought.

No summing up by the mover.

Vote taken immediately by the Presiding Member.

r12(15)

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

r17

If a formal motion is lost:

r12(17)

- 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

r12(14)(a)

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

r12(14)(b)

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](#) r12(14)(c)
- 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. r12(19)
- 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 following the general election. r12(20)
4. [The question be adjourned](#) r12(14)(d)
- Formal motion must include the reason for adjournment and the details for resumption. r12(18)
- The adjournment for a substantive motion may either be to a later hour of the same day, to another day, or to another place [or time and place to be determined by the Chief Executive Officer](#) and debate will then continue from the point at which it was adjourned [unless determined otherwise by the Chief Executive Officer to represent the matter](#). rv19(1)(a)
rv19(1)(b)
- Debate may only occur on the details for resumption. r12(15)
- If carried the motion is disposed of for the time being, but debate can resume at the later time at the point it of interruption.
5. [The meeting be adjourned](#) r12(14)(e)
- Formal motion must include the reason for adjournment and the details for resumption. r12(18)
- 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](#). rv19(2)
- Business not dealt with because of an adjournment must be dealt with before any new business at a subsequent meeting. r19(3)
- A meeting of council may be adjourned from time to time and place to place. r86(9)

The Agenda in a Council meeting

225. With a minimum of 6 Councillors present in the Council Chamber at the meeting commencement time, the Chief Executive Officer, will call and introduce the Lord Mayor or Deputy Lord Mayor to the meeting. All present will stand.
226. For an ordinary meeting of the Council, the Lord Mayor or Deputy Lord Mayor after entering the Council Chamber will open/commence the meeting and introduce the business of the meeting in the order as listed in the agenda, unless otherwise determined.
- For the opening of the meeting and items of Protocol all present in the Council Chamber will remain standing.

[Items of Protocol](#)

The Lord Mayor, or Deputy Lord Mayor or Council Member presiding will state the following:

Acknowledgement of Country

'Council acknowledges that we are meeting on traditional Country of the Kaurna 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 Kaurna people living today. And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

Acknowledgement of Colonel William Light

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

Prayer

'We pray for wisdom, courage, empathy, understanding and guidance in the decisions that we make, whilst seeking and respecting the opinions of others.'

Pledge

'May we in this meeting speak honestly, listen attentively, think clearly and decide wisely for the good governance of the City of Adelaide and the wellbeing of those we serve.'

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will request the following:

Memorial Silence

'Will ask all present to stand in silence in memory of those who gave their lives in defence of their Country, at sea, on land and in the air.'

Apologies and Leave of Absence

All present in the Council Chamber may be seated.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will advise the meeting of any known apologies or leave.

Confirmation of Minutes

The Lord Mayor or Deputy Lord Mayor or Council Member presiding 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.

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 Lord Mayor or Deputy Lord Mayor or Council Member presiding, 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 Lord Mayor or Deputy Lord Mayor or Council Member presiding will ask Council Members to declare and identify the item for 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.

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

The Chief Executive Officer will also inform the Council as will staff providing advice or making recommendations.

Deputations

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

r8

r8(2)

r8(3)

s75B(1)
s75C(1)

s75B(3)
s75C(5)

s120

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will advise the meeting of any deputations not listed and any request declined.

r11(5)

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

r11(6)

r11(7)

If the meeting grants a deputation the Lord Mayor or Deputy Lord Mayor or Council Member presiding will invite the deputation to speak at the conclusion of deputations listed to be heard.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding 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 Council.

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 One, paragraph 6 of this Code.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding 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.

Petitions

A petition report in this section will include a recommendation requesting Council through resolution to acknowledge the number of signatories and the petition to be received.

rv10(2)

Recommendation/Advice from Core Committee/s and Advice from Kadaltilla

Core Committee recommendation reports in this section will include a recommendation with the resolution for each item from the relevant meeting for determination by Council. Linked with the report are the corresponding reports from the Core Committee meeting.

Where the resolution of the Core Committee differs from the recommendation published in the Core Committee agenda, the discussion section of the report to Council will identify the Core Committee's recommendation to the Council first, with the original recommendation provided in grey italics

A resolution for the recommendation/s listed in the Recommendation report will be sought.

