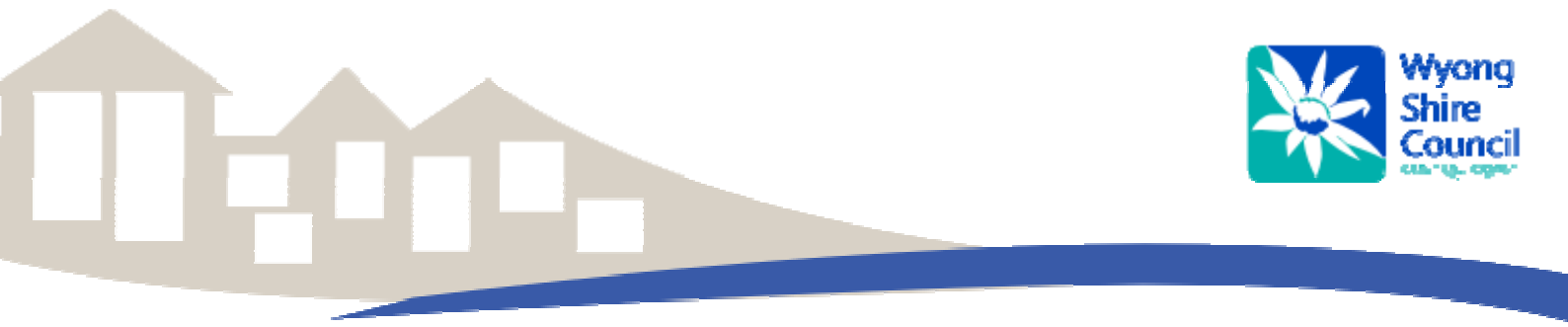


Wyong Shire Council

## **ENCLOSURES**

9 March 2011



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**WYONG SHIRE COUNCIL**  
ENCLOSURES TO THE  
**ORDINARY MEETING**  
TO BE HELD IN THE COUNCIL CHAMBER,  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON WEDNESDAY, 9 MARCH 2011 ,  
COMMENCING AT 5:00:00 PM

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Corporate Services Department

## 6.1 Review of Code of Meeting Practice

TRIM REFERENCE: F2004/06502 - D02008236

AUTHOR: ED

### SUMMARY

A review of the Code of Meeting Practice has been conducted and changes suggested by Councillors at the briefing conducted on 26 August 2009 are submitted to Council for consideration.

### RECOMMENDATION

*That Council amend the Code of Meeting Practice as follows:*

- a *Insert a new Clause 13(6)  
"Councillors may request that a Part 4 application under the EP&A Act be brought before Council. Requests shall be in writing to the General Manager, and signed by a minimum of two Councillors."*

*A request for a Part 4 application to be brought before Council is a formal request for the General Manager not to exercise his standard delegation to determine a Part 4 application under the EP&A Act.*

- b *Amend Clause 26(1) to  
"Notices of Motion and Notices of Rescission, excluding notices lodged under Clause 39 (2) of the Code of Meeting Practice, shall be lodged in writing with the Supervisor, Councillor Services by 9.30 am on the second Monday preceding a meeting."*
- c *Delete Clause 26(6)  
"If a notice of motion is lodged for inclusion in the ordinary meeting business paper, the Mayor may nevertheless determine in the first instance to refer the notice of motion to the General Manager for report and recommendation to Council."*
- d *Replace Clause 34 with  
(a) A Councillor shall, on all occasions when in a Council or Committee meeting, address or refer to other Councillors by their official designations (ie Mayor, Chairperson or Councillor, as the case may be).  
  
(b) At Meetings of the Council, Councillors, may choose to:  
i sit or stand when speaking.  
ii read from notes when speaking."*
- e *Delete Clause 22 (1) (q)  
  
(q) Questions of which due notice has been given*
- f *Replace Clause 22 (1) (v)  
  
(v) Questions On Notice*

### ORDINARY MEETING 14 OCTOBER 2009

COUNCILLOR BEST LEFT THE CHAMBER AT 6.42 PM AND RETURNED TO THE CHAMBER AT 6.43 PM DURING CONSIDERATION OF THIS ITEM

**RESOLVED** unanimously on the motion of Councillor GRAHAM and seconded by Councillor MCBRIDE:

That Council amend the Code of Meeting Practice as follows:

**a Insert a new Clause 13(6)**

**“Councillors may request that a Part 4 application under the EP&A Act be brought before Council. Requests shall be in writing to the General Manager, and signed by a minimum of two Councillors.”**

**A request for a Part 4 application to be brought before Council is a formal request for the General Manager not to exercise his standard delegation to determine a Part 4 application under the EP&A Act.**

**b Amend Clause 26(1) to**

**“Notices of Motion and Notices of Rescission, excluding notices lodged under Clause 39 (2) of the Code of Meeting Practice, shall be lodged in writing with the Supervisor, Councillor Services by 9.30 am on the second Monday preceding a meeting.”**

**c Delete Clause 26(6)**

**“If a notice of motion is lodged for inclusion in the ordinary meeting business paper, the Mayor may nevertheless determine in the first instance to refer the notice of motion to the General Manager for report and recommendation to Council.”**

**d Replace Clause 34 with**

**“(a) A Councillor may, when in a Council or Committee meeting, address or refer to other Councillors by their official designations (ie Mayor, Chairperson or Councillor, as the case may be) or by their first name or surname (ie Mayor Bob or Mayor Graham).**

**(b) At Meetings of the Council, Councillors, may choose to:**

- i sit or stand when speaking.**
- ii read from notes when speaking.”**

**When speaking, Councillors should first indicate whether they are asking questions or speaking to a motion or amendment.**

**e Delete Clause 22 (1) (q)**

**(q) Questions of which due notice has been given**

**f Replace Clause 22 (1) (v)**

**(v) Questions On Notice - Responses to Questions on Notice may in accordance with the Department of Local Government Practice be a report to Council that may be debated and form the basis for Motions on that topic at that meeting subject to confirmation from Council’s legal advisors as to the permissibility of this amendment.**

**g Insert a new Clause 17 (4)**

***“In the Council Chamber the Mayor will sit at the front table with the Deputy Mayor immediately opposite with 4 Councillors on each side of the Deputy Mayor. The other 8 Councillors shall mutually agree on their seating positions and, where no agreement can be reached the Mayor will decide the seating positions.”***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**BACKGROUND**

At its meeting on 10 June 2009, Council resolved in part;

*“RESOLVED unanimously on the motion of Councillor McBRIDE and seconded by Councillor BEST:*

- 1 *That a comprehensive review of the Code of Meeting Practice be undertaken, including a briefing and a subsequent report provided to Council.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.”

The requested briefing was held on 26 August 2009.

**THE PROPOSAL**

Arising from the briefing held on 26 August 2009 the following is proposed:

Clause 13(6)	Insert new item
Clause 26 (1)	Amend
Clause 26 (6)	Delete
Clause 34	Replace with new item

**Clause 13 (6)**

Insert a new Clause 13 (6) as follows:

- (6) Councillors may request that a Part 4 application under the EP&A Act be brought before Council. Requests shall be in writing to the General Manager, and signed by a minimum of two Councillors.

**Clause 26**

Amend part (1) of Clause 26 which currently reads:

*“All Notices of Motion and Notices of Rescission intended for consideration at any meeting are to be lodged with the Council by 4.00 pm on the second Thursday preceding the meeting, except for notices lodged under clause 39 (2) of the Code of Meeting Practice.”*

as follows:

- (1) Notices of Motion and Notices of Rescission, excluding notices lodged under Clause 39 (2) of the Code of Meeting Practice, shall be lodged in writing with the Supervisor, Council Services by 9.30 am on the second Monday preceding a meeting.

Delete part (6) as follows:

*“If a notice of motion is lodged for inclusion in the ordinary meeting business paper, the Mayor may nevertheless determine in the first instance to refer the notice of motion to the General Manager for report and recommendation to Council.”*

### **Clause 34**

Replace the Clause:

*“A Councillor will, on all occasions when in a Council or Committee meeting:*

- (a) Address and refer to other Councillors by their official designations (i.e. Mayor, Chairperson or Councillor, as the case may be).*
- (b) At Ordinary Meetings of the Council, Councillors, with the exception of the Chairperson, and those Councillors who are prevented by physical infirmity, shall stand when speaking.”*

with the following:

- (a) A Councillor shall, on all occasions when in a Council or Committee meeting, address or refer to other Councillors by their official designations (i.e. Mayor, Chairperson or Councillor, as the case may be).
- (b) At Meetings of the Council, Councillors, may choose to:
  - i sit or stand when speaking.
  - ii read from notes when speaking.”

Investigations will occur into whether it is possible to display on the overhead screen the name of the current speaker and those queued to speak and the possibility of installing an additional overhead screen in the Chamber. Provision will be made for individual lecterns for Councillors and improved lighting.

The Induction Program for new Councillors and senior staff will include an item on meeting procedures and the provision of a “mock debate”. No further action will be taken on a “mock debate” for current Councillors.

An alternate training package will be provided which will include:

- the process for Notices of Motion,
- business paper processes,
- Joint Council meeting agenda items,
- general familiarity with meeting procedures,
- a list of frequently asked questions
- a list of meeting days and times of adjoining Councils should Councillors be interested in attending those meetings to broaden their local government experience.

**DEPARTMENT OF LOCAL GOVERNMENT MEETINGS PRACTICE NOTE 16 AUGUST 2009**

The Department of Local Government (DLG) issued an updated Meetings Practice Note – 16 in August 2009. The New Practice Note has undergone a significant facelift, with the text being redrafted to include more helpful subheadings and cross-referencing, improved number formatting, and up-to-date references to the Model Code of Conduct. The Practice Note has been examined against Council's Code of Meeting Practice (COMP) to determine any inconsistencies. Only one inconsistency has been identified.

**Questions Without Notice**

Clause 1.4.11 (DLG Practice Note) deals with questions from councillors concerning the appropriateness of having an agenda item entitled Questions Without Notice. The New Practice Note sets out that it is inconsistent with provisions of the Regulation to allow Questions Without Notice to be placed as an agenda item.

**Practice Note****1.4.11 Is it appropriate to have as an agenda item "Questions Without Notice"?**

*Having an agenda item, "questions without notice" is inconsistent with the provisions of the Regulation that require notice to be given of matters to be discussed at council meetings (cl 241).*

*Allowing questions without notice would avoid the notice provisions of clause 241 of the Regulation. That clause enables all councillors and the public to be aware, by reading the agenda, of matters that will be raised at each meeting. It also enables councillors to give careful thought to any pecuniary interest or conflict of interest they might have in a matter, rather than having to hastily confront an issue during the meeting.*

**Comment**

The DLG was contacted to clarify the Practice Note guidelines concerning the relationship with the notice provisions of Clause 241 of the Regulations and the WSC COMP. The DLG advised that in respect of the Practice Note, "Notice" specifically applies to *"business to be transacted at the meeting"*.

The WSC COMP currently enables Questions without Notice as part of Council's meeting agenda (Clause 22(1) (v) - Order of Business). Questions are put forward by Councillors as *"notice"* to be answered at a future meeting of Council (Clause 32(7)). Discussion or transaction of business is restricted by Clauses 32(2) and (7) ensuring that sufficient notice is given to respond and no discussion or business is permitted.

It is further noted that the Order of Business Clause set out in the WSC COMP (22 (1) (v)) also provides for Questions of which Due Notice has been given, however this method is seldom used as it requires a Councillor to give 14 days notice (Clause 32 (8)).

**Extract from WSC Code of Meeting Practice****"32 Questions May Be Put To Councillors and Council Employees**

(1) A Councillor may:

(a) through the Chairperson, put a question without notice to another Councillor; and

- (b) *through the Chairperson to the General Manager, put a question without notice to a Council employee.  
(Clause 249 of the Local Government (General) Regulation 2005)*

*However, it is considered better practice for the information to be sought from the appropriate employee prior to the meeting.*

- (2) *A Councillor or a Council employee to whom a question without notice is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents before answering the question.*
- (3) *The Councillor must put every such question directly, succinctly and without argument.*
- (4) *The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause.*

*(Clause 249 of the Local Government (General) Regulation 2005)*

- (5) *A Councillor may ask two Questions Without Notice at an ordinary meeting of Council. A copy of each question asked must be handed by the Councillor to the General Manager, or in his or her absence to the most senior member of staff present at the meeting.*
- (6) *A Question Without Notice need not be answered unless endorsed by resolution of Council where, in the opinion of the Chairperson, it would:*
- (a) *normally require the presentation of a report after consideration by a Committee or by the General Manager;*
- (b) *be regarded as a sensitive issue or be one not likely to have the total support of Council; or*
- (c) *require the commitment or redirection of significant resources.*
- (7) *Reply to a Question Without Notice should be directed to the Councillor at a future ordinary meeting of Council held on the second or fourth Wednesday of the month or as otherwise directed by the Mayor.*
- (8) *Questions to be listed on the business paper as a question of which due notice has been given must be delivered or posted to the General Manager so as to be received not less than 14 days prior to the Ordinary Meeting of Council at which a reply is requested or expected.*

### **Suggested Amendment**

Given that in current practice, when Questions without Notice are asked, Councillors are effectively giving notice of a question to be answered at a future meeting and that no discussion (transaction of business) of the question ensues and; therefore Councillors are not required to declare interests until the question is answered, it is recommended that the Clause providing for the Order of Business be amended to provide a wording change to "Questions on Notice". To avoid confusion, the amendment should also delete the Clause enabling Questions for which due notice has been given. The proposed amendments are indicated below:



## Proposed Amendment to Clause 22 (1) of WSC COMP

Clause No	Current Clause	Action	
22 (1) (q)	(q) Questions of which due notice has been given	Delete Clause	Not currently used and due notice provided by amended clause below.
22 (1) (v)	(v) Questions Without Notice	Replace with new wording as follows:  "Questions On Notice"	Complies with DLG Practice Note Guidelines.

**Questions on Notice**

Clauses 1.4.10 and 5.2.8 DLG Practice Note deal with questions from councillors "On Notice".

Clause 1.4.10 provides that:

*"As responses to questions on notice would be considered council business, responses could form the basis for further motions on the same topic at that meeting."*

Clause 5.2.8 provides that:

*"Where an answer has been provided to a question on notice and a councillor seeks to have a **matter arising** from that question and answer considered by the council, notice should be given to the general manager in the usual way. The general manager can include the item on the **agenda for the next meeting.**"*

The DLG was contacted to clarify the conflict between the two clauses in the Practice Note. The DLG agreed and confirmed the Clauses were in conflict and advised that the provisions of Clause 5.2.8 should prevail given that the intent of the most appropriate form of notice is via a Notice of Motion as provided for in the Act and Regulations.

