



CITY OF
MONASH

Meeting Procedures Code 2017

Amended by Council on 26.6.18

CITY OF MONASH
MEETING PROCEDURES CODE 2017

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SCHEDULE 1 – PUBLIC QUESTION TIME FORM

CITY OF MONASH
MEETING PROCEDURES CODE 2017

PART 1 – Introduction

1. Introduction

- 1.1 All meetings of Council and its Special Committees are to be conducted in accordance with Council's Meeting Procedure Local Law No. 1 (Local Law) and this Meeting Procedures Code (Code).
- 1.2 This Code may be altered from time to time by resolution of Council.

Part 2 – Purpose

2. Purpose

- 2.1 The purpose of this Code is to provide:
 - 2.1.1 comprehensive guidelines for the conduct of Meetings, which can be amended from time to time to best suit Council's circumstances;
 - 2.1.2 for the orderly, efficient and equitable conduct of Meetings; and
 - 2.1.3 for the peace, order and good government of Council's municipal district.
- 2.2 Definitions of words used in the Local Law shall apply in this Code.
- 2.3 In addition, 'en bloc voting' when used in this Code is a reference to the practice of Council voting on and determining multiple agenda items with a single resolution.

Part 3 – Application

3. Application

This Code applies to:

- 3.1 all Meetings; and
- 3.2 if the Chairperson:

3.2.1 forms the opinion that an assembly of Councillors is detrimentally affected by the disruptive behaviour of one or more Councillors; and

3.2.2 directs that this Code will apply for all or part of the assembly of Councillors, to the assembly of Councillors for the time directed by the Chairperson.

Part 4 – Council and Special Committee Meetings

4. Adjourned Meetings

4.1 If a Meeting is adjourned under clause 6 or 9 of the Local Law, the agenda for the adjourned Meeting must be identical to the agenda originally fixed for the Meeting.

4.2 The Chief Executive Officer must give all Councillors notice of the adjourned Meeting in such form as the Chief Executive Officer sees fit.

5. Notice of Meetings

Notice of Meetings provided under the Local Law will be provided to all Councillors by email.

6. Order of Business

The order of business for an Ordinary Meeting will be as follows:

- 6.1 apologies;
- 6.2 confirmation of the minutes of the previous Meeting;
- 6.3 reception and reading of petitions, joint letters and memorials;
- 6.4 public question time;
- 6.5 planning matters;
- 6.6 consideration of reports of Officers (except Planning);
- 6.7 Notices of Motion submitted by Councillors;
- 6.8 consideration of written reports of Committees;
- 6.9 urgent business;
- 6.10 Confidential Business;
- 6.11 personal explanations; and
- 6.12 Councillors' Reports.

7. Minutes

7.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the Meeting and to take the minutes of such Meeting) must record the minutes of each Meeting and those minutes shall include:

- 7.1.1 the date, place, time and nature of the Meeting;
- 7.1.2 the names of the Councillors and whether they are present, an apology or on leave of absence (if no apology has been received and the Councillor is not in attendance, the Councillor will be listed as absent);
- 7.1.3 details of any disclosure of interest made by a Councillor and the time the Councillor left the Council Chamber and returned to the Council Chamber;
- 7.1.4 arrivals and departures (including temporary departures) of Councillors during the course of the Meeting;
- 7.1.5 the mover and seconder of each motion or amendment;
- 7.1.6 each motion carried or lost;
- 7.1.7 details of any submissions received;
- 7.1.8 the time of any adjournment of the Meeting and resumption;
- 7.1.9 suspension of standing orders and resumption;
- 7.1.10 details of failure to achieve or maintain a quorum;
- 7.1.11 where applicable, the reason/s for excluding the public from any part of the Meeting;
- 7.1.12 questions asked and answered during public question time;
- 7.1.13 personal explanations provided by Councillors;
- 7.1.14 details of any point of order raised; and
- 7.1.15 the time the Meeting concluded.

7.2 The minutes of a Meeting must be submitted to the next Meeting for confirmation, as follows:

- 7.2.1 if the minutes have been distributed to each Councillor at least five days before the Meeting, a motion will be put to confirm the minutes; or
- 7.2.2 if the minutes have not been distributed to each Councillor at least five days before the Meeting, the minutes may be read and a motion will then be put to confirm the minutes.

7.3 If the minutes are confirmed, the Chairperson at the Meeting must sign the minutes and certify that they have been confirmed.