A Kadaltilla report in this section, as principal advisor to both the Council and the State Government, presents the resolutions from the Board meeting as advice to note.

Reports for Council (Chief Executive Officer's Reports)

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

Reports in this section contain a recommendation based on expertise and provides a starting point for deliberation and resolution by the Council.

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 Lord Mayor or Deputy Lord Mayor or Council Member presiding may refuse to accept the motion if considered to be beyond the power of the council.

r12(7)

Lord Mayor's Reports

The Lord Mayor will provide a verbal report on activities and functions.

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

Councillor's Reports

The purpose of this report is to inform on activities and functions that Council Members have attended on behalf of the Lord Mayor and provide a summary of Council Member attendance at meetings.

This is an opportunity for Council Members to table reports on activities undertaken on Boards and Committees where they are representing Council.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will invite any further reports to be provided verbally.

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

Motions on Notice

The Lord Mayor or Deputy Lord Mayor or Council Member presiding may refuse to accept the motion if in their opinion the content of the motion is beyond the power of the Council.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will invite the Council Member who has given notice of a motion to move their motion and seek a seconder.

The Council Member may choose to not proceed with the motion.

If the Council Member who has given notice of a motion is unable to attend the meeting and wishes Council to deliberate on the item, they must inform the Lord Mayor and authorise in writing another Council Member who may move the motion on their behalf.

r12(1)

r12(7)

Motions without Notice

A Council Member may bring forward any business by way of a motion without notice.

Before a Motion without Notice is submitted, it is preferred that the Council Member speaks with the Lord Mayor regarding the context and rationale as to the urgency of the motion prior to the meeting.

The Lord Mayor will indicate whether the motion if proceeded with will be accepted for consideration during the meeting or if the motion should be and/or will be directed to be dealt with by way of a written notice of motion.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will invite a member to introduce the item of business.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding may refuse to accept the motion if considered to be beyond the power of the council.

Before a Motion without Notice is submitted, it is preferred that the Council Member also speaks with the Chief Executive Officer, Chief Operating Officer or appropriate Director regarding the context. Council Members should consider alignment with strategic priorities as well as budget impacts when presenting a Motion on Notice.

r12(5)

r12(6)

r12(7)

Questions on Notice

A Question on Notice and the reply will be taken as read, unless otherwise raised with the Lord Mayor prior to the meeting.

The question and reply will be included in the minutes of the meeting.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding may rule that a question on notice is not answered if considered vague, irrelevant, insulting or improper.

r9(2)

r9(6)

Questions without Notice

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will invite a Member to ask their question.

A reply may be given at the meeting or at the next meeting.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding may rule that a question without notice is not answered if considered vague, irrelevant, insulting or improper.

r9(3)

r9(4)

r9(6)

A resolution of the meeting is required for a Question without Notice and the reply to be included in the minutes.

r9(5)

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

If the Chief Executive Officer is excluded from a meeting, the person presiding must ensure that minutes are kept.

s91(2)

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.

The Lord Mayor or Deputy Lord Mayor or Council Member presiding will seek a resolution for the recommendation/s listed in the reports in this section.

The confidentiality order within a resolution of the Council 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 Lord Mayor or the Deputy Lord Mayor or Council Member presiding will formally close the meeting at the conclusion of Questions without Notice.

At the conclusion of deliberation in confidence the meeting will re-open for the Lord Mayor or the Deputy Lord Mayor or the Council Member presiding to formally close the meeting.

The Council will aim to determine all matters within the agenda before the close of the meeting. Council meetings will finish once all items have been dealt with, or at 8:30 pm, whichever is met sooner.