**Comment**

No amendment to WSC Code of Meeting Practice required.

**OPTIONS**

- 1 Amend the Code of Meeting Practice to ensure it meets the requirements of the current Council.
- 2 Reject the suggested changes and retain the current Code of Meeting Practice.

**STRATEGIC LINKS****Management Plan**

Principal Activity	Key Issue(s) and Objective (s)	Financial Line Item No and Description
Organisation	Council's Governance framework comprises policies, procedures and corporate standards.	5.4.4

**Contribution of Proposal to the Principal Activity**

The amendments to the Code of Meeting Practice would ensure smooth and efficient operation of the Council meetings.

**Link to Key Focus Areas**

Nil

**Financial Implications**

Nil

**Principles of Sustainability**

Nil

**CONSULTATION**

In accordance with Clause 361 of the Local Government Act 1993, Council is required to publically exhibit any change to the Code of Meeting Practice for not less than 28 days with submissions being received for not less than 42 days after the date on which the Code is placed on public exhibition.

**GOVERNANCE**

Governance issues regarding amendments to and exhibition of the Code of Meeting Practice have been followed.

**CONCLUSION**

It is appropriate for the changes to the Code of Meeting Practice as referred to above to be implemented.

**ATTACHMENTS**

*Nil.*



**Draft Revision February 2011**

# **CODE OF MEETING PRACTICE**

**Adopted 2003**

# Draft

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# 1 GENERAL

## 1.1 Making of this Code

This Code is made under the Local Government Act, 1993 and in accordance with the Local Government (General) Regulation, 2005 and subsequent amendments.

## 1.2 Citation

This Code may be cited as the "Code of Meeting Practice".

## 1.3 Scope and Objectives

### Scope

1.3.1 This Code sets out the standing orders for the conduct of proceedings at Council and Committee meetings.

1.3.2 Council and any Committees of Council of which all members are Councillors MUST conduct their meetings in accordance with this Code (Section 360 of the Local Government Act, 1993).

1.3.3 The provisions of this Code are substantially based on the provisions of the Local Government Act, 1993 and Part 10 (Meetings) of the Local Government (General) Regulation, 2005, subsequent amendments and Council policy decisions.

### Objectives

1.3.4 To provide a structure for the orderly and efficient proceedings of meetings in order to earn the respect of the Shire's ratepayers, residents and visitors.

1.3.5 To assist Councillors and Staff with their obligations to conduct themselves at meetings to accepted standards of behaviour, make positive contributions to the issues being considered and maintain good working relationships with each other.

1.3.6 To enable meetings to be held in an environment that facilitates respect shown for the views of others and regard for the due process of law, reasonableness and fairness.

1.3.7 To support the basic organisation principle of Councillors not involving themselves in the day-to-day administration of Council matters. Meetings should address matters of policy, direction, resource allocation, statutory decisions and other appropriate Council issues.

## 1.4 Amendment to the Code

This code may only be amended by means of a new code adopted under the procedures contained in Division 1 - Part 2 - Chapter 12 of the Local Government Act 1993 except where an amendment is proposed that reflects a change to the Local Government Act 1993 or the Local Government (General) Regulation 2005 and such change will be made automatically and a report on the changes will be submitted to a meeting of the Council without need for further public notification.

## 1.5 Definitions

In this Code unless inconsistent with the context:

**agenda** means a list of items for consideration at a meeting together with reports and other attachments relating to those items.

**amendment** means a motion moved as an alternative to the original motion.

### **chairperson**

(a) in relation to a meeting of a Council - means the person presiding at the meeting as provided by section 369 of the Local Government Act 1993; and

(b) in relation to a meeting of a Committee of a Council - means the person presiding at the meeting as provided by clause 267 of the Local Government (General) Regulation 2005.

**charter** means a document setting out the purpose, membership, objectives and life of a committee established by Council.

**Council** means the Council of the Shire of Wyong

**Committee** means a Committee established by Council in accordance with clause 260 of the Local Government (General) Regulation 2005.

**confidential session** is a meeting of Council or a Committee from which the media and the public has been excluded by a resolution carried in accordance with section 10(A) of the Local Government Act 1993.

**council chamber** includes the public gallery, the foyer areas on the ground floor and the first floor immediately adjacent to the meeting room.

**Councillor** means a councillor of the Shire of Wyong and includes the Mayor.

**Deputy Mayor** means the Deputy Mayor of the Shire of Wyong.

**due notice** means:

- (a) a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting;
- (b) delivered to the members of the Council or Committee, 7 days by pre-paid post or 5 days by hand.

**EP&A Act** means the Environmental Planning and Assessment Act

**General Manager** is the General Manager of Wyong Shire Council, or in the absence of that person, the employee designated to act for the General Manager.

**Mayor** means the Mayor of the Shire of Wyong.

**meeting room** means:

- Civic Centre - That area of the ground floor and inside the doors of the area generally referred to as the Meeting Room, but does not include the public gallery.
- Committee Rooms (Civic Centre) First Floor - Inside the doors of the Committee Room being used for the meeting.
- Any Other Location - Inside the doors of the room being used for the meeting, but does not include any area set aside for the public, media representatives or guests.

**misbehaviour** for the purposes of this Code means, any of the following:

- (a) a contravention by the Councillor of the Local Government Act, 1993 or the Local Government (General) Regulation 2005,
- (b) a failure by the Councillor to comply with an applicable requirement of a code of conduct as required under section 440 (5) of the Local Government Act 1993,
- (c) an act of disorder committed by the Councillor at a meeting of the Council or a Committee of the Council, but does not include a contravention of the disclosure requirements.

**original Motion** means the motion before the meeting at the time.

**Minutes** means the record of the proceedings of any meeting of the council and its committees.

**negatived motion** means an unsuccessful motion.



**quorum** means the minimum number of members needing to be present to constitute a valid meeting.

**record** means a document including any written or printed material or object (including a sound recording, coded storage device, magnetic tape, compact or floppy disc, microfilm, photograph, film, map, plan or model of a painting or other pictorial or graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee of Council and, in particular, includes the minutes of meetings of Council or of a Committee of Council.

**the Regulation** means the Local Government (General) Regulation, 2005.

**the Act** or **this Act** means the Local Government Act, 1993 unless specified.

**this Code** means the Shire of Wyong Code of Meeting Practice.

**Urgency** in respect of motions, means a matter which calls for immediate action or attention which cannot be dealt with at a subsequent scheduled meeting of the Council.

## 1.6 Other Definitions

Except as otherwise provided, expressions used in this code which are defined in the dictionary at the end of the Act have meanings set out in the dictionary of the Act.

## 1.7 Legislation

References to Act and Regulation 1.7.1 This code is made pursuant to Clause 360(2) of the Act.

The Council and a Committee of which all members are Councillors must conduct its meetings in accordance with this Code in accordance with Clause 360(3) of the Act.

This code incorporates relevant provisions of the Act and Regulation. Words appearing in italics are a direct quote from the Act or Regulation.

# 2 CONVENING, NOTICE AND FREQUENCY OF COUNCIL AND COMMITTEE MEETINGS

## 2.1 Notice of Meetings

Notice of meeting to Councillors 2.1.1 A meeting of Council or a Committee cannot be held unless due notice has been given to all members in accordance with the definition in this Code.

2.1.2 Section 367 of the Act

(2) *Notice of less than 3 days may be given of an extraordinary meeting called in an emergency. The General Manager would decide what an emergency is.*

- (3) *A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and the business papers in that form.*

Notice of Meetings to the Public 2.1.3

Section 232 of the Regulation

- (1) *This clause prescribes the manner in which the requirements outlined in section 9 (1) of the Act are to be complied with.*
- (2) *A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.*
- (3) *The notice must specify the time and place of the meeting.*
- (4) *Notice of more than one meeting may be given in the same notice.*
- (5) *This clause does not apply to an extraordinary meeting of a council or committee.*

Frequency of Ordinary Meetings of Council and Committees

2.1.4 Section 365 of the Act

*Council is required to meet at least 10 times each year, each time in a different month.*

2.1.5 Ordinary meetings of Council will be held as follows:

- on the second and fourth Wednesday of the months February to November inclusive, unless those Wednesdays that are designated NSW public school holidays;
- on the second Wednesday of December.

2.1.6 Where scheduled meetings of Council fall on a Public Holiday, the meeting will be held on the day immediately after the Public Holiday.

2.1.7 Ordinary meetings will commence at 5:00pm.

2.1.8 Council may alter the time and date of a meeting of Council by resolution at a prior ordinary meeting without notice being given provided the requirements of clause 241 of the Regulation are complied with.

- 2.1.9 Ordinary meetings of Council and the Committees, of which all Councillors are members, will be held in the Council Chambers, unless the Council or a Committee by resolution decides to meet in another location.
- 2.1.10 Rescheduling of Meetings - Where four or more Councillors indicate their intention to attend any seminar or the like which clashes with a Council or Committee meeting, the date of that meeting will be altered by the Mayor to ensure the availability of the maximum number of Councillors possible.

## 2.2 Convening of Meetings

Convening of  
Extraordinary  
Meetings

- 2.2.1 Section 366 of the Act

*"If the Mayor receives a request in writing signed by at least 2 Councillors, the Mayor must call an extraordinary meeting of Council to be held as soon as practicable, but in any event within 14 days after receipt of the request."*

- 2.2.2 The Mayor can be one of the two Councillors making the written request but must firstly receive the written request from another Councillor, with the Councillors' signature attached, prior to signing the request for an extraordinary meeting.

- 2.2.3 The extraordinary meeting can be held on the same day as a previously scheduled meeting of Council. However, each meeting must be dealt with separately.

- 2.2.4 Extraordinary meetings may also be held when there is so much business to be dealt with that an additional meeting is required.

- 2.2.5 The General Manager must ensure that the agenda for an Extraordinary Meeting of a council deals only with the matters stated in the notice of the Meeting. Other business ruled by the Chairperson to be of great urgency may also be dealt with at the meeting but only after the business in the agenda is finished.

Convening of  
Extraordinary  
Meetings for the  
Election of Mayor

- 2.2.6 Section 290 of the Act

*"The election of the Mayor by Councillors is to be held:*

*(a) if it is the first election after an ordinary election of Councillors - within three weeks after the ordinary election; or*

*(b) if it is not that first election or an election to fill a casual vacancy - during the month of September; or*

*(c) if a casual vacancy occurs in the office of a mayor elected by the councillors, the vacancy is to be filled at a meeting of*

*the Council to be held within 14 days after the occurrence of the vacancy.”*

- 2.2.7 The Extraordinary Meeting for the election of the Mayor after an ordinary election of the Council will be held on a Wednesday at 5:00 pm within three weeks of the declaration of the poll.
- 2.2.8 The Extraordinary Meeting for the election of the Mayor (other than after an ordinary election of the Council or to fill a casual vacancy) will be held on the third Wednesday of September commencing at 5:00 pm.
- 2.2.9 The Extraordinary Meeting for the election of the Mayor to fill a casual vacancy will be held on a Wednesday, commencing at 5.00 pm, not less than 7 days or more than 14 days after the casual vacancy occurs.
- 2.2.10 Due notice for an Extraordinary Meeting for the election of the Mayor is to be given in accordance with this Code.
- 2.2.11 The election of the Mayor is to be conducted in accordance with Schedule 7 of the Regulation.
- 2.2.12 The election of Deputy Mayor will take place at the same meeting at which the Mayor is elected and will be conducted immediately after the conclusion of the election of the Mayor.
- 2.2.13 The appointment of the Returning Officer, calling of nominations, order of candidates on ballot papers, method of voting for the position of Deputy Mayor will be the same as for the election of the Mayor or determined in the same manner where a casual vacancy in the position of Deputy Mayor only is to be filled.
- 2.2.14 Where the Deputy Mayor is elected to fill a casual vacancy in the position of Mayor the position of Deputy Mayor will automatically become vacant and an election to fill the vacancy will be held at that same meeting notwithstanding the fact that notice of the election was not given in the notice calling the meeting.
- 2.2.15 Where a casual vacancy occurs in the position of Deputy Mayor (other than in the clause above) an election for the position of Deputy Mayor will be held at the next ordinary meeting of the Council subject to due notice being given.

Convening of  
Extraordinary  
Meetings of the  
Election of Deputy  
Mayor

### 3 AGENDAS AND BUSINESS PAPERS FOR COUNCIL AND COMMITTEE MEETINGS

#### 3.1 Agendas and Business Papers for Council and Committee Meetings

Content	3.1.1	<p>Clause 240 of the Regulation</p> <p>(1) <i>The General Manager must ensure that the business paper for a meeting of Council or a Committee states:</i></p> <p style="padding-left: 40px;">(a) <i>all matters to be dealt with arising out of the proceedings of former meetings of Council;</i></p> <p style="padding-left: 40px;">(b) <i>if the Mayor is the Chairperson - any business that the Mayor may decide to put before the meeting without notice; and</i></p> <p style="padding-left: 40px;">(c) <i>any business of which due notice has been given that has not been excluded under Clause 240 (2) of the Regulation.</i></p> <p>(2) <i>The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council.</i></p> <p>(3) <i>The General Manager must cause the business paper for a meeting of Council or a Committee to be prepared as soon as practicable before the meeting.</i></p> <p>(4) <i>The general manager must ensure that the details of any item of business to which section 9 (2A) of the Act applies are included in a business paper for the meeting concerned.</i></p> <p>(5) <i>Nothing in this clause limits the powers of the chairperson under clause 243.</i></p>
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#### 3.2 Staff Reports and Recommendations

General Manger's authority for staff reports and recommendations	3.2.1	<p>All staff reports are to be made to the General Manager who will exercise discretion on their presentation to Council or Committee.</p>
	3.2.2	<p>Where two or more feasible alternatives arise from a staff report, the General Manager may decide the alternative to be recommended to Council or a Committee for consideration.</p>

- 3.2.3 To facilitate the choice of an alternative, in those cases when all alternatives comply with existing policies, the alternatives should be clearly defined.
- 3.2.4 Items of correspondence and other issues may be referred to Committees to obtain expressions of opinion or guidelines for subsequent reporting.
- Recommendations for staff reports 3.2.5 Staff reports should include a single recommendation:
- (a) where clearly defined policy exists; or
  - (b) where there are professional grounds to support the recommendation in the absence of, or despite a clearly defined policy.
- Identification and numbering of staff reports 3.2.6 Each report is identified by the full name of the originating Departmental Director, the Service Unit Manager and the author.
- 3.2.7 Report items Council and Committee meetings are numbered consecutively for each meeting.
- 3.2.8 Questions on Notice will be numbered consecutively for each calendar year.

