



## Report of the General Manager

Attachments:

1. Submissions Summary
  2. Exhibited Amended Code of Meeting Principles and Practices
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**SUBJECT:** Amended Code of Meeting Principles and Practices - Post Exhibition

**AUTHOR:** Ken Gouldthorp, General Manager

### EXECUTIVE SUMMARY:

As resolved on 19 November 2018, the proposed amendments to Clause 38.2 *Members of the Public Addressing Council* of Council's *Code of Meeting Principles and Practices* (per Notice of Motion No. 31/18) were publicly exhibited from 22 November 2018 to 20 January 2019. Council received 1 submission. The submissions have been collated and analysed as summarised in Attachment 1.

It is recommended that Council proceed to adopt the *Amended Code of Meeting Principles and Practices* as exhibited.

### FINANCIAL IMPLICATIONS:

Nil.

### RECOMMENDATION:

1. **THAT** Council note the submissions received.
  2. **THAT** Council proceed to adopt the Code of Meeting Practice as attached to this report, replacing its Code of Meeting Principles and Practices (re-adopted) with the new Code, with effect from 1 February 2019.
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## LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

Direction: 5. Our Civic Leadership

Outcome: 5.3 Council is ethical, open, accountable and transparent in its decision making

## BACKGROUND

Council at its meeting of 19 November 2019 resolved (Min. No. 427):

*1. THAT Council propose to amend Clause 38.2 of its Code of Meeting Principles and Practices as follows (with deleted words “struck through” and words to be inserted in red):*

### **38.2 Members of the Public Addressing Council**

- a) Any applicant, objector, resident or member of the public may address any meeting of Council or Committee on any item on the agenda by attending the meeting and notifying the Council Officer in attendance prior to the commencement of the meeting of the item on which they wish to speak. registering to do so on the approved form by 4pm on the day of the meeting. An individual may speak to no more than two (2) items on the Agenda.*
  - b) Following consideration of any Mayoral Minutes, a resolution will be passed to bring forward those items requested by the public and deal with them in the order they appear on the business paper.*
  - c) Members of the public addressing Council and Council (Assessments) meetings will be called to speak in the order in which they made application i.e. registered to speak.*
  - d) Members of the public addressing Council and Council (Assessments) meetings shall sit at the designated chair with microphone at the foot of the table.*
  - e) Members of the public addressing Council shall commence by stating their name and address or professional capacity.*
  - f) Each person who has indicated they wish to speak shall be given three minutes to address the Council and, having spoken shall not have the right to speak again other than to answer questions put to them by Councillors. Extensions of time may be granted to a maximum of a further two (2) minutes at Council's discretion.*
  - g) Councillors may ask questions of the speakers.*
  - h) If two (2) or more than two (2) persons indicate they wish to address Council on the same issue from the same perspective (i.e. in favour or against), the Chair may ask them to nominate a spokesperson and not all address the meeting. If the persons do not voluntarily agree on the spokesperson, the first two persons who registered to speak for the motion and the first two persons who registered to speak against the motion will be allowed to speak; providing that priority will be given to persons that have not already spoken at the same meeting. Council may resolve to increase the number of speakers on an agenda item when that agenda item is called.*
  - i) Persons who have addressed the meeting previously on the same issue shall only address any subsequent meeting for the purpose of introducing new material and not to reiterate their previous address.*
  - j) Speakers shall observe proper meeting procedure and be subject to the same rules of decorum and order as the Councillors. Speakers shall on all occasions when in the Council Chambers address other Councillors by their official designation, i.e. Mayor, Chair, Councillor as the case may be.*
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**2. THAT** the proposed amended Code of Meeting Principles and Practices be placed on public exhibition for a period of not less than 60 days.

## **CONSULTATION REQUIREMENTS**

Community engagement is not required.

## **SUSTAINABILITY STATEMENT**

The sustainability implications are of a minor nature and did not warrant a detailed assessment.

## **DETAIL**

The proposed amendments to Council's *Code of Meeting Principles and Practices*, per Notice of Motion No. 31/18, propose amendment to Clause 38.2 *Members of the Public Addressing Council*.

The Amended *Code of Meeting Principles and Practices* was publicly exhibited from 22 November to 20 January 2019. All amendments were indicated in red/italic font for new and strike-through for deletion.

The opportunity to provide feedback was promoted via an advertisement in the Mosman Daily on 6 December 2018 and 17 January 2019 and to all Precinct Committees, including via the weekly Precinct E-news (item ran weekly during exhibition period) and at the Combined Precincts Committee meeting held on 27 November 2018.

During the exhibition period there were 7 page views and the document was downloaded 9 times. One submission was received.

As at 22 January 2019, no submissions were received from Precinct Committees, either separately or in the Minutes for any meetings that have been sent to Council. Attachment 1 is a summary of the submission, which has been assessed against Council's standard criteria for reviewing submissions.

It is recommended that Council proceed to adopt the *Code of Meeting Principles and Practices* as exhibited i.e. the changes are effective from 1 February 2019.

It is noted that on 18 December 2018, the Office of Local Government (OLG) released Circular No. 18-45 advising that the Model Meeting Code had been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed. Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation within six months. Until a Council adopts a new Code of Meeting Practice, its existing Code of Meeting Practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed (i.e. until 14 June 2019).

Consequently, a further report will be presented to Council within this timeframe to ensure the

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mandatory provisions of the new Model Code of Meeting Practice is incorporated into a further revised Code of Meeting Practice for North Sydney Council and consideration is given to optional components. Before adopting the applicable components of the new Model Meeting Code, it is still required to exhibit the proposed draft for at least 28 days.

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No.		Key Points Raised	Response	Recommend Plan be Amended  Y or N	Criteria Code	Plan Page Number
		<p>and it is unfair to limit their ability to comment or make representations.</p> <p>If subjects are important and attract much interest, then they properly deserve enough time for them to be discussed before decisions are made.</p> <p>Council meetings have previously been more frequent than they are currently. If council meetings are regularly running longer than is desirable, the appropriate response is not to shut residents out, but to have more frequent meetings.</p> <p>Councillors (and the Mayor) are elected as representatives of the residents. This does not give them the right to then render those residents mute in these fora.</p>				









































































