Tabling of Information

227. 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. r18(1)
228. 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. r18(1)
229. 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(1)
230. 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.
231. 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.
232. The Chief Executive Officer may, in tabling a document, indicate that the document should be dealt with confidentially. r18(2)

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

233. If the Presiding Member considers that the conduct of a meeting would benefit from allowing or facilitating informal discussions, the Presiding Member 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 Presiding Member. r20(1)
234. The Presiding Member 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. r20(1)
r20(2)
235. If a suspension occurs, it should be limited to achieving the purpose for which it was declared and:
- a note of the suspension, including the reasons and period of suspension, must be entered in the minutes.
 - the meeting may proceed provided that a quorum is maintained, but during the period of suspension:
 - i. the provisions of the Act must continue to be observed
Part 4 of Chapter 5 (Member integrity and behaviour) and Chapter 6 (Meetings) of the Act, must continue to be observed
 - ii. no act or discussion will have any status or significance under the meeting provisions which have been suspended
 - iii. no motion may be moved, seconded, amended or voted on other than a motion that the period of suspension be ended
236. The period of suspension will come to an end if: r20(3)
- the Presiding Member determines that the period should be ended, OR
 - at least two thirds of the Council Members present at the meeting resolved that the period should be ended.

Provisions to manage interruptions or improper/disorderly behaviour

237. The Lord Mayor may make a statement at the beginning of each meeting that sets out their expectations and/or the behavioural standards expected at a Council 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., characterised 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'.

238. It is at the discretion of the Presiding Member, 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 Member being excluded, suspended from part or the remainder of a meeting or being censured.

239. It is expected that Council Members will support the Presiding Member, 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.

240. A Council Member must not, while at a meeting—

- behave in an improper or disorderly manner; or
- cause an interruption or interrupt another Council Member who is speaking.

This does not apply to a Council Member who 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.

241. The Lord Mayor, or Deputy Lord Mayor or Council Member presiding may implement one of two formal options in response to improper and/or disorderly behaviour:

- exclusion of the Council Member from the meeting for improper and/or disorderly behaviour for up to 15 minutes

OR

- identify the improper and/or disorderly behaviour of the Council Member and request the meeting to consider the conduct and determine if it wishes to take action against the Council Member.

If the option of exclusion is implemented, the Lord Mayor, or Deputy Lord Mayor or Council Member presiding 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 Presiding Member

242. The Lord Mayor, or Deputy Lord Mayor or Council Member presiding may direct a Council Member to leave the meeting for a period of up to 15 minutes, if they consider that the Council Member has behaved improperly, in a disorderly manner or caused interruption to the meeting or a person speaking or fails to comply with a request to behave properly, orderly or to not behave in a disruptive manner.

The direction to exclude is absolute and if disagreed with cannot be reversed through resolution of the meeting.

s86(6a)
r28A(3)
r29(1)
r29(2)

S86(6a)
s86(6b)

r29

r28(A)(2)

s86(6a)
s86(6b)

s86(6c)

<p>243. Prior to leaving the meeting, the Council Member must be allowed to make a personal explanation.</p>	<p>s86(6c) r28A(1)</p>
<p>244. Whilst the Council Member who has been directed to leave 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.</p>	<p>s86(6b) s86(6d)</p>
<p>245. If the Council Member refuses the direction or re-enters the meeting during the period of exclusion, the meeting through resolution may censure or suspend the Council Member for a part of or for the remainder of the meeting.</p>	<p>s86(6b) s86(6e) r28A(4)</p>
<p>Meeting to consider conduct and action in response to interruption of meeting</p>	
<p>246. A Council Member whilst in a meeting must not:</p> <ul style="list-style-type: none"> • behave in an improper or disorderly manner; or • cause an interruption or interrupt another member who is speaking. <p>This does not apply to a Council Member who is:</p> <ul style="list-style-type: none"> • objecting to words used by a member who is speaking; or • calling attention to a point of order; or • calling attention to want of a quorum. 	<p>r29(1)</p> <p>r29(2)</p>
<p>247. The Lord Mayor, or Deputy Lord Mayor or Council Member presiding, 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. This indication may be in response to observation or a ruling in response to a Point of Order.</p>	<p>r29(3)</p>
<p>248. In so doing, the Lord Mayor, or Deputy Lord Mayor or Council Member presiding, will provide an opportunity for the Council Member to make a personal explanation about their behaviour prior to leaving the room for the meeting to consider the matter.</p> <p>The relevant Council Member must leave the meeting while the matter is considered.</p>	<p>r29(3)</p> <p>r29(4)</p>
<p>249. The meeting will consider the conduct and determine if it wishes to take any action against the Council Member.</p>	<p>r29(5)</p>
<p>250. If the remaining Council Members resolve that the Council Member has behaved in the manner indicated by the Lord Mayor, or Deputy Lord Mayor or Council Member presiding, those Council Members may, by resolution:</p> <ul style="list-style-type: none"> • censure the relevant Council Member; or • suspend the Council Member for a part, or for the remainder, of the meeting. 	<p>r29(5)</p>
<p>251. 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.</p>	
<p>252. Suspension of the Council Member by resolution will be reserved for the most serious behaviours.</p>	
<p>253. 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.</p>	<p>r29(6)</p>