### 3.3 Confidential Matters

- Confidential matters circulated separately 3.3.1 If, in the opinion of the General Manager, business to be transacted at a meeting of Council or of a Committee is a kind of business that is likely to take place when the meeting is closed to the public, the business may be included in a confidential business paper, report or attachment marked confidential and circulated separately.
- Confidential matters referred to in business paper 3.3.2 If a confidential business paper, report or attachment is prepared the business must be referred to in the ordinary business paper prepared for the same meeting in accordance with Section 9 of the Act.

### 3.4 Councillor Requests for reports

- Councillor request for EP&A Act Part 4 Application 3.4.1 Councillors may request that a Part 4 application under the EP&A Act be brought before Council. Requests shall be in writing to the General Manager, and signed by a minimum of two Councillors.
- 3.4.2 A request for a Part 4 application to be brought before Council is a formal request for the General Manager not to exercise his standard delegation to determine a Part 4 application under the EP&A Act.

### 3.5 Availability of Items on Agenda

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|--|-------|--|
| Removal of items from the agenda         | 3.5.1 | Once the agenda for a meeting has been sent to councillors an item of business on the agenda cannot be removed from the agenda prior to the meeting.   |
| Items unavailable to certain Councillors | 3.5.2 | Where a councillor is, or in the opinion of the General Manager is likely to be, the subject of proceedings by or against the council, any legal advice, reports or correspondence dealing with those proceedings or likely proceedings shall, if the matter is a kind of business referred to in section 10a of the Act, be withheld from the business paper of that councillor and shall not be made available to that councillor by any person. |
| Late Reports                             | 3.5.3 | As circumstances necessitate, reports not listed for consideration on the Business Paper may be tabled at an Ordinary Meeting. The General Manager is authorised to submit late agenda items. Late reports should only be forwarded in the case of necessity and are to be forwarded to Councillors via email as well as in hard copy no later than midday on the day prior to the meeting at which the item is to be considered.                  |
|  | 3.5.4 | For matters not listed on the agenda of meetings and where less than (7) days notice has been provided in accordance with this Code, a motion of urgency will need to be passed by the Council prior to the matter being considered. The motion of urgency is to include the reason why the matter is considered to be urgent.   |
|  | 3.5.5 | Minor amendments or additional information relating to matters already being dealt with by Council do not require a motion of urgency however are required where possible to be provided to Council in hard copy no later than midday on the day of the meeting.   |

### 3.6 Agendas and Business Papers for Extraordinary Meetings

- 3.6.1 Clause 242 of the Regulation
- (1) *The general manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting.*
- (2) *Despite subclause (1), business may be transacted at an extraordinary meeting of a council even though due notice of the business has not been given to the councillors. However, this can happen only if:*
- (a) *a motion is passed to have the business transacted at the meeting, and*

- (b) *the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*

*Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.*

- (3) *Despite clause 250 (limitation on the number of speeches), only the mover of a motion referred to in subclause (2) can speak to the motion before it is put.*

Notices of Motion 3.6.2  
not permitted on  
Agendas and  
Business Papers  
for Extraordinary  
Meetings

A notice of motion signed by a Councillor may be dealt with only at an ordinary council meeting or a committee where all members are councillors.

### **3.7 Access and Availability of Agendas and Business Papers**

Access to Agendas 3.7.1  
and Business  
Papers

Section 9 of the Act

- (2) *A council and each such committee must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.*

- (2A) *In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public:*

- (a) *the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and*  
(b) *the requirements of subsection (2) with respect to the availability of business papers do not apply to the business papers for that item of business.*

- (3) *The copies are to be available to the public as nearly as possible to the time they are available to councillors.*

- (4) *The copies are to be available free of charge.*

- (5) *A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form.*



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|---|-------|---|
| Web Access to Agendas and Business Papers                 | 3.7.2 | Agendas and Business Papers will be posted on the WSC website as soon as possible after electronic distribution to the Councillors.   |
| Media access to Agendas and Business Papers               | 3.7.3 | Accredited members of the media may obtain on a regular basis, copies of business papers of Council and Committee meetings (other than confidential meetings) free of charge, after distribution to the Councillors.  |
| Commercial or other access to Agendas and Business Papers | 3.7.4 | Other persons or organisations may access copies of business papers of Council and Committee meetings (other than confidential meetings) at Council libraries or Civic Centre, or on the WSC website.   |
| Community groups access to Agendas and Business Papers    | 3.7.5 | Community groups may obtain on a regular basis, copies of business papers of Council and Committee meetings (other than confidential meetings) free of charge, after distribution to the Councillors as follows: <ul style="list-style-type: none"> <li>(a) The community group must formally register its interest in writing on an annual basis.</li> <li>(b) Each group being restricted to one copy of the business paper for each meeting.</li> <li>(c) The business papers being available through a branch library nominated by the community group with every endeavour being made to have the business paper in that library by 2.00 pm on the Friday prior to the Council or Committee meeting.</li> <li>(d) Those community groups registering their interest be formally advised that Council reserves the right to deal with any matter properly before it at any meeting irrespective of whether or not that community group received prior advice of that item.</li> </ul> |

*Note: For the purpose of this resolution, community groups are defined as Chambers of Commerce, Community Precinct Committees, Progress Associations, Ratepayer Associations and the like.*

## **4 ATTENDANCE AT COUNCIL AND COMMITTEE MEETINGS**

### **4.1 Quorum**

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|---------------------|-------|---|
| Absence of a quorum | 4.1.1 | Clause 233 of the Regulation <ul style="list-style-type: none"> <li>(1) <i>A meeting of Council or a Committee must be adjourned if a quorum is not present:</i> <ul style="list-style-type: none"> <li>(a) <i>within half an hour after the time designated for the holding of the meeting;</i></li> </ul> </li> </ul> |
|---------------------|-------|---|

OR

- (b) *at any time during the meeting.*
- (2) *In either case, the meeting must be adjourned to a time, date and place fixed:*
- (a) *by the Chairperson; or*  
 (b) *in his or her absence - by the majority of the Councillors present; or*  
 (c) *failing that, by the General Manager.*
- (3) *The General Manager must record in Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during the meeting of Council or a Committee, together with the names of the Councillors present.*

## 4.2 Presence and Departure at Council and Committee Meetings

Leave of absence      4.2.1      Clause 235A of the Regulation

- (1) *A councillor's application for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent.*
- (2) *A councillor who intends to attend a council meeting despite having been granted leave of absence should, if practicable, give the general manager at least 2 days' notice of his or her intention to attend.*

Presence at meetings      4.2.2      Clause 235A of the Regulation

*A Councillor cannot participate in a meeting of Council or a Committee unless personally present at the meeting and is present in the meeting room.*

Departure from meetings      4.2.3      Councillors are required to give prior notice of their intended departure, to the Chairperson, before retiring from a meeting of the Council for the remainder of that meeting.

4.2.4      Where the Council or a Committee of Council resolves that a Councillor with a disclosed pecuniary interest or conflict of interest will retire from the meeting and will not be present during discussion and voting on that matter the Councillor will be excluded from being present in the area defined in this Code as the Council Chamber.

### 4.3 Seating in the Chamber

Seating in the Chamber 4.3.1 In the Council Chamber the Mayor will sit at the front table with the Deputy Mayor immediately opposite with 4 Councillors on each side of the Deputy Mayor. The other 8 Councillors shall mutually agree on their seating positions and, where no agreement can be reached the Mayor will decide the seating positions.

### 4.4 Entitlement to Attend Committee Meetings

Mayor member of each Committee 4.4.1 The Mayor is a member of each Committee and entitled to attend all meetings of Committees.

Non member Councillor attendance at Committee meeting 4.4.2 Clause 263 of the Regulation  
*A Councillor who is not a member of a Committee is entitled to attend and speak at a meeting of a Committee; however the Councillor is not entitled:*

- (a) *to give notice of business for inclusion in the business paper for the meeting; or*
- (b) *to move or second a motion at the meeting; or*
- (c) *to vote at the meeting.*

### 4.5 Attendance of the General Manager

Attendance and Participation of General Manager at Council or Committee Meetings 4.5.1 Section 376 of the Act

- (1) *The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all the members are councillors.*
- (2) *The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.*
- (3) *However, the general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of the employment of the general manager.*

### 4.6 Attendance and Exclusion from Council and Committee Meetings

Attendance of the Public 4.6.1 Section 10 of the Act

- (1) *Except as provided by this clause:*
  - (a) *Everyone is entitled to attend a meeting of Council and those of its Committees of which all the members are Councillors, except as provided by this clause.*
  - (b) *A Council must ensure that all meetings of the*

*Council and of such Committees are open to the public.*

*(2) A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or of such a Committee if expelled from the meeting:*

- (a) by a resolution of the meeting;*
- (b) by a ruling of the Chairperson if the Council has, by resolution, authorised the Chairperson to exercise the power of expulsion.*

*(3) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations.*

Exclusion of the Public

4.6.2

Section 10A of the Act

*(1) Council, or a Committee of which all the members are Councillors, may close to the public so much of its meeting as comprises:*

- (a) the discussion of any of the matters listed in sub-clause (10A) (2); or*
- (b) the receipt or discussion of any of the information so listed.*

*(2) The matters and information are the following:*

- (a) personnel matters concerning particular individuals (other than Councillors);*
- (b) the personal hardship of any resident or ratepayer;*
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;*
- (d) commercial information of a confidential nature that would, if disclosed:*
  - prejudice the commercial position of the person who supplied it; or*
  - confer a commercial advantage on a competitor of the Council; or*
  - reveal a trade secret;*
- (e) information that would, if disclosed, prejudices the maintenance of law;*
- (f) matters affecting the security of Council, Councillors, Council staff or Council property;*

(g) *advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;*

(h) *information concerning the nature and location of a place or an item of Aboriginal significance on Community Land.*

(3) *A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.*

(4) *A Council, or a committee of Council of which all members are Councillors, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public as to whether that part of the meeting should be closed.*

4.6.3 It is the policy of Council that matters be considered in confidential session only where the matter before the Council is of a nature to significantly impact upon Council's legal position.

Representations  
by members of the  
Public – Closure of  
part of meeting

4.6.4 Clause 252 of the Regulation

(1) *A representation at a council meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded.*

(2) *That period is as fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that period) as fixed by resolution of the council. Different periods can be fixed according to the different types of matters to be discussed or received and discussed at closed parts of meetings.*

4.6.5 Representations may be made by speakers with a genuine interest and be limited to one speaker. The speaker shall be allotted two minutes.

Closure of Parts of Meetings – Further Limitations 4.6.6

Section 10B of the Act

- (1) *A meeting is not to remain closed during the discussion of anything referred to in section 10(A)(2) of the Local Government Act 1993:*
- (a) *except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*
  - (b) *if the matter concerned is a matter other than a personnel matter concerning particular individuals (other than Councillors), the personal hardship of a resident or ratepayer or a trade secret - unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to public interest.*
- (2) *A meeting is not to be closed during the receipt and consideration of information or advice referred to in section (10A)(2)(g) of the Local Government Act 1993 unless the advice concerns legal matters that:*
- (a) *are substantial issues relating to a matter in which the council or committee is involved, and*
  - (b) *are clearly identified in the advice, and*
  - (c) *are fully discussed in that advice.*
- (3) *If a meeting is closed during the discussion of a motion to close another part of the meeting to the public, the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2) of the Local Government Act 1993.*
- (4) *For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:*
- (a) *a person may misinterpret or misunderstand the discussion, or*
  - (b) *the discussion of the matter may:*
    - (i) *cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or*
    - (ii) *cause a loss of confidence in the council or committee.*
- (5) *In deciding whether part of a meeting is to be closed to*

*the public, the council or committee concerned must have regard to any relevant guidelines issued by the Director-General.*

*Note: The matters in 10A and the limitations in 10B are provided side by side in a table to assist clarity. See Schedule 2.*

Notice of Closure of Parts of Meetings Not Required in Urgent Cases

4.6.7 Section 10C of the Act

*(1) Part of a meeting of a council, or of a committee of the council of which all the members are councillors, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:*

*(a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A(2) of the Local Government Act 1993, and*

*(b) the council or committee, after considering any representations made under section 10A(4) of the Local Government Act 1993, resolves that further discussion of the matter:*

*(i) should not be deferred (because of the urgency of the matter), and*

*(ii) should take place in a part of the meeting that is closed to the public.*

Specifying Grounds for Closing Part of a Meeting

4.6.8 Section 10D of the Act

*(1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*

*(2) The grounds must specify the following:*

*(a) the relevant provision of section 10A(2) of the Local Government Act 1993,*

*(b) the matter that is to be discussed during the closed part of the meeting;*

*(c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals (other than Councillors), the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

Public access to correspondence and reports

4.6.9 Section 11 of the Act

*(1) A council and a committee of which all the members are*

*councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.*

(2) *This section does not apply if the correspondence or reports:*

- (a) *relate to a matter that was received or discussed, or*
- (b) *were laid on the table at, or submitted to, the meeting, when the meeting was closed to the public.*

(3) *This section does not apply if the council or committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A (2), are to be treated as confidential.*

## **5 CONDUCT OF COUNCIL MEETINGS**

### **5.1 Chair of Meetings of Council and Committees**

Chair of Meetings of Council    5.1.1    Section 369 of the Act

- (1) *The mayor or, at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.*
- (2) *If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.*

Chair of Meetings of Committees    5.1.2    The Chairperson of each Committee meeting must be:

- (a) the Mayor; or
- (b) if the Mayor does not wish to be the Chairperson of that Committee - a member of the Committee elected by Council; or
- (c) if Council does not elect such a member - a member of the Committee elected by the Committee.

5.1.3    Council may elect a member of a Committee as Deputy Chairperson of the Committee. If Council does not elect a Deputy Chairperson of such a committee, the Committee may



elect a Deputy Chairperson.

5.1.4 If neither the Mayor nor the Deputy Chairperson of a Committee is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the committee to be acting Chairperson of the Committee.