8. Time Limits for Meetings

8.1 A Meeting must not continue after 10:00pm unless Council resolves to extend the meeting.

8.2 No Meeting will continue past 11:00pm unless all Councillors present vote to further extend the meeting.

9. Speaking Times

9.1 Speaking times for Councillors are as follows:

- 9.1.1 Councillor moving a motion or an amendment – 3 minutes;
- 9.1.2 Councillor seconding a motion or an amendment – 3 minutes;
- 9.1.3 Councillor speaking to a motion or an amendment – 3 minutes;
- 9.1.4 mover exercising a right of reply in relation to a motion – 2 minutes;
- 9.1.5 Councillor making a personal explanation – 2 minutes.

9.2 Council may resolve to extend the time for which a Councillor may speak to a motion or an amendment, provided that any extension will not exceed two (2) minutes.

10. Addressing the Meeting

10.1 When a Councillor is called by the Chairperson to address the Meeting, they will stand in their place to do so.

10.2 Other than in accordance with clause 10.1, a Councillor will not stand during a Meeting unless standing in the course of leaving, or otherwise moving about in, the Council Chamber.

10.3 When addressing the Meeting:

- 10.3.1 any person addressing the Chairperson will refer to the Chairperson as 'Mayor' or 'Chair';
- 10.3.2 all Councillors (other than the Mayor) will be addressed as 'Cr [name]'; and
- 10.3.3 all Officers will be addressed as 'Mr [name]' or 'Ms [name]' as the case may be, or by their official title,

unless the Chairperson directs otherwise.

11. Public Question Time

11.1 A person wishing to ask a question at an Ordinary Meeting must submit their question

- 11.1.1 in writing, in the form of Schedule 1 to this Code.
- 11.1.2 In hard copy by delivering it to Council's offices or in electronic format by email or via Council's website.

11.2 Questions must be received prior to 2.00pm on the day of the Meeting.

11.3 No question will exceed 200 words and, if it does, only the first 200 words will be read to the Ordinary Meeting.

11.4 Only questions from Residents and/or Ratepayers of Monash Council will be accepted.

- 11.5 When the Ordinary Meeting moves to public question time, the Mayor shall:
- 11.5.1 call on each person who has submitted a question to ask their question verbally, if they wish (unless the Mayor has rejected the question, in accordance with clause 14.3 of the Local Law);
 - 11.5.2 allow, at her or his discretion, the question to be read out by another member of the public on behalf of the person who submitted the question;
 - 11.5.3 allow, at her or his discretion, a person asking a question to seek clarification on any point/s made in the answer provided;
 - 11.5.4 give priority to questions relating to matters on the agenda for the Ordinary Meeting, in the order in which they are received;
 - 11.5.5 allow a maximum of three questions on a particular topic, grouping questions together to permit a collective response, as appropriate;
 - 11.5.6 nominate the appropriate Councillor or Officer to answer the question or elect to answer it herself/himself;
 - 11.5.7 advise the Ordinary Meeting if questions have been submitted and rejected; and
 - 11.5.8 distribute rejected questions to all Councillors by the end of the next working day.
- 11.6 Public question time is limited to 20 minutes, unless otherwise resolved by Council.

12. Notices of Motion *(amended 26.618)*

- 12.1 A Councillor wishing to have a Notice of Motion included on the agenda for an Ordinary Meeting must submit the Notice of Motion to the Chief Executive Officer, or any other officer nominated by the Chief Executive Officer, no later than midday on the day that is 14 days before the Meeting at which it will be considered.
- 12.2 A Notice of Motion that is submitted in accordance with clause 12.1 may be amended by the Councillor(s) who submitted it at any time after the Notice of Motion is discussed at an assembly of Councillors until 9:00am on the day that is 5 days before the Meeting at which it will be considered.
- 12.3 When a Notice of Motion is submitted, the Chief Executive Officer will arrange for a short officer report to be attached to it for inclusion in the agenda, providing brief advice about the content and effect of the Notice of Motion, including, but not limited to:
- 12.3.1 whether the Notice of Motion, if passed, will have budget implications and, if so, what;
 - 12.3.2 whether the Notice of Motion, if passed, will impact on internal resources and, if so, how;
 - 12.3.3 how the Notice of Motion relates to the Council plan and any relevant Council policies; and
 - 12.3.4 how the Notice of Motion relates to work that has already been undertaken by Officers or Committees.

13. Calling Points of Order

- 13.1 A Councillor wishing to raise a point of order will remain seated and state, only once, to the Chairperson that they wish to raise a point of order.
- 13.2 The Chairperson will then call on the Councillor to describe the point of order, during which the Councillor will remain seated.
- 13.3 The Councillor calling a point of order must specify one or more of the following grounds for the point of order:
 - 13.3.1 contrary to the Local Law;
 - 13.3.2 irrelevant to the matter before Council;
 - 13.3.3 outside Council's power; or
 - 13.3.4 Disorderly Conduct.