Revoking or Amending a Council Decision

254. A Council Member or the Chief Executive Officer can seek to revoke or amend a Council resolution of the current term of office. r12(3)
r21

Wherever possible it is good practice to acknowledge in a motion a resolution from a previous term of office that will be revoked or amended if carried.

Notice of Motion to revoke or amend a resolution by a Council Member

255. If the item of business is seeking to revoke or amend a resolution of the current Council term the Council Member must raise via a Motion on Notice, given to the Chief Executive Officer no later than 5pm on the Monday in the week prior to a meeting of Council conducted on a Tuesday. Any motion received after that time will be listed on the next Council Agenda. r12(3)
r12(2)

256. At least seven clear days' (does not include the day notice is given or the day of the meeting) notice prior to a meeting of Council is required for an item of business as a Motion on Notice. r3(2)

257. Before a Motion on Notice to revoke or amend a resolution of Council is submitted, it is preferred that the Council Member speaks to the Chief Executive Officer, Chief Operating Officer or appropriate Director regarding the context. Council Members should consider alignment with strategic priorities as well as budget impacts when presenting a Motion on Notice.

258. Motions on Notice to revoke or amend a resolution of Council may also be submitted to the Lord Mayor via the Council Liaison Officer.

259. The Lord Mayor may only accept a motion if the subject matter is within the power of the Council no later than 5pm on Monday in the week prior to a meeting of Council conducted on a Tuesday. r12(7)

260. A Motion on Notice to revoke or amend a resolution of Council will be listed on the agenda with the name of the Council Member and subject title and the proposed motion published in the agenda with an administration comment to support informed decision making.

261. A Council Member can circulate a proposed motion to other Council Members prior to the meeting to contribute to fully informed decision-making, however, Council Members should not discuss the merits of a motion or act in a way that could be perceived as seeking or having reached a decision outside of the meeting.

262. At the meeting, if the motion to revoke or amend is lost, a motion to the same effect cannot be considered: r12(4)
- until after the expiration of 12 months; or
 - until after the next general election, whichever is the sooner.

Chief Executive Officer Report recommending revocation or amendment

263. The Chief Executive Officer may submit a report recommending revocation or amendment of a resolution of the Council passed in the current Council term. r21(1)
- The listing of the item on the agenda will identify the date of the resolution to be revoked or amended.

264. The report must be listed on the agenda for the meeting at which the report is to be considered. s83(4)

If the report is unable to accompany the agenda at the time of publication, [the report may be distributed separately](#). rv21(2)

Closure of a Meeting

265. The Council will aim to determine all matters within the agenda before the close of the meeting. Council meetings will finish once all items have been dealt with, or at 8:30 pm, whichever is met sooner.
266. The Presiding Member 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.
267. Any items not dealt with at the meeting by midnight of the meeting commencement date will be adjourned until the next meeting of Council (Ordinary or Special).

7. AFTER THE MEETING

Minutes of a Meeting

268. 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.

r7(4)

269. The minutes of the proceedings of a meeting must include—

r8(4)

- 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 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;
 - if, during the meeting, the Council Member is excluded, a statement that the Council Member was excluded and the period for which the Council 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

s86(6b)

If a Member of the Council discloses a general conflict of interest in a matter to be discussed at a meeting of the council, 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 manner in which the Council Member dealt with the general conflict of interest;

- if the Council Member voted on the matter, the manner in which the Council Member voted;
- the manner in which 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 the Council, 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 Council 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.

s90(2)

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

s90(7)

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

s91(7)

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

s91(9)

- 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.
- 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.
 - Question on notice and reply
 - 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).

r9(2)(b)

r9(2)(5)

r17(4)

r20(3)(a)

AND

- Carried unanimously (as directed by the Presiding Member)
- The opening and closing time of the meeting
- The names of Members with Apologies and approved leave of absence
- The names of 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
- Acknowledgment of Colonel William Light

- Prayer
- Pledge
- Memorial Silence.