Election of  
Temporary  
Chairperson at  
Council and  
Committee  
Meetings

5.1.5 Clause 236 of the Regulation

(1) *If no Chairperson is present at a meeting of Council or a Committee at the time designated for the holding of the meeting, the first business of the meeting must be election of a Chairperson to preside at the meeting.*

(2) *The election must be conducted;*

(a) *by the General Manager or, in his or her absence, an employee of Council designated by the General Manager to conduct the election, or;*

(b) *if neither of them is present at the meeting or there is no General Manager or designated employee - by the person who called the meeting or a person acting on his or her behalf.*

(3) *If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.*

(4) *For the purposes of subclause (3), the person conducting the election must:*

(a) *arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and*

(b) *then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.*

(5) *The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.*

## 5.2 Rights and Duties of the Chairperson of Meetings of Council and Committees

- Chairperson to have precedence 5.2.1 Clause 237 of the Regulation
- When the Chairperson rises during a meeting of Council or a Committee:*
- (1) *any Councillor then speaking or seeking to speak must immediately resume his or her seat; and*
  - (2) *every Councillor present must be silent to enable the Chairperson to be heard without interruption.*
- Chairperson's Duty With Respect to Motions 5.2.2 Clause 238 of the Regulation
- (1) *It is the duty of the chairperson at a meeting of a council to receive and put to the meeting any lawful motion that is brought before the meeting.*
  - (2) *The chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.*
  - (3) *Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.*
- 5.2.3 The Chairperson may refuse to put motions and amendments which are not stated in clear terms.
- Order of Business at Ordinary, Extraordinary and Committee Meetings 5.2.4 Clause 239 of the Regulation
- (1) *At an ordinary meeting of Council (other than an Extraordinary Meeting) the general order of business is (except as provided by the Local Government (General) Regulation 2005) as fixed by the Council's Code of Meeting Practice or if its Code of Meeting Practice does not fix the general order of business as fixed by resolution of the Council (Clause 239(1) of the Local Government (General) Regulation 2005).*
  - (2) *The order of business fixed under subclause (1) may be altered if a motion to that effect is passed. Such a motion can be moved without notice.*
  - (3) *Despite clause 250, only the mover of a motion referred to in subclause (2) may speak to the motion before it is put.*

- Order of Business for Ordinary Meetings Fixed by this Code 5.2.5 The general order of business for Ordinary Meetings of Council will be:
- (a) Opening Prayer
  - (b) Apologies/Requests for leave of absence
  - (c) Report on Disclosure of Pecuniary and Non-Pecuniary Interests
  - (d) Report on Proposed Inspections
  - (e) Report on Proposed Briefings
  - (f) Report of Address by Invited Speakers
  - (g) Notice of Intention to Deal with Matters in Confidential Session
  - (h) Confirmation of Ordinary Meeting Minutes
  - (i) Confirmation of Extraordinary Meeting Minutes
  - (j) Confirmation of Confidential Meeting Minutes
  - (k) Business Arising out of the Minutes
  - (l) Minutes of the Mayor
  - (m) Committee Reports
  - (n) Reports of Directors and General Manager
  - (o) Reports of Delegates
  - (p) Consideration and Adoption of Information Reports either individually or with nominated exceptions, or in total
  - (q) Question of which due notice has been given
  - (q) Answers to Questions without on Notice
  - (r) Notices of Motion
  - (s) Notices of Rescission
  - (t) Motions of Urgency
  - (u) Questions on Notice
  - (v) Correspondence
  - (w) Confidential Items
- 5.2.6 At the discretion of the Mayor, Council can meet informally with staff in a non-decision making mode to discuss Shire wide issues of significance for approximately 30 minutes on those occasions where the Ordinary Meeting of Council concludes at a reasonable hour.
- Order of Business of Extraordinary Meetings - after the Local Government Election - fixed by this Code 5.2.7 The General Order of Business at the Extraordinary meeting of Council held after the ordinary election of Councillors for the election of the Mayor, will be:
- (a) Opening prayer
  - (b) Apologies
  - (c) Consideration of the Policy relating to payment of fees and expenses and provision of facilities to Councillors
  - (d) Determine method of voting to be used for election of the Mayor and Deputy Mayor
  - (e) Election of Mayor
  - (f) Election of Deputy Mayor
  - (g) Determine Committees for the term of the Council
  - (h) Election of Committee members for the term of

- (i) Election of Committee Deputy Chairpersons for the term of the Council if the Committees are established.
- (j) Determine delegation of Authorities to Committees for the term of Council
- (k) Election of Delegates and Representatives for the term of the Council.
- (l) Determination of Times and Dates of meetings for the term of the Council.
- (m) Consideration of the Code of Meeting Practice having regard to item (l) above.
- (n) Setting venue and date for the briefing of Councillors.

Order of Business of Extraordinary Meetings – Election of Mayor – other than the year of a Local Government Election

5.2.8 The General Order of Business at the Extraordinary Meeting of the Council held annually, other than the year of the Ordinary Election of Councillors, for the election of the Mayor, will be:

- (a) Opening prayer
- (b) Apologies
- (c) Mayoral Report for past term
- (d) Determine the method of voting to be used for the election of Mayor and Deputy Mayor
- (e) Election of Mayor
- (f) Election of Deputy Mayor

### 5.3 Transaction of Business

Giving notice of business

5.3.1 Clause 241 of the Regulation

- (1) *Council must not transact business at a meeting of Council or a Committee;*
  - (a) *unless a Councillor has given notice of the business in accordance with this Code; or*
  - (b) *unless a Councillor has given notice of the business in accordance with this code; and*
  - (c) *unless contained in a report by the General Manager or a Department Director through the General Manager; and*
  - (d) *notice of the business has been sent to the Councillors in accordance with this Code.*
- (2) *Sub clause (1) does not apply to the consideration of business at a meeting if the business:*
  - (a) *is already before, or directly relates to a matter that is already before the Council or;*
  - (b) *is the election of a chairperson to preside at the meeting as provided by clause 236(1) of this Code;*
  - (c) *is a Mayoral minute;*
  - (d) *is a motion for the adoption of recommendations of a Committee.*

- (3) *Despite sub clause (1) business may be transacted at a meeting of Council when due notice of the business has not been given to Councillors, but only if:*
- (a) *a motion (which may be moved without notice) is passed to have the business transacted at the meeting; and*
  - (b) *the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*
- (4) *Despite clause 34 of this Code, only the mover of a motion referred to in sub clause 3 above can speak to the motion before it is put.*

Business not to be transacted for reports on Inspections and Briefings

5.3.2

Business arising from reports on inspections and briefings must not be transacted unless there is a business item addressing a specific item elsewhere in the business paper of the meeting.

#### **5.4 Notices of Motion and Notices of Motion to Rescind**

Form of lodgement and content of notice of motion

5.4.1

Notices of Motion and Notices of Motion to Rescind, (excluding notices of Motion to Rescind a resolution prior to that resolution taking effect) shall be lodged in writing with the Team Leader, Governance and Councillor Services by 9.30 am on the second Monday preceding a meeting.

General Manager may amend notice of motion

5.4.2

The General Manager may on his or her own initiative make such alterations, corrections or amendments as will put such notice of motion into appropriate form (without changing its substance). In such event the General Manager will, as soon as is practicable, inform the author of the notice of motion of the action which the General Manager has taken and the reasons for that action.

Limitation on number of notices of motion

5.4.3

A Councillor will not have more than 3 notices of motion on the business paper at the same time.

Order of notices of motion

5.4.4

All notices of motion will be dated and numbered as received and will be entered by the General Manager upon the business paper in the order in which they are received.

- Absence of mover - notice of motion 5.4.5 Clause 245 of the Regulation
- (1) *In the absence of a Councillor who has placed a notice of motion on the business paper for a meeting of Council or a Committee:*
- (a) *any other Councillor may move the motion at the meeting; or*
- (b) *the Chairperson may defer the motion until the next meeting of Council or Committee at which the motion can be considered.*
- Adoption of unopposed notices of motion 5.4.6 The Chairperson may call over the notices of motion on the business paper in the order in which they appear thereon and, in the absence of any objection, move a motion that all such motions be adopted.
- Speakers on Notices of Motion and Notices of Rescission are permitted 5.4.7 A speaker may address Council in relation to the notice of motion or the notice of motion to rescind subject to the prior approval of the Mayor in the first instance and ratified by the full Council.
- 5.4.8 The speaker's time for address be limited to 5 minutes (unless Council extends) and question and answer session be limited to 10 minutes with a total limitation of time for the invited speaker to 15 minutes.

## 5.5 Disclosure of Pecuniary and Non- Pecuniary Interests

- Pecuniary Interest 5.5.1 Section 448 of the Act
- (1) *For the purposes of this Chapter, a "pecuniary interest" is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.*
- (2) *A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448.*
- Councillor responsibility to disclose Pecuniary Interest 5.5.2 Section 451 of the Act
- (1) *A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.*

- (2) *The councillor or member must not be present at, or in sight of, the meeting of the council or committee:*
- (a) *at any time during which the matter is being considered or discussed by the council or committee, or*
- (b) *at any time during which the council or committee is voting on any question in relation to the matter.*
- (3) *For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.*

*Note: The code of conduct adopted by a council for the purposes of section 440 may also impose obligations on councillors, members of staff of councils and delegates of councils.*

Knowledge of  
Pecuniary Interest

5.5.3 Section 457 of the Act

*A person does not breach section 451 or 456 if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.*

Disclosure by  
Advisor

5.5.4 Section 456 of the Act

- (1) *A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given.*
- (2) *The person is not required to disclose the person's interest as an adviser.*

Non-Pecuniary  
Interest

5.5.5 A Councillor who has a non-pecuniary interest in any matter with which Council is concerned, and who is present at a meeting of Council or a Committee at which the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable.

5.5.6 Declaration of interest forms must include reasons for declaring significant and insignificant declarations.

5.5.7 Where insignificant conflict is declared, the Councillor must provide reasons why they choose to remain in the Chamber and participate in discussion and voting i.e. why the conflict

has not influenced them in carrying out their public duty.

- 5.5.8 Council's Code of Conduct provides guidance to Councillors on how to manage their obligations with regards to Pecuniary and Non-Pecuniary Interests.
- Disclosures to be recorded 5.5.9 Section 453 of the Act
- A disclosure made at a meeting of Council or a Committee must be recorded in the minutes of the meeting.*

## 5.6 Mayoral Minutes

- Mayoral Minute entitlement 5.6.1 Clause 243 of the Regulation
- (1) *If the mayor is the chairperson at a meeting of a council, the chairperson is, by minute signed by the chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the council or of which the council has official knowledge.*
- (2) *Such a minute, when put to the meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of the minute without the motion being seconded.*
- (3) *A recommendation made in a minute of the chairperson (being the mayor) or in a report made by a council employee is, so far as adopted by the council, a resolution of the council.*
- 5.6.2 It is considered better practice for the Mayoral Minute to be included as part of the Business Paper.
- Content of Mayoral Minutes 5.6.3 Mayoral Minutes should not be used to introduce, without notice, matters that need research or a lot of consideration by the Councillors.
- Mayoral Minute amendment by Councillors 5.6.4 Mayoral Minutes are able to be amended by the Mayor and Councillors. However, Councillors should avoid making changes which do not comply with clause above.

## 5.7 Motions and Amendments

- Motions to be Moved/Seconded 5.7.1 Clause 246 of the Regulation
- A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 243(2) and 250(5).*
- 5.7.2 Despite the clause above, the chairperson may allow the mover of a motion to speak briefly before calling the motion to be seconded in order to indicate the general nature of the



motion.

*Note: Schedule 3 is a flowchart representing the progress of motions at a meeting.*

- |   |        |  |
|---|--------|--|
| Secunder may reserve the right to speak | 5.7.3  | The seconder of a motion or an amendment may reserve the right to speak later in the debate.   |
| Debate of motion and amendment          | 5.7.4  | It is permissible to debate the motion and an amendment concurrently.  |
| Content of Amendment                    | 5.7.5  | An amendment is not allowed if it amounts to a direct negative which if carried would have the same effect as negating the motion.   |
|   | 5.7.6  | Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.  |
| Withdrawal of Amendment                 | 5.7.7  | An amendment may be withdrawn or modified by the mover with the consent of the seconder.   |
| Recording of Motions and Amendments     | 5.7.8  | Motions and Amendments that are proposed but not seconded are not in order and are not entered in the minutes.   |
| Further amendments                      | 5.7.9  | Clause 247 of the Regulation   |
|   |        | <i>If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before Council at any one time.</i> |
|   | 5.7.10 | If several amendments are proposed, each should be moved, seconded, debated and voted upon prior to the next. Amendments should be debated in the order in which they were put to the meeting.   |
| Foreshadowed amendments                 | 5.7.11 | Members may notify the Chairperson (foreshadow) of their intention to move further amendments and the tenor of their content.  |

## 5.8 Adoption of Minutes

- |                               |       |   |
|-------------------------------|-------|---|
| Business Arising from minutes | 5.8.1 | Any business arising from consideration of the Minutes of a previous meeting does not permit a matter to be the subject of further resolutions at that meeting. |
|-------------------------------|-------|---|

## 5.9 Letters, Submissions or Petitions

- Presentation of Letters, Submissions or Petitions
- 5.9.1 Letters, Submissions or Petitions must not be presented or read by Councillors at a meeting of the Council or a Committee of the Council if they relate to items on that meetings business paper which require a decision to be made.
- 5.9.2 Any petition presented to the council or its committees must comprise fewer than 50 words (not including signatories) and not be disrespectful, nor use offensive language or include statements made with malice.
- 5.9.3 Any Councillor who presents a petition on behalf of the petitioners, is to confine himself/herself to reading the petition and advising the number of signatories attached to it.

## 5.10 Rules of Debate

- Irrelevant Speech
- 5.10.1 In speaking to any motion or amendment Councillors are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the chairperson's ruling is final and not open to challenge.
- Debate
- 5.10.2 Clause 250 of the Regulation
- Right of Reply
- (1) *A Councillor who, during a debate at a meeting of Council, moves an original motion has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment. No new arguments or material should be raised during the 'right of reply'.*
- Right to Speak
- (2) *A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.*
- (3) *A Councillor must not, without the consent of Council, speak more than once on a motion or an amendment, or for longer than 5 minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment and for longer than 5 minutes on that motion or amendment, to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.*
- Putting the amendment and motion
- (4) *Despite Subclause (1) a Councillor may move that a motion or an amendment be now put:*

- (a) *if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it; or*
- (b) *if at least 2 Councillors have spoken in favour of the motion or amendment and at least 2 Councillors have spoken against it.*

(5) *The Chairperson must immediately put to the vote, without debate, a motion moved under sub clause (4). A seconder is not required for such a motion.*

(6) *If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under sub clause (1).*

(7) *If a motion that the original motion or an amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed.*

#### Order of Speech

5.10.3 The seconder of a motion speaks after the mover and may choose to hold over their speaking rights until later in the debate. However a procedural motion could be passed putting an end to debate before the seconder has spoken.

#### Explanation of previous speech

5.10.4 With the permission of the Chairperson explanation of some material part of a previous speech in the same debate may be given by a councillor who has already spoken, but no new matter may be introduced.

#### Interruption of Speaker

5.10.5 A speaker will not be interrupted except on a point of order.

5.10.6 A speaker interrupted by a point of order shall resume their seat until the Chairperson has ruled on the point of order whereupon the speaker shall proceed with the debate.