14. En Bloc Voting

- 14.1 En bloc voting is not permitted where Council is deciding any matter which concerns:
 - 14.1.1 planning; or
 - 14.1.2 the legal interests of a third party.
- 14.2 Where an en bloc vote is proposed, a motion must be moved which clearly identifies the:
 - 14.2.1 agenda items that will be moved en bloc; and
 - 14.2.2 reason that those agenda items should be moved en bloc.
- 14.3 Every resolution resulting from an en bloc vote will be clearly recorded in the minutes of the Meeting.

15. Procedural Motions

- 15.1 A Councillor wishing to raise a point of order will remain seated and state, only once, to the Chairperson that they wish to move a Procedural Motion.
- 15.2 The Chairperson will then call on the Councillor to state the Procedural Motion, during which the Councillor will remain seated.
- 15.3 Procedural Motions must not be debated,
- 15.4 Council may resolve from time to time to treat any other motion as a Procedural Motion.
- 15.5 Procedural Motions must be dealt with in accordance with the following table:

APPENDIX TO CLAUSE 15.3

Procedural Motion	Form	Effect if Carried	Effect if Lost
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected
2. The motion lay on the table	This this motion lay on the table	Motion is postponed until retrieved by subsequent resolution of Council	Debate continues unaffected
3. The closure	That the motion be now put	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion	Debate continues unaffected
4. Alter the order of business	That the item listed as xx on the agenda be considered before/after the item listed as item xx	Alters the order of business for the Meeting	Items are considered in the order as listed in the agenda
5. Suspension of standing orders	That standing orders be suspended to [reason must be provided]	The rules of the Meeting are temporarily suspended for the specific reason given in the motion.	Meeting continues unaffected

Procedural Motion	Form	Effect if Carried	Effect if Lost
6. Resumption of standing orders	That standing orders be resumed	The temporary suspension of the rules of the Meeting is removed.	The Meeting cannot continue
7. Consideration of Confidential Business	That, in accordance with section 89(2)(...) of the <i>Local Government Act 1989</i> , the Meeting be closed to members of the public for the consideration of item xx which has been designated confidential on the grounds that it contains / relates to [insert grounds from s 89(2)]	The Meeting is closed to members of the public	Meeting continues to be open to the public
8. Move item to open Meeting	That Agenda Item xx be deferred and considered when the Meeting is reopened to members of the public	The Agenda Item is deferred to be considered when the Meeting is reopened to members of the public	The Agenda Item is considered as Confidential Business
8. Reopen the Meeting	That the Meeting be reopened to members of the public	The Meeting is reopened to members of the public	Meeting remains closed to members of the public

Procedural Motion	Form	Effect if Carried	Effect if Lost
9. Receive petition, joint letter or memorial	That the petition/joint letter/memorial titled [...] be received	The petition, joint letter or memorial is received and may be subject to further action	The petition, joint letter or memorial is refused and no further action is taken on it
10. Repetitious motion or amendment not be considered	That the motion/amendment, being repetitious, not be considered	The motion/amendment is not considered by the Meeting and the Meeting proceeds as if it was never moved	The motion/amendment is considered by the Meeting
11. Extend speaking time	That the speaking time for the speaker be extended	The speaking time for the speaker is extended by the time resolved by Council	The speaking time for the speaker is not extended and the next speaker is permitted to speak
12. Speaking more than once on a motion	That a Councillor be permitted to speak more than once to the motion	That the Councillor may speak more than once to the motion	The Councillor cannot speak more than once to the motion
13. Speaker no longer be heard	That the Councillor no longer be heard	That the Councillor immediately stops speaking	The Councillor continues speaking
14. Motion no longer be put	That the motion no longer be put	That the motion is withdrawn and not voted on	The motion is voted on

16. Councillors' Reports

If the Chairperson forms the view that the content of a Councillor Report involves a matter that should be the subject of a Notice of Motion in order to permit debate on the matter, the Chairperson may direct the Councillor to resume her or his seat and to raise the matter by way of Notice of Motion.