270. 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. r8(1)

271. On confirmation of the minutes, the Presiding Member 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.

272. The Presiding Member may initial/date/sign the minutes at or after the meeting.

273. Council Members will receive a copy of all minutes of proceedings within 5 days of the meeting s91(3)

274. 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

275. 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

276. 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 Presiding Member 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.

8. OTHER MATTERS

Special meetings of Council

277. Special meetings of Council may be held at any time. s82(3)

278. Where practicable, the Chief Executive Officer will endeavour to ensure that special meetings of Council, Committee, CEO Briefings and Council Member Training Sessions 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.

279. If a request with an agenda for a special meeting of Council is given to the Chief Executive Officer, the Chief Executive Officer must call a special meeting of Council at the request of: s82(1) s82(2)

- the Lord Mayor, or
- at least three members of the Council, or
- a request through resolution of a Council Committee at which at least three Members of Council voted in favour of the request.

280. The Chief Executive Officer is unable to call a special meeting of Council if the request is given without an agenda. s82(2)
281. A Member of Council must receive notice of a special meeting at least 4 hours prior to the commencement of the special meeting, and wherever possible with at least 24 hours' notice. s83(2)
282. Public notice with an agenda for a special meeting of Council will be given as soon as practicable after the time notice is given to Council Member, and wherever possible, be published with at least 24 hours' notice of the meeting. s84(2)(b)

Code of Practice - Discretionary Procedures

283. Procedures in a meeting of the Council that must be observed are detailed in the *Local Government Act 1999 (SA)* and *Local Government (Procedures at Meetings) Regulations 2013 (SA)*. S86(8)
284. Several mandatory meeting regulations containing discretionary procedure of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* referenced in this Code of Practice have been varied through a resolution of Council, with two thirds of the Council in support. r6
r6(3)
285. The operation of the following mandatory regulations (with discretionary procedures) that Council has resolved to vary are shown in **blue text** below: 6(1)
- Petitions - Regulation **10 (2)**
 - Motions - Regulation **12 (9), 12 (10)**, 12 (11)
 - Amendments to motions - Regulation 13 (1), 13 (3), 13 (4) and 13 (5)
 - Addresses by Members – Regulation **15 (1), 15 (2)**
 - Voting - Regulation 16 (3)
 - Divisions - Regulation **17 (3)**
 - Adjourned Business – Regulation 19, **19 (1), 19(2)**, 19(3)
 - Chief Executive Officer may submit report recommending revocation or amendment of council decision- Regulation 21 (1), **21 (2)**.
286. Through resolution at any time, supported by at least two-thirds of the Members of Council entitled to vote, may alter, or substitute or revoke the provisions identified in paragraph 285. r6(3)
- The Guiding Principles must be considered when varying a mandatory meeting regulation. r6(4)
- A motion to alter, or substitute or revoke the varied mandatory meeting regulations identified in paragraph 285 if lost, does not have to wait until after the expiration of 12 months or until after the next general election to be considered again. r6(7)

9. REVIEW

287. As part of Council's commitment to deliver the City of Adelaide Strategic Plan, 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.
288. The operation of any variation made by the Council to the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* mandatory meeting regulations identified in paragraph 285 must be reviewed annually. r6(2)

Review History

289. In the event of:

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

the Code of Practice 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
ACC2023/148536	Council	24/9/2023	Code of Practice adopted by Council
ACC2023/148536	Council	28/11/2023	Amendment to section 4.4 regarding use of mobile phones
	Council	##/09/2024	Code of Practice revised to reflect Council only operation, include legislative provisions, include mandatory meeting procedures, identify practices or protocols that support meeting procedures in plain language wherever possible. References to Committee operation removed and to be included in Core Committee Terms of Reference aligned with governance structure adopted in March 2024

Contact:

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