#### Mode of Address

5.10.7 A Councillor may, when in a Council or Committee meeting, address or refer to other Councillors by their official designations (ie Mayor, Chairperson or Councillor, as the case may be) or by their first name or surname (ie Mayor Bob or Mayor Graham).

5.10.8 At Meetings of the Council, Councillors, may choose to:

- (a) sit or stand when speaking.
- (b) read from notes when speaking

*NOTE: When speaking, Councillors should first indicate whether they are asking questions or speaking to a motion or amendment.*

## Motions of Dissent 5.10.9 Clause 248 of the Regulation

- (1) *A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, and the motion is seconded, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.*
- (2) *If a motion of dissent is carried, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the business paper and proceed with it in due course.*
- (3) *Despite clause 34 of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.*

5.10.10 If the voting on a motion of dissent is equal the Chairperson may exercise a casting vote.

5.10.11 The wording for a motion of dissent will be in the form:-

"I move dissent from the Chairperson's ruling in respect of "(insert matter of dissent and item number and heading or other detail as appropriate)".

## Motions on Adjournment

5.10.12 A motion for adjournment of a Council or Committee meeting must be seconded.

5.10.13 Discussion will not be permitted on any motion for adjournment of the Council or a Committee meeting.

5.10.14 If a motion to adjourn is negated the business of the meeting shall proceed and it shall not be in order for any Councillor to again move a motion for adjournment within half an hour of the previous motion for adjournment being negated.

5.10.15 A motion for adjournment may specify the time, date and place of the adjourned meeting. However, if a motion for adjournment does not specify those matters, the Chairperson, in consultation with the general manager, shall make a determination those matters.

## 5.11 Confidential Session of Council or Committee

- Provisions of Code also apply to Confidential session 5.11.1 All the provisions of this Code relating to meetings of Council, so far as they are applicable, extend to and govern the proceedings of Council or a Committee of which all members are Councillors when in Confidential Session.
- Making resolution of confidential session public 5.11.2 Clause 253 of the Regulation  
*If a council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.*
- How confidential session resolutions are reported 5.11.3 It is not necessary to report the proceedings in full but any recommendations of the Confidential Session must be reported.
- 5.11.4 Council must ensure that a report of the proceedings is recorded in the Council's minutes. However, Council is not taken to have adopted the report until a motion for adoption has been made and passed.
- 5.11.5 The decision of Council taken in a closed session of Council will be placed on public display the morning following the meeting including the names of Councillors who voted in favour or against closing the meeting.

## 5.12 Questions

- Questions to staff and employees 5.12.1 Clause 249 of the Regulation
- (1) *A councillor:*
    - (a) *may, through the chairperson, put a question to another councillor, and*
    - (b) *may, through the general manager, put a question to a council employee.*
  - (2) *However, a councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.*
  - (3) *The councillor must put every such question directly, succinctly and without argument.*
  - (4) *The chairperson must not permit discussion on any reply or refusal to reply to a question put to a councillor or council employee under this clause.*

Questions on Notice	5.12.2	A Councillor may ask two Questions On Notice at an ordinary meeting of Council. A written copy of each question asked must be handed by the Councillor to the General Manager, or in his or her absence to the most senior member of staff present at the meeting.
Reasonable notice of Question on Notice	5.12.3	A Councillor or a Council employee to whom a question is put is entitled to be given reasonable notice of the question (i.e. a Question (given) On Notice) and, in particular, sufficient notice to enable reference to be made to other persons or to documents before answering the question.
Content of Question on Notice	5.12.4	An individual Councillor may not request a staff report. Staff reports to Council may only be generated by way of a Council resolution.
Chairperson authority – Question on Notice	5.12.5	A Councillor must put every such question directly, succinctly and without argument.
	5.12.6	The Chairperson must not permit discussion (debate) on any reply or refusal to reply to a Question on Notice put to a Councillor or Council employee.
	5.12.7	<p>A Question On Notice will not be accepted, if in the opinion of the Chairperson, it would:</p> <ul style="list-style-type: none"> <li>(a) normally require the presentation of a report after consideration by a Committee or by the General Manager;</li> <li>(b) be regarded as a sensitive issue or be one not likely to have the total support of Council; or</li> <li>(c) require the commitment or redirection of significant resources.</li> </ul>
	5.12.8	Those questions not accepted, may later be put forward as a Notice of Motion in accordance with this code.
	5.12.9	The Chairperson shall determine if a Question is to be accepted by 5.00pm on the day following the meeting at which the Question on Notice was put.
Responses to Questions on Notice	5.12.10	The form of responses to Questions is at the discretion of the person answering the question and may be by way of an answer or a comprehensive report to Council.
	5.12.11	Where a comprehensive report is not provided in answer to a Question on Notice, the answer cannot be the subject of debate at that meeting. Any motion concerning this answer must be given due notice in accordance with the provisions of Clause 241(1) of the Regulation 2005.

5.12.12 Where a comprehensive report is provided as an answer to a Question on Notice it may be the subject of debate and a motion may be brought forward as long as it directly relates to the question and the report in response.

5.12.13 Responses to a Question On Notice should be directed to the Councillor at a future ordinary meeting of Council held on the second or fourth Wednesday of the month.

Questions on Notice to be recorded in Minutes

5.12.14 Questions asked at meetings will be recorded in the minutes of that meeting.

### 5.13 Information Reports

Information Reports Procedure

5.13.1 The recommendations of information reports are, so far as adopted by Council, resolutions of Council.

5.13.2 Information Reports may be considered by Council either:

- Individually
- By nominated exception
- or in total

5.13.3 The method of adoption of Information Reports will be:

(a) The Chairperson will call for a motion that indicates the manner in which the Information Reports will be considered.

(b) Should Council resolve to consider the Information Reports individually the reports will be considered in the same manner as Director's Reports.

(c) Should Council resolve to consider the Information Reports by nominated exception the Chairperson will:

- invite Councillors to call the report and page number of any report they may require to be excluded from the general resolution adopting the remainder of the information report and recommendations in total.
- Seek a mover and seconder for the following motion:

"That the Information reports and recommendations with the exception of reports numbered ....., ....., ..... (etc), be adopted.

- Following adoption of the motion referred to above, the Chairperson will then call the excluded numbers "seriatim" calling in turn on the Councillor who requested the exclusion to move a motion in respect of that matter. The Councillor may either:
  - i. Move a motion in conflict with the recommendation; or
  - ii. Move adoption of the recommendation and seek further information from the Chairperson or Officers for the purpose of clarification.

(d) Should the Council resolve to adopt the Information Reports in total the following resolution will be made:

"That the Information Reports of the Ordinary Meeting of Council be received and the information noted".

#### Invited Speakers

5.13.4 Any person may address the Council in accordance with procedures that the Council may determine.

5.13.5 An invited speaker must not, without the consent of Council, speak for longer than five minutes. However, questions to speakers are allowed to clarify the position of the speaker or statements made. Questions to speakers are to be shared by Councillors in order to ensure equity. Each Councillor is allowed one question until all of the Councillor questions have been exhausted or the time limit expires.

5.13.6 The total time allowed for speakers, including extensions of speaking time and Councillor questions, is limited to 30 minutes. The Chairperson has the ultimate discretion to decide on any issues regarding speakers and questions.

## 5.14 Voting

#### Voting Entitlements of Councillors

5.14.1 Section 370 of the Act

(1) *Each Councillor is entitled to one vote at a Council meeting.*

(2) *The person presiding at a meeting of Council or a Committee has, in the event of an equality of votes, a second or casting vote.*

5.14.2 Each Councillor who is the member of the Committee is entitled to one vote at a Committee meeting.



- Voting at Council or Committee meetings
- 5.14.3 Clause 251(5) of the Regulation
- (5) *Voting at a Council Meeting, including voting in an election at such a meeting is to be by open means (such as voices or by show of hands). The Mayor or Chairperson will nominate the names of Councillors voting in favour of a motion and those Councillors who voted in the negative. However, Council may resolve that the voting by Councillors for Mayor or Deputy Mayor is to be by secret ballot.*
- 5.14.4 Nothing in this Code would stop the use of other open means for voting, such as a display of voting on an electronic board, at a Council or a Committee meeting.
- 5.14.5 Clause 251(1) of the Regulation
- A Councillor who is present at a meeting of Council or a Committee member present at a meeting of a Committee but who fails to vote on a motion put to the meeting is taken to have voted against the motion.*
- 5.14.6 The above clause does not apply to a Councillor who does not vote because he or she has a pecuniary interest in the subject matter of the motion.
- Decisions of the Council
- 5.14.7 Section 371 of the Act
- A decision supported by a majority of the votes at a meeting of Council at which a quorum is present is a decision of Council.*
- 5.14.8 Section 374 of the Act
- Proceedings at a meeting of Council or a Council Committee are not invalidated because of:*
- (a) *a vacancy in a civic office, or*
  - (b) *a failure to give notice of the meeting to any councillor or committee member, or*
  - (c) *any defect in the election or appointment of a councillor or committee member, or*
  - (d) *a failure of a councillor or a committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with section 451, or*
  - (e) *a failure to comply with the code of meeting practice.*

Right to demand a division	5.14.9	Clause 251(3) of the Regulation  (3) <i>The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than 2 councillors rise and demand a division.</i>
Motion to Recommit	5.14.10	If prior to the completion of a meeting, a councillor considers that a decision made earlier is lacking in judgement or precision or any relevant consideration has been overlooked, the councillor may at any time seek leave from the chairperson to move a motion to recommit the item.
	5.14.11	If the motion to recommit is carried, the item shall be reconsidered.
Actioning the Decisions of Council	5.14.12	Except where otherwise required by the terms or clear intention of a resolution, effect will not be given to any resolution of Council until 9.30 am on the fifth calendar day after the date of the meeting at which the resolution was passed.
<b>5.15 Rescinding or Altering Resolutions</b>		
Notice of Motion to Rescind	5.15.1	Section 372 of the Act  (1) <i>A resolution passed by Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 and, if applicable, the council's code of meeting practice.</i>
Deferral of Actioning resolutions pending consideration of Rescission Motions	5.15.2	Section 372 of the Act  (2) <i>If notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.</i>
	5.15.3	If notice of motion to rescind a resolution is given by 9:30 am on the fifth calendar day after the meeting at which the resolution was passed, the resolution must not be carried into effect until the motion of rescission has been dealt with.
Negatived motion not to be considered without due notice	5.15.4	Section 372 of the Act  (3) <i>If a motion has been negatived by Council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this Code.</i>

- |   |        |  |
|---|--------|--|
| Signature of 3 Councillors required if less than 3 months   | 5.15.5 | Section 372 of the Act<br><br>(4) <i>A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been negated by Council, must be signed by three Councillors if less than three months has elapsed since the resolution was passed, or the motion was negated, as the case may be.</i>            |
| Subsequent negated motions and subsequent negated rescission motions not to be considered again within 3 months | 5.15.6 | Section 372 of the Act<br><br>(5) <i>If a motion to alter or rescind a resolution has been negated, or if a motion which has the same effect as previously negated motion, is negated, no similar motion may be brought forward within three months. This sub clause may not be evaded by substituting a motion differently worded, but in principle the same.</i> |
| Motions to alter or rescind may be moved on reports of Committees   | 5.15.7 | Section 372 of the Act<br><br>(6) <i>A motion to which this clause applies may be moved on the report of a Committee of Council and any such report must be recorded in the minutes.</i>   |
| Not applicable to motions of adjournment  | 5.15.8 | Section 372 of the Act<br><br>(7) <i>The provisions of this clause concerning negated motions do not apply to motions of adjournment.</i>  |
| When motions to alter or rescind are considered   | 5.15.9 | All Notices of Motion to rescind a resolution are to be determined at the next scheduled ordinary meeting of the Council. In the event the Mayor is of the opinion that the rescission motion needs to be dealt with more urgently, then the provisions of this code apply.  |

## 6 KEEPING ORDER AT MEETINGS

### 6.1 Responsibility and Authority for Keeping Order at Meetings

- |                         |       |  |
|-------------------------|-------|--|
| Chairperson keeps order | 6.1.1 | The Chairperson has both the responsibility and authority to ensure order at meetings.   |
|                         | 6.1.2 | The Chairperson, without the intervention of any other Councillor, shall ensure Councillors during debate relevantly keep to the matter before the meeting whether it be a motion, an amendment, a point of order or a personal explanation. |
|                         | 6.1.3 | Clause 255 of the Regulation   |

- (1) *The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.*
- (2) *A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.*
- (3) *The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.*
- (4) *The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.*

## 6.2 Points or Questions of Order

Examples of Points or Questions of Order

6.2.1 Some examples of points of order are:

- (a) personal remarks about other Councillors
- (b) departing from procedures contained within Council's Code of Meeting Practice
- (c) breaching Councils Code of Conduct
- (d) referring to irrelevant subject matter during the course of debate
- (e) improper decorum such as offensive language or behaviour
- (f) discussing matters not before the Council
- (g) factual errors

6.2.2 Examples which are NOT points of order are:

- (a) disagree with the opinion of another Councillor
- (b) disagreeing with a ruling by the Chair

## 6.3 Acts of Disorder

Examples of Acts of Disorder (the Act)

6.3.1 Clause 256 of the Regulation

- (1) *A councillor commits an act of disorder if the councillor, at a meeting of a council or a committee of a council:*
  - (a) *contravenes the Act or any regulation in force under the Act, or*
  - (b) *assaults or threatens to assault another councillor or person present at the meeting, or*

- (c) *moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or committee, or addresses or attempts to address the council or committee on such a motion, amendment or matter, or*
- (d) *insults or makes personal reflections on or imputes improper motives to any other councillor, or*
- (e) *says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or committee into contempt.*

6.3.2 In accordance with Clause 256 (1)(a) of the Regulation a Councillor commits an act of disorder if the Councillor, at a meeting of Council or a Committee displays conduct as described in Schedule 6A of the Act.

6.3.3 Schedule 6A of the Act

- 1 *Conduct that contravenes all or specified provisions of this Act or the regulations in all or specified circumstances; or*
- 2 *Conduct that is detrimental to the pursuit of the charter of a Council; or*
- 3 *Improper or unethical conduct; or*
- 4 *Abuse of power and other misconduct; or*
- 5 *Action causing, comprising or involving any of the following:*
  - (a) *intimidation, harassment or verbal abuse*
  - (b) *discrimination, disadvantage or adverse treatment in relation to employment*
  - (c) *prejudice in the provision of a service to the community*
- 6 *Conduct of a Councillor causing, comprising or involving any of the following:*
  - (a) *directing or influencing, or attempting to direct or influence, a member of the staff of the Council or a delegate of the Council in the exercise of the functions of the member or delegate*
  - (b) *an act of disorder committed by the Councillor at a meeting of the Council or a Committee of the Council*

Examples of Acts of Disorder – this Code

6.3.4 Further examples of Acts of Disorder are:

- (a) A Councillor commits an act of disorder if the Councillor, at a meeting of Council or a Committee fails to turn off a mobile telephone, or other electronic device, or attempts to use a mobile telephone when entering or in the Council Chambers or a Committee Room or any other location where a meeting of Council or a Committee of Council is being held.