17. Personal Explanations

17.1 When a Councillor makes a personal explanation under clause 20 of the Local Law:

17.1.1 the Chairperson will ask the Councillor to state the statement or statements that the Councillor believes has affected her or him in her or his role as a Councillor and how she or he has been affected;

17.1.2 the Councillor will state these matters succinctly;

17.1.3 a summary of the statement or statements to which the Councillor refers and how she or he has been affected will be recorded in the minutes of the Meeting; and

17.1.4 if the Chairperson is satisfied that a personal explanation is warranted, the Chairperson will allow the Councillor to provide a personal explanation.

18. Recording of Meetings

18.1 Subject to clause 18.2, recordings of Meetings will:

18.1.1 consist of the audio and visual of the Meetings;

18.1.2 be streamed live on Council's website; and

18.1.3 be uploaded to the archive page on Council's website.

18.2 No recording made while a Meeting is closed to members of the public under section 89 of the Act will be streamed live on Council's website or uploaded to the archive page on Council's website.

19. Attendance at Meetings

19.1 Councillors will make every endeavour to attend all scheduled Meetings, assemblies of Councillors and strategy meetings.

19.2 Where a Councillor is unable to attend any scheduled Meeting, assembly of Councillors or strategy meeting, the Councillor will provide an apology, including an explanation for their absence, in advance of the scheduled Meeting, assembly of Councillors or strategy meeting, either verbally or in writing, to the:

19.2.1 Chairperson; or

19.2.2 Chief Executive Officer.



SUBMITTER
NO.

MEETING PROCEDURES CODE 2017

SCHEDULE 1

QUESTIONS TO COUNCIL

COUNCIL MEETING: ____ / ____ / ____

**PLEASE SEE ATTACHED GUIDELINES FOR SUBMITTING
QUESTIONS TO COUNCIL**

Name: _____

Street Address: _____

Suburb: _____ Postcode: _____

Optional: Telephone (business hours): _____

Mobile: _____ E-mail: _____

SUBMITTING A QUESTION

Statements, comments or opinions are NOT permitted and will not be responded to.

Questions must be submitted, in writing, using this form, by 2.00 pm on the day of the Council Meeting.

Questions may only be asked by a resident or ratepayer of the City of Monash.

Questions may be submitted by:

Mail: "Questions For Council" PO Box 1 Glen Waverley VIC 3150.

In person: at the Customer Service Centre, Civic Centre, 293 Springvale Road Glen Waverley.

E-mail: mail@monash.vic.gov.au or nicka@monash.vic.gov.au.

Priority will be give to questions that relate to a matter listed in the Council Agenda for the requested meeting.

Does the question relate to a matter listed in the Council Agenda? YES NO

Question	
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Privacy Statement

The purpose of collecting your personal details is so a written response to your question can be provided. If you do not provide this information, Council will be unable to provide you with a written response. Your telephone details are optional and may assist Council is seeking clarification from you on the information you are seeking.

Your name will appear in the Council minutes along with the details of the question. Any other personal information on this form will only be disclosed to Councillors and Council Officers and will be retained on Council files until destroyed in accordance with the *Public Records Act 1973*.

Personal information collected on this form will be handled in accordance with the privacy principles in the *Privacy and Data Protection Act 2014* and Council's Information Privacy Policy.

OFFICE USE ONLY

Present:

Question answered:

CRS

CITY OF MONASH

Public Question Time

- 19.3 A person wishing to ask a question at an Ordinary Meeting must submit their question in writing, in the form of Schedule 1 to this Code.
- 19.4 Questions must be received prior to 2.00pm on the day of the Meeting.
- 19.5 No question will exceed 200 words and, if it does, only the first 200 words will be read to the Ordinary Meeting.
- 19.6 Only questions from Residents and/or Ratepayers will be accepted.
- 19.7 When the Ordinary Meeting moves to public question time, the Mayor shall:
 - 19.7.1 call on each person who has submitted a question to ask their question verbally, if they wish (unless the Mayor has rejected the question, in accordance with clause 14.3 of the Local Law);
 - 19.7.2 allow, at her or his discretion, the question to be read out by another member of the public on behalf of the person who submitted the question;
 - 19.7.3 allow, at her or his discretion, a person asking a question to seek clarification on any point/s made in the answer provided;
 - 19.7.4 give priority to questions relating to matters on the agenda for the Ordinary Meeting, in the order in which they are received;
 - 19.7.5 allow a maximum of three questions on a particular topic, grouping questions together to permit a collective response, as appropriate;
 - 19.7.6 nominate the appropriate Councillor or Officer to answer the question or elect to answer it herself/himself;
 - 19.7.7 advise the Ordinary Meeting if questions have been submitted and rejected; and
 - 19.7.8 distribute rejected questions to all Councillors by the end of the next working day.
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