Acts of Disorder at Committee meetings

6.3.5 The provisions of section apply to meetings of committees of the council in the same way as they apply to meetings of the council, in accordance with 270 of the Regulation.

## 6.4 Dealing with Disorder

How Chairperson may deal with disorder

6.4.1 Clause 256 of the Regulation

- (2) *The chairperson may require a councillor:*
- (a) *to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or*
  - (b) *to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or*
  - (c) *to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).*

*Note : Subclause (1) Examples of Acts of Disorder earlier in this Code.*

6.4.2 The chairperson may also require a councillor to cease the action ruled to be an act of disorder.

How the Council may deal with disorder

6.4.3 Clause 256 of the Regulation

- (3) *A councillor may, as provided by section 10 (2)(a) or (b) of the Act, be expelled from a meeting of a council for having failed to comply with a requirement under subclause (2). The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.*

6.4.4 No authority to expel a person is granted to the chairperson and it shall be necessary for the Council or Committee to decide if that person is to be expelled.

Adjournment as a result of Disorder 6.4.5 Clause 257 of the Regulation

(1) *If disorder occurs at a meeting of Council or a Committee, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. Council or the Committee, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This sub clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.*

Council may expel a member of the Public for disorderly conduct 6.4.6 Clause 257 of the Regulation

(2) *Council or a Committee may, as provided by Section 10(2) (a) or (b) of the Local Government Act 1993, expel a member of the public from a Council or Committee meeting on the ground that the member is engaging in or has, at the meeting, engaged in disorderly conduct.*

Provisions regarding disorder are also applicable at Committee meetings 6.4.7 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

## 6.5 Maintenance of Public Order at Meetings

Chairperson authority regarding public disorder 6.5.1 The chairperson presiding at any meeting of the Council or Committee may require any member of the public to leave the meeting if it is believed on reasonable grounds that the behaviour of that member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.

Examples of public disorder 6.5.2 Behaviour likely to prejudice orderly conduct includes:

- the person being dressed to a standard that is inappropriate for the meeting
- the display any sign at a meeting (including clothing) which, in the opinion of the chairperson, appears to attempt to influence any decision to be made at any meeting or makes comment on any Council matter
- the use of any electronic device including mobile phones, computers and recording devices
- attempting to address the meeting without permission

- verbal or physical action disrupting the conduct of the meeting.

## 6.6 Power to Remove Persons from Meeting after Expulsion

Power to remove Councillor or other person as a result of Council Resolution

6.6.1 Clause 258 of the Regulation

*If a Councillor or a member of the public fails to leave the place where a meeting of Council or Committee is being held:*

- (a) *immediately after the Council has passed a resolution expelling the Councillor or member from the meeting, or*
- (b) *where the Council has authorised the person presiding at the meeting to exercise the power of expulsion - immediately after being directed by the person presiding to leave the meeting,*

*a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place.*

6.6.2 For the purposes of this clause, the chairperson may authorise any person or persons to remove a person who has been expelled by a decision of the council.

6.6.3 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

## 7 MINUTES

### 7.1 Minutes

Accurate Minutes of Council and Committees are to be taken and signed

7.1.1 Section 375 of the Act

- (1) *Council and each Committee must ensure that full and accurate minutes are kept of the proceedings of each meeting of Council and of each Committee.*
- (2) *The minutes must, when they have been confirmed at a subsequent meeting of Council or a Committee of which all its members are Councillors, be signed by the Chairperson of that subsequent meeting.*

7.1.2 For the purposes of this clause, the chairperson may authorise any person or persons to remove a person



who has been expelled by a decision of the council.

- 7.1.3 In accordance with clause 270 of the Regulation, the provisions of this clause apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Matters to be recorded  
in Minutes

- 7.1.4 The General Manager must ensure that the minutes of Council meetings record:

Record	Provision
Details of each motion moved at a council meeting and of any amendments moved to it.	Clause 254 (a) of the Regulation
The names of the mover and seconder of the motion or amendment.	Clause 254 (b) of the Regulation
Whether the motion or amendment is passed or lost.	Clause 254 (c) of the Regulation
A disclosure of interest made at a meeting of a council or council committee.	Section 453 of the Act
The circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during the meeting of Council or a Committee, together with the names of the Councillors present.	Clause 233(3) of the Regulation
When a division on a motion is demanded, the names of those who vote for the motion.	Clause 251(4) of the Regulation
A councillor's dissenting vote if requested by that Councillor.	Clause 251(2) of the Regulation
Report by the General Manager on the proceedings of the confidential session.	This Code
Planning decisions - Whenever Council approves a development application contrary to the advice of staff, the resolution of approval must include a statement of dissent to place on the public record its reasons for departing from the staff advice.	This Code

Resolutions to Recommit - the original resolution of the item - the resolution to recommit the item - the final resolution for the item (in the same section of the minutes regardless of where in the meeting they individually occurred.	This Code
The names of all Councillors who voted in favour or against a motion or an amendment. The date, time and venue of the meeting. Names of the members present Apologies tendered and accepted Arrival and departure times of members The names and speaking periods of invited speakers.	This Code
Questions on Notice	This Code
Amendments not seconded are out of order and not required to be recorded in the minutes.	This Code

#### Minutes of Committees 7.1.5

The General Manager must ensure that the minutes of Committee meetings of which all members are Councillors record all of the items in the above Clause as well as:

- the recommendations of the staff.
- recommendations of the Committee that are to be submitted to Council.
- resolutions of the Committee made under delegated authority.

#### Alteration of Minutes 7.1.6

Any entries in the minute book found to be incorrect, must not be altered or erased. Any mistake or omission will be the subject of a resolution at, and recorded in the minutes of, a subsequent meeting.

- Format and Signature of Minutes 7.1.7 On each sheet of the Council or Committee minute book there will be placed a heading setting out:
- (a) the nature of the meeting;
  - (b) the date of the meeting; and
  - (c) the page number.
- 7.1.8 Immediately after the conclusion of the last minute of a meeting of Council there will be placed a certificate to be signed by the Chairperson of the meeting at which the minutes are confirmed in or to the following effect:
- "This is the final page of the Minutes comprising ..... pages numbered ..... to ..... of the ..... meeting of the (insert Council/.....Committee as appropriate) held on ..... and confirmed on .....
- .....  
 (This signature must be an original signature). Chairperson"
- 7.1.9 At the bottom of each page of the minutes of a meeting of the council or a Committee there will be placed a certificate signed by the Chairperson of the meeting when the minutes are confirmed or by the General Manager or his/her delegate if they are in attendance at the meeting when the minutes are confirmed, in/or to the following effect:
- "This is page number ..... of the Minutes of the ..... Meeting of the (insert Council/.....Committee as appropriate) held on .....
- .....  
 Chairperson"
- This certificate must be signed (personally or by rubber stamp facsimile of the person's signature affixed personally).
- Inspection of Original Minutes 7.1.10 Clause 272 of the Regulation
- (1) *An inspection of the minutes of Council or a Committee Meeting of which all its members are Councillors, is to be carried out under the supervision of the General Manager or an employee of Council designated by the General Manager to supervise inspections of those minutes.*

- (2) *The General Manager must ensure that the minutes of Council and any minutes of a Committee Meeting are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them.*

7.1.11 Copies of Minutes of the Council and Committees will be available on the website of the Council as part of the business paper for the subsequent meeting.

## 8 COMMITTEES

### 8.1 Committees of Council

Council May Appoint and Dissolve Committees

8.1.1 Section 375 of the Act

- (1) *A council may, by resolution, establish such committees as it considers necessary.*
- (2) *A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.*
- (3) *The quorum for a meeting of a committee is to be:*
- (a) *such number of members as the council decides, or*
  - (b) *if the council has not decided a number-a majority of the members of the committee.*

Functions of Committees

8.1.2 Clause 261 of the Regulation

*A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.*

8.1.3 A Committee cannot act outside the extent of the functions granted by Council as specified in the adopted Charter for that Committee.

8.1.4 If Council, by resolution, delegates authority to the Committee to make decisions, then any decisions made by the Committee under such authority will be decisions of Council. (in accordance with Section 49(6) of the NSW Interpretation Act 1987)

- Absence from Committee Meetings
- 8.1.5 (1) A member (other than the Mayor) ceases to be a member of a committee if the member:
- (a) has been absent from 3 consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
  - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- (2) Subclause (1) does not apply in respect of a committee that consists of all of the members of the council.
- Note: The expression "year" means the period beginning 1 July and ending the following 30 June. See the Dictionary to the Act*
- 8.1.6 For temporary absences, such as illness an alternate Councillor can be appointed to act in the place of the committee member. An alternate or acting member has the authority and role of the committee member. Alternate members would be elected or appointed under Clause 260 of the Local Government (General) Regulation, 2005, from among the Councillors. When acting as a committee member, an alternative member would form part of the committee's quorum.
- Procedure in Committees
- 8.1.7 Clause 265 of the Regulation
- (1) *Subject to subclause (3), each committee of a council may regulate its own procedure.*
  - (2) *Without limiting subclause (1), a committee of a council may decide that, whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote.*
  - (3) *Voting at a committee meeting is to be by open means (such as on the voices or by show of hands).*
- 8.1.8 The provisions of this Code shall apply to all Committees of Council unless otherwise specified in its Charter.

- |                                 |       |     |  |
|---------------------------------|-------|-----|--|
| Committees Reporting to Council | 8.1.9 | (1) | If in a report of a committee of the council distinct recommendations are made, the decision of the council may be made separately on each recommendation.   |
|                                 |       | (2) | The recommendations of a committee of the council are, so far as adopted by the council, resolutions of the council.   |
|                                 |       | (3) | If a committee of a council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the chairperson must: <ul style="list-style-type: none"> <li>(a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and</li> <li>(b) report the resolution or recommendation to the next meeting of the council.</li> </ul> |

## 9 MISCELLANEOUS

### 9.1 Matters not covered by this Code

- 9.1.1 Where at a Council meeting matters arise which are not provided for in this code, resort will be had to the rules, forms, and usages of the Legislative Assembly of New South Wales in force for the time being, so far as the same are applicable to the proceedings of the Council.

### 9.2 Confidential information not to be disclosed

- |                                      |       |                        |
|--------------------------------------|-------|------------------------|
| Disclosure and misuse of information | 9.2.1 | Section 375 of the Act |
|--------------------------------------|-------|------------------------|
- (1) *A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:*
- (a) *with the consent of the person from whom the information was obtained, or*
  - (b) *in connection with the administration or execution of this Act, or*
  - (c) *for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or*
  - (d) *in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or*
  - (e) *with other lawful excuse.*

*(1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.*

*(1B) Subsection (1A) does not apply to:*

- (a) the report of a committee of a council after it has been presented to the council, or*
- (b) disclosure made in any of the circumstances referred to in subsection (1) (a)-(e), or*
- (c) disclosure made in circumstances prescribed by the regulations, or*
- (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.*

### **9.3 Non – Official Recording of meeting of council or committee**

Electronic recording of meetings of council or committee prohibited without permission

9.3.1 Clause 273 of the Regulation

- (1) A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or committee.*
- (2) A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a council or a committee of a council for using or having used a tape recorder in contravention of this clause.*
- (3) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.*
- (3) In this clause, "tape recorder" includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.*

*NOTE: The power to expel by the Chairperson, under Section 10(2)(b) of the Local Government Act 1993, applies to this clause.*

## 9.4 Official Audio Recording of Council and Committee Meetings

- |  |       |  |
|--|-------|--|
| Recording of Meetings by Council secretariat staff                                 | 9.4.1 | Meetings of Council and Committees, may be audio recorded by the Council.  |
| Purpose of recordings of meetings  | 9.4.2 | The purpose of Audio recording meetings of Council and Committees is to ensure the accurate compilation of Minutes of those meetings and to verify their accuracy upon confirmation of those Minutes.  |
| Participants not protected by privilege  | 9.4.3 | Proceedings of meetings of Council or its Committees are not protected by "privilege". This exposes any participant to the possibility that they may defame another person. Were Council to reproduce any such defamatory statement it would leave itself open to a charge of defamation. For this reason, access by members of the public to audio recordings of meetings is subject to determination by the Public Officer in accordance with section 12 of the Local Government Act 1993.                           |
| Notice to speakers and meeting attendees regarding official recordings of meetings | 9.4.4 | At the commencement of each recorded meeting, the Chairperson is to make a statement to the effect that the meeting is being recorded. Prior to any address to a meeting by a member of the public, the Chairperson is to specifically counsel the speaker advising them to speak to the business before the meeting and to refrain from making personal imputations. The speaker is to be made aware that the audio recording is generally available to the public under section 12 of the Local Government Act 1993. |
|  | 9.4.5 | Appropriate signs shall be displayed in the Council Chamber (or any rooms utilised for audio recording of Council/Committee Meetings) alerting attendees to the fact that the proceedings are being recorded.  |
| Access to Official Recordings of Council and Committee meetings                    | 9.4.6 | Access to audio recordings (or requests for transcripts) by Councillors and members of the Public will be determined by the Public Officer in accordance with section 12 of the Local Government Act 1993 and WSC policy for Access to Audio Recordings of Council and Committee meetings.   |
| Destruction of recordings  | 9.4.7 | An audio recording will be destroyed at the expiration of seven years. The seven years will commence from day the original recording was made.   |



## 9.5 Council Seal

Use of Council seal      9.5.1      Clause 400 of the Regulation

- (4) *The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.*
  
- (5) *For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.*

**Draft**

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**Draft**

## 11 AMENDMENTS

### 11.1 Schedule 1

## CODE OF MEETING PRACTICE

<b>Adoption</b>	<b>Pages Amended</b>	<b>Date</b>
Adopted Code	NA	September 2003
Subsequent Amendment		
Updated entire Manual due to new regulations – (Local Government (General) Regulation 2005 – Adopted September 1 2005	All Pages	April 19 2006
Updated changes as per Council Report 529 October 26 2005 which included: Motions of Urgency Reports of Directors and General Manager Notices of Motion Deletion of Clause 22 (3)(c)	All Pages	April 19 2006
Major review with Mandatory Changes and changes recommended by the Department of Local Government	All Pages	9 May 2007
Updated changes as per Council Report 309 25 July 2007 which included: Election of Mayor – Calling of Extraordinary Meeting How Subsequent Amendments May be Moved	14 and 32	1 August 2007
Updated changes as per Rescission Motion 373 12 September 2007 which included: How Subsequent Amendments may be Moved. Election of Mayor – Calling of Extraordinary Meeting Speakers on Notice of Motion and Rescission Motions	14 and 32	12 September 2007
Updated changes as per Council Report 050 resolution of 13 February 2008 under Clause 22 Order of Business for Notices of Motion, Notices of Rescission and Motions of Urgency	26 and 27	12 March 2008
Various Amendments at request of Councillors	All pages	To be confirmed
Entire document review in conjunction with Department of Local Government Meetings Practice Note No 16 August 2009	All Pages	To be confirmed

## 11.2 Schedule 2

Matter – Section 10A	Restriction – Section 10B
(2)(a) personnel matters concerning particular individuals	(1)(a) Only for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
(2)(b) personal hardship of any resident or ratepayer	(1)(a) Only for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.	(1)(a) Only for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.  and  (1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*
(2)(d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of council, or	(1)(a) Only for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.  and  (1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*
(2)(d) commercial information of a confidential nature that would, if disclosed: (iii) reveal a trade secret	(1)(a) Only for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security.
(2)(e) information that would, if disclosed, prejudice the maintenance of law.	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*



Matter – Section 10A	Restriction – Section 10B
(2)(f) matters affecting the security of the council, councillors, council staff or council property	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*
(2)(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*  and  (2) advice must concern legal matters that: (a) are substantial issues relating to a matter in which the council is involved (b) are clearly identified in the advice, and (c) are fully discussed in that advice
(2)(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest.*
(3) so much of its meeting as comprises a motion to close another part of the meeting.	(3) must not include any consideration of the matter or information to be discussed

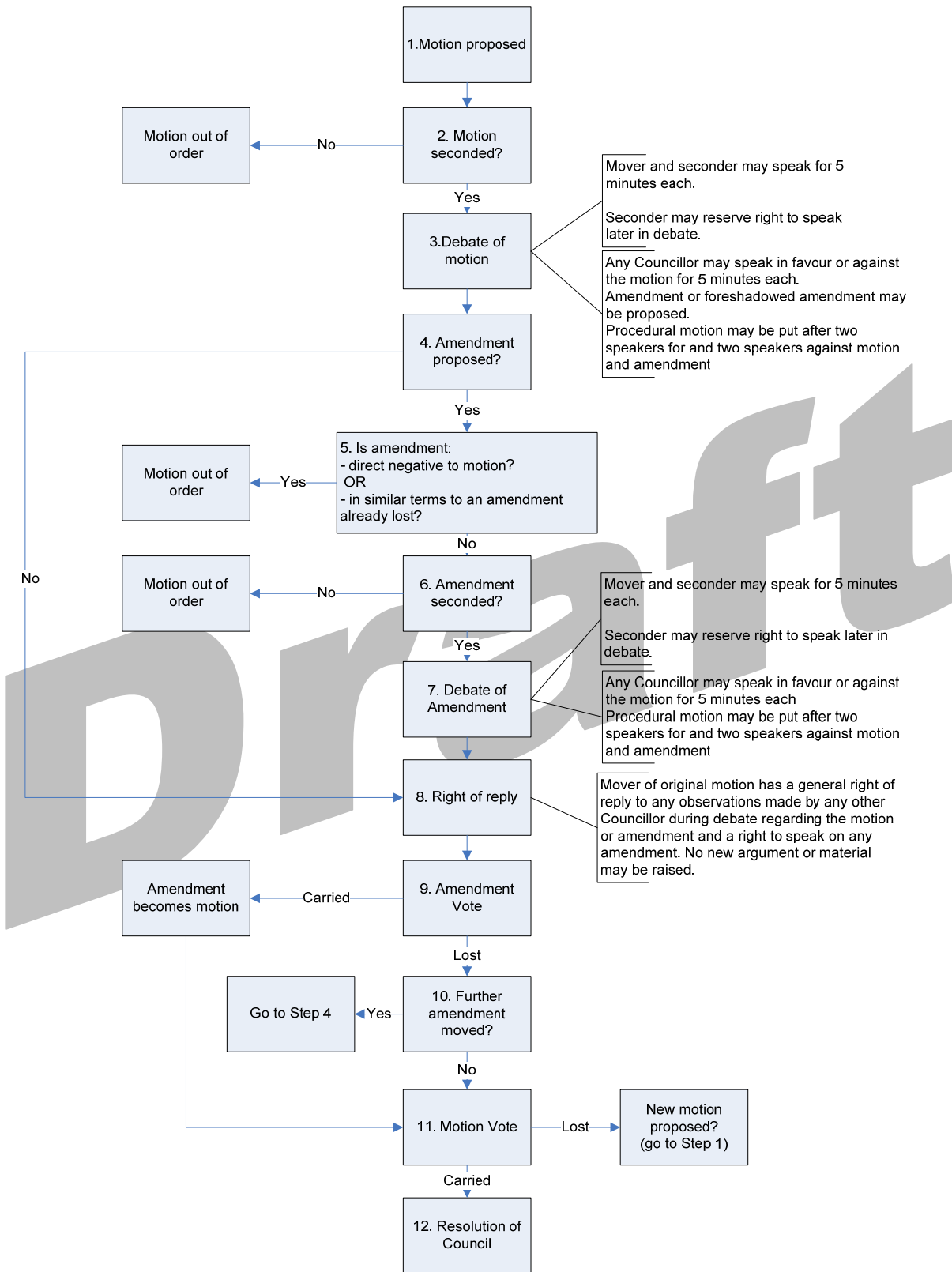
\* Determining Public Interest

When determining whether it would be in the public interest to close part of a meeting it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion,
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

11.3 Schedule 3

Motions and Amendments





## Wyong Shire Council Quarterly Report

October - December 2010

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Value of Tourism to the Central Coast and Wyong Shire	p 3
Key Achievements.....	p 5
Key Deliverables.....	p 7
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Value of Tourism to the Central Coast and Dobbell Area Tourism Employment



Tourism delivers \$762 million in expenditure to the Central Coast annually\*  
 Tourism employs almost three thousand people in Wyong

**Eora**  
**ted**  
**Dobbell**

COMPOSITION OF RESIDENTS' EMPLOYMENT

Industry Sector	Employment (full-time equivalent)	% of total Employment	National Average
<b>Tourism</b>	2,924	5.2%	5.7%
Accommodation/Casinos/Gambling	430		
Cafes/Restaurants/Pubs/Clubs/Taverns	501		
Tourism retail	923		
Tourism-related transport	275		
Other tourism	795		
<b>Transport (non tourism-related)</b>	1,548	2.8%	2.5%
Air/Water	75		
Road/Vehicle hiring	1,080		
Rail	393		
<b>Other</b>	51,392	92.0%	91.8%
Manufacturing (non tourism-related)	5,527	9.9%	11.0%
Agriculture/Forestry/Fishing	604	1.1%	3.9%
Mining	188	0.3%	0.9%
Other	45,073	80.7%	76.0%
<b>TOTAL</b>	<b>55,864</b>	<b>100%</b>	<b>100%</b>

\*Source: National Visitor Survey, year ended June 2010

## Central Coast Tourism Key Achievements



Creation of the first ever Destination Management Plan for the Central Coast region
Complete overhaul of membership structure resulting in an additional 97 new members
Central Coast Tourism organisational restructure refocusing key roles on industry engagement, including the creation of membership service and business development roles
Enacted a new Constitution increasing the representation of skills based positions and industry members on the Board
Establishment of an MOU with both Wyong Shire Council and The Entrance Town Centre Management for the provision of tourism services for the Central Coast



Central Coast Tourism / Wyong Shire Council MOU Key Deliverables



Deliverable	Status	Comment
1. Apply recurrent funding from Wyong Shire Council to deliver actions in Destination Management Plan (DMP)	Achieved & ongoing	Some priority projects within DMP already achieved - see page 11 for details
2. Deliver and support accredited visitor services in Central Coast region	Achieved & ongoing	MOU agreed with TETCM; regular meetings held; formal BookEasy training completed; familiarisation programs planned
3. Promote tourism and events in Wyong Shire and include in quarterly reports to Council	Achieved & ongoing	Events assistance and promotion provided to numerous Wyong Shire events – see page 32
4. Lead implementation and review of the DMP	Achieved & ongoing	Central Coast Tourism continues to increase awareness of DMP and lead implementation of actions

## Central Coast Tourism/ Wyong Shire Council MOU Key I



<b>Deliverable</b>	<b>Status</b>	<b>Comment</b>
5. Develop annual Business Plan based on DMP and submit to WSC by 30 Sept 2010	Completed	Business Plan submitted 25 Oct 2010
6. Within 2 months of end of each quarter, provide WSC with progress report against actions in DMP and tourism/event activity in Wyong Shire	Completed	This is the report due 28 <sup>th</sup> February. Next reports due 31 May and 31 Aug 2011
7. Provide a tax invoice to WSC in first business week of each quarter for amount of recurrent funding for that quarter	Completed	8 Oct invoice sent 1 Oct 2010 Invoice due 7 <sup>th</sup> Jan attached. Next invoice due 8 April 2011





Central Coast Tourism/ Wyong Shire Council MOU Key Deliverables



Deliverable	Status	Comment
8. Notify Council in writing of any urgent or contentious issues that may place Council at risk	Completed	No issues
9. Provide Council a final report of how CCTI met obligations under MOU and audited financial statement by 31 Oct 2011	Pending	Will be provided October 2011 as per terms of the MOU
10. Secure public liability & workers compensation insurance	Completed	Public Liability \$20M: QBE Policy #140A489330BPK (exp. 22/8/2011) Workers Compensation: GIO Policy #WC198052157 (exp. 30/6/2011)

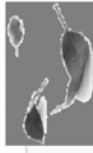


## Destination Management Plan Report



### Priority 1: Activate the Waterfront

- Working closely with Gosford City Council on the draft Local Environmental Plan to assess current planning guidelines to ensure they encourage sustainable tourism development along waterfront areas. Full presentation was made to Gosford Council on 4 August. Will work with Wyong Shire Council as Wyong LEP is reviewed in 2011.
- In conjunction with Regional Development Australia, NSW Industry & Investment, Gosford City Council and Wyong Shire Council, CCT is leading the development of a Regional Tourism Investment & Infrastructure Plan for the Central Coast. Consultant commissioned, literature review completed. Prioritization of infrastructure projects planned for January-March.
- Repositioned the Central Coast brand to align to the Destination Management Plan Brand Blueprint. Brand vision confirmed as “The Central Coast will be recognised as NSW’s premier waterfront lifestyle destination.”
- Facilitating The Entrance revitalization and enhancement steering groups and assisting applications for funding through NSW Industry & Investment.



### Priority 2: Enhance and promote the lifestyle and culture of the Central Coast

- Repositioned the Central Coast brand and implemented marketing campaigns targeting short breaks from Sydney and fully redeveloped and launched the [visitcentralcoast.com.au](http://visitcentralcoast.com.au) website.
- Have created a local discount pass for attractions and tour operators which will feature in the new regional guide.
- Implemented a \$70,000 conferencing and business events campaign to offset shoulder season declines which generated over 1,000 conference leads directly to members.
- Launched The Legendary Pacific Coast touring route with a \$200,000 campaign in the Sydney market utilizing the Triple M Grill Team morning crew to undertake a road trip from Sydney to Brisbane featuring outside broadcasts at destinations along the route. [www.pacificcoast.net.au](http://www.pacificcoast.net.au) launched and iPhone app released.





### Priority 3: Attract and grow hero, business and tourism events


- Restructured Central Coast Tourism and created a new position of Central Coast Events Manager
- Commissioned the development of a Central Coast events strategy which was finalised and released in November.
- Held the Central Coast Events Summit at Mingara on 18 October which was attended by over 60 event coordinators and facilitated by Central Coast Tourism and Tourism NSW.
- Assisted a number of events in securing grants under the Tourism NSW Regional Flagship Events program. The Central Coast 5 Lands Walk and Peats Ridge Sustainable Music Festival were recently announced as successful applicants.
- Formed a Central Coast Event Alliance consisting of event coordinators, Council event managers and Central Coast Tourism to better plan for, coordinate and schedule events on the Coast
- Begun investigation into a potential hero event for the Central Coast.



#### Priority 4: Improve partnerships, packaging and accessibility

- Held joint Central Coast and Hunter Tourism awards in Newcastle in September. The 2011 awards will be held on the Central Coast. Bluetongue Brewery identified as a possible venue.
- Established MOU's with both Councils for the implementation of the Destination Management Plan.
- Improved partnerships with membership and industry through regular marketing meetings, networking functions, e-news, training and membership services.
- Facilitating an accessible tourism precinct working group for the Northern Lakes area in conjunction with local stakeholders, Wyong Shire Council and the community.
- Provided opportunities for Central Coast Tourism members to attend product and packaging workshops.



Support Delivered to Wyong Shire & The Entrance Town Centre	
<ul style="list-style-type: none"> <li>Increased awareness for accessible tourism products and services in the Wyong Shire by attending the Disability Expo at Mingara Reserve</li> </ul>	
<ul style="list-style-type: none"> <li>Engaged with Wyong Shire business and key stakeholders for the Central Coast Infrastructure needs - Literature Review</li> </ul>	
<ul style="list-style-type: none"> <li>Participated in the development of the Central Coast Social Enterprise Strategy</li> </ul>	
<ul style="list-style-type: none"> <li>Provided onsite BookEasy training to TETCM</li> </ul>	
<ul style="list-style-type: none"> <li>Created &amp; managed Ourimbah Campus 2010 Science &amp; Eng Challenge website</li> </ul>	
<ul style="list-style-type: none"> <li>Provided support for Central Coast Tourism and TETCM transition period of running The Entrance VIC</li> </ul>	
<ul style="list-style-type: none"> <li>Provided tourism businesses in Wyong Shire training for BookEasy via phone, Kariong training sessions and onsite</li> </ul>	
<ul style="list-style-type: none"> <li>Implemented open invitation program to Toukley District Arts Society and TETCM to attend site familiarisations and product update opportunities</li> </ul>	
<ul style="list-style-type: none"> <li>Collated bookings activity and report for TEVIC team</li> </ul>	
<ul style="list-style-type: none"> <li>Introduced tourism display stand at Borders Westfield Tuggerah</li> </ul>	
<ul style="list-style-type: none"> <li>Held the Central Coast Events Summit for event coordinators based in Wyong Shire</li> </ul>	

Central Coast Tourism Facilitated Accommodation Bookings  
for Wyong Shire Tourism Operators  
Membership Year  
April-December 2010

Name	Membership Level	Membership Cost	Total Apr-Dec 2010	ROI
A Paradise Park Cabins	Regional	\$396.00	\$0.00	0.00%
Allamanda Retreat	Regional	\$396.00	\$935.00	236.11%
Al Mare Beachfront Retreat	Regional	\$396.00	\$0.00	0.00%
Beachfront at Blue Bay	Regional	\$396.00	\$1,150.00	290.40%
Big 4 Monterey Tourist Park	Regional	\$396.00	\$0.00	0.00%
Blue Lagoon Beach Resort	Regional	\$396.00	\$2,312.00	583.83%
Central Coast Holiday Parks	International	\$0.00	\$2,048.50	2048.50%
Chittaway Motel	Regional	\$396.00	\$0.00	0.00%
The Coachman Motor Inn	Regional	\$396.00	\$905.00	228.53%
El Lago Waters Resort	National	\$1584.00	\$0.00	0.00%
Hibiscus Lakeside Motel	Regional	\$396.00	\$1,040.00	262.62%
Kims Beach Hideaway & Toowoona Bay Cottages	National	\$1584.00	\$580.00	36.62%
Lake Front Motel	Regional	\$396.00	\$1,522.00	384.84%
Lake Haven Castle Cottage	Regional	\$396.00	\$0.00	0.00%
Lavender House by the Sea	Regional	\$396.00	\$430.00	108.59%
Mantra Kooindah Waters Golf & Spa Resort	National	\$1584.00	\$664.00	41.92%
Norah Head Lighthouse Reserve Trust	National	\$0.00	\$70,555.00	70555.00%
Norah Head Lighthouse Tours	National	\$0.00	\$1,486.00	1486.00%
Oaks Waterfront Resort	Regional	\$396.00	\$3,392.00	856.57%
Ocean Front at The Entrance	Regional	\$396.00	\$12,173.00	3073.99%
Quay West Resort, Magenta Shores	National	\$1584.00	\$1,733.00	109.41%
Shelly Beach Cabins	National	\$1584.00	\$969.00	61.17%
Sun Valley Tourist Park	Regional	\$396.00	\$0.00	0.00%
The Beachcomber	Regional	\$396.00	\$0.00	0.00%
The Reef Resort - The Entrance	Regional	\$396.00	\$0.00	0.00%
Two Shores Holiday Village	Regional	\$396.00	\$2,100.00	530.30%
Waldorf Apartment Hotel - The Entrance	Regional	\$396.00	\$5,605.00	1415.40%
Camp Breakaway REFERRAL ONLY	Regional	\$396.00	N/A	N/A
Dunleith Tourist Park REFERRAL ONLY	Regional	\$396.00	N/A	N/A
Lakeview Tourist Park REFERRAL ONLY	Regional	\$396.00	N/A	N/A

14

Bookings -  
Accommodation  
in  
Wyong Shire  
Year to Date  
December 2010





## Media Exposure for Wyong Shire Oct-Dec 2010



**Media Visits:** Crave China Media Group – November  
Treetops Adventure Park

**Marketing Initiatives – The Legendary Pacific Coast Touring Route:**  
Launched Legendary Pacific Coast Touring Route in November with two of the three legend’s being located in the Wyong Shire area – The Pelican Feeding at The Entrance and Norah Head Lighthouse.

**Radio Promotion:** 2UE Sydney  
Partnered with the DVD release of South Solitary to run a two week promotion in December on Radio 2UE to win a stay at the Norah Head Lighthouse.

Central Coast Tourism Media Releases for Wyong Businesses Oct-Dec 2010



**Media Releases:**

**Eight Things to Do in October:**

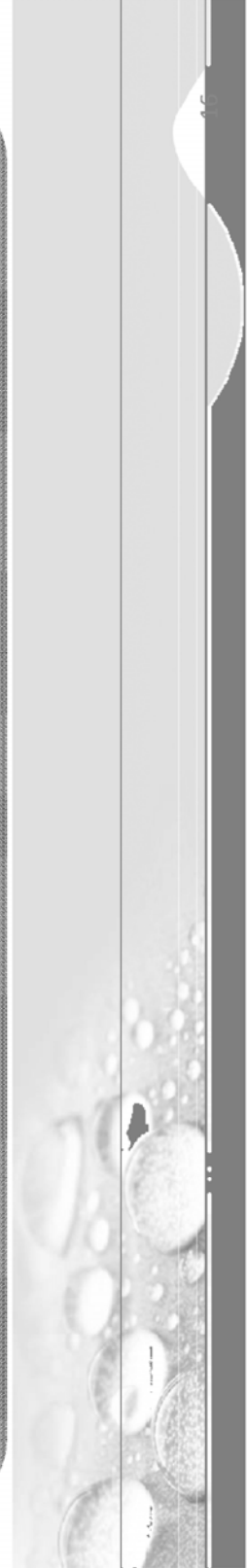
- The Entrance Farmers Markets
- Chromefest
- Mingara

**Last Call to Exploit Special Offers:**

- Mingara Recreation Club
- Shelly Beach Golf Club
- Tuggerah Lakes Mardi Gras Festival.

**Its Ho Ho Ho-liday Season on the Central Coast:**

- Lake Haven Shopping Centre
- Westfield Tuggerah
- Mingara Recreation Club
- New Years Eve, The Entrance



## Quotations for Conference Business in Wyong Shire Oct-Dec 2010



Pitched Wyong Shire operators to host the following conferences:

AFT Directors Meeting – El Lago Resort  
(Sydney venue was chosen for conference)

Easton Creative Conference – Mingara, Mantra Kooindah Waters, Quay West  
Magenta Shores, El Lago Resort, Coastal Liner  
(South Australia was chosen as the destination for the conference).

## Accessible Tourism Precinct” Assistance in Wyong

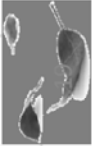


- Participation on the committee for the Northern Lakes Disability Precinct.
- Attended the Disability Expo held at Mingara Recreation Club.
- Creating website [www.accessibletourism.com.au](http://www.accessibletourism.com.au) to showcase Lakes Beach Project, Audit for disability services and accessible activities, accommodation and attractions in the Wyong Shire LGA.
- An invitation has been sent to Simon Darcy – Senior Professor in Leisure Sport and Tourism at the University of Technology Sydney- Australia’s foremost academic on accessible/disability tourism to attend a committee meeting. Simon has accepted the offer to attend and a date is to be confirmed.

Northern Lakes Precinct  
Accessible / Disability Tourism Initiative

Central Coast Tourism Site Inspections in Wyong Shire in Oct-Dec 2010

The Entrance Town Centre Management & VIC	
Yarramalong Macadamia Nut Farm	
Quay West Resort Magenta Shores	
Mantra Kooindah Waters	
Mingara Recreation Club	
Treetop Adventure Park	
Amazement	
Kims Beach Hideaway	
Westfield Tuggerah	
Central Coast Cottages at Toowoan Bay	



## Central Coast Tourism Participation in Industry meetings in Wyong Shire during 2010

✓Wyong Shire Council presentation
✓Business Enterprise Centre
✓NSW Business Chamber
✓Central Coast Training Group (Greg Best)
✓Craig Thomson
✓Mariners development in Wyong Shire
✓Northlakes Toukley Rotary (Halekulani Bowling Club)
✓The Entrance Peninsula Community Precinct Committee
✓Wyong Chamber of Commerce
✓The Entrance Town Centre Management & VIC
✓Regional Development Australia Central Coast
✓Central Coast Events Alliance inaugural meeting
✓Friends of Central Coast Campus (at Wyong Campus)
✓Innovations Festival
✓Norah Head Lighthouse Trust
✓Central Coast Business Showcase at NSW Parliament House
✓Central Coast Sports Federation
✓Restaurant & Catering Awards
✓The Entrance Revitalization project



## Central Coast Tourism Participation in Industry meetings in Wyong Shire during 2010

✓ Central Coast Spotlight & Australian Bureau of Statistics meeting at NSW Business Chamber
✓ Booth at B2B Buy Local Festival 13 May – Wyong Race Course
✓ Represented at Focus on the Coast Forum held at RDA (Climate Change for Business)
✓ Represented at Focus on the Coast Forums held at RDA (Arts and Culture)
✓ Wyong Shire Council Performing Arts Presentation
✓ Development of a Central Coast Social Enterprise Strategy
✓ Met with Sunset Scenic Tours – potential new tourism product for The Entrance area
✓ Bendigo Bank Youth Forum – Wyong Council
✓ Youth Connections re Northern Lakes Disability Tourism Precinct Committee projects
✓ SLSC CC (Chad Griffith) regarding promotion of Surf Clubs
✓ Dive operators meeting at Kariong with Pro Dive, Killarney Vale attending
✓ Launch of the 10 Big ideas for the Central Coast
✓ Sports Events strategy
✓ Friends of Central Coast Campus (at Wyong campus)
✓ Central Coast Infrastructure Needs – Literature Review



## Central Coast Tourism Promotions of Wyong Events Oct-Dec 2010

Through [www.visitcentralcoast.com.au](http://www.visitcentralcoast.com.au), as well as Social Media (Twitter and Facebook), [visitnsw.com](http://visitnsw.com) and iMag editorial:

- Pelican feeding at The Entrance
- Weekend & holiday entertainment at The Entrance
- Kids School Holiday Activities
- Norah Head Lighthouse Tours
- 2010 Tuggerah Lakes Mardi Gras Festival
- 2GO Kids Day Out, Bateau Bay
- Live entertainment every weekend, Mingara
- Christmas Trading Hours (Lake Haven, Westfield Tuggerah & Stockland Bay Village)
- Chromefest 2010, The Entrance
- Carols by Candlelight, The Entrance
- New Years Eve Celebrations, The Entrance
- SuperJam at The Dam, North Wyong
- Central Coast Disability Expo, Mingara
- Christmas at The Bay, Toowoong Bay
- The Entrance Farmers Market
- Mingara Christmas Under The Stars





Central Coast Tourism Promotions of Wyong Events Oct-Dec 2010

Through [www.visitcentralcoast.com.au](http://www.visitcentralcoast.com.au), as well as Social Media (Twitter and Facebook), [visitnsw.com](http://visitnsw.com) and iMag editorial:

<p><i>The Customer Service and Sales Team also compiled a range of comprehensive guides for the holiday season and major events, which included promoting events right across the Central Coast:</i></p>	<ul style="list-style-type: none"> <li>• Central Coast Gig Guide – a list of upcoming major musical and performing acts</li> <li>• Melbourne Cup Day 2010</li> <li>• Complete guide to Christmas on the Central Coast</li> <li>• Church Services Christmas 2010</li> <li>• Central Coast Christmas Day Dining Guide</li> <li>• Complete guide to New Years Eve on the Central Coast</li> </ul>
--	--



## Existing Central Coast Tourism members at 1st April 2010 (Wyong)

A Paradise Park Cabins	Ocean Front Motel	Tour de Long Jetty
Budgewoi Holiday Park	Quay West Magenta Shores	Treetop Adventure Park
Camp Breakaway	Shelly Beach Cabins	Two Birds Gallery
Canton Beach Holiday Park	Sun Valley Tourist Park	Pro Dive
Chittaway Motel	Toowoan Bay Holiday Park	Wyong District Museum
El Lago Waters Resort	Two Shores Holiday Village	The Entrance Arts & Craft Markets
Kims Beach Hideaway	Waldorf Apartments	Warnervale Air
Toowoan Bay Cottage	Diggers @ The Entrance	Westfield Tuggerah
Lake Front Motel	Mingara Recreation Club	Burbank Nurseries
Lake Haven Castle Cottage	The Greens The Entrance	Centrum Printing
Lake House B&B	Shelly Beach Golf Club	Hunter Institute TAFE
Lakeview Tourist Park	A Dozen Roses	Keen 2 Tour
Lavender House B&B	Amazement	NSW National Parks & Wildlife
Dunleith Caravan Park	Cedar Park Lavender Farm	Red Baron Tours
Hibiscus Lakeside Motel	Chipmunks Tuggerah	Surf Life Saving Central Coast
Mantra Kooindah Waters	Long Jetty Catamaran Hire	Terry McDermott Surf Coaching
Norah Head Holiday Park	Norah Head Lighthouse	
Oaks Waterfront Resort	Springfield Trails	




Total: 52

## New members to Central Coast Tourism to 31 Dec 2010 (Wyong)

Al Mare Beachfront Retreat	Bang Rak Thai	Healing Haven
Allamanda Retreat	Chang Thai @ The Entrance	The Entrance AMCAL Chemist
The Beachcomber	The Coffee Club	Lakeside Dry Cleaners
Beachfront at Blue Bay	Cold Rock Ice Cream	Annexe's Galore
Big 4 Lake Macquarie	Michel's Patisserie	Adventure Golf Mingara
Blue Bay Caravan Park	Ming Dragon	Yarramalong Macadamia Farm
Buccaneer Motel	The Entrance Ice Creamery	Greater Toukley Vision
Boutique B&B Group	The Entrance Kebab King	Rotary Club of the Entrance
Bateau Bay B&B	Lake Haven Shopping Centre	Toukley Chamber of Commerce
The Coachman Motor Inn	Adrift Surf	Wyong Regional Chamber
Forresters Beach B&B	Borders Books	Ecomist
Rijdale B&B	Fashion Array	First National Real Estate
Orana Holiday Units	Maddie's Boutique	Zenith Tuggerah P/L
The Entrance Reef Resort	Miss Devine Collections	Business 2 Business
Waterfront Tourist Park	Richard's Old Bookshop	Leela Thai Massage
Club Toukley	6S Health	Red Bus Coach Service
Doyalson Wyee RSL Club	Coco for Beauty Therapy	Coastal Liner
Coastal Limousines	Dezire Hair & Fashion	Gorgeous Please, Hair Design
B2B with a Twist		Stockland Bay Village

Total: 56 New Wyong Shire Members

Member Comparison: Sep 09-Dec 10 (all Central Coast)				
ACCOMMODATION MEMBERS	Total operating on the Coast	Member of CCT Sept 2009 (34.9% of market)	Member of CCT Dec 2010 (55.21% of market)	
Property Type:				
Cabin Parks	24	19	20	
B&B & Self Contained	70	15	35	
Hotel / Resorts	28	11	21	
Motels	35	10	13	
Pub Stays/Backpackers	6	2	1	
<b>TOTAL</b>	<b>163</b>	<b>57</b>	<b>90</b>	
Clubs	Total operating on the Coast	Member of CCT Sept 2009 (19% of market)	Member of CCT Dec 2010 (28.57% of market)	
Registered Clubs	42	8	12	
Restaurants & Cafes	Total operating on the Coast	Member of CCT Sept 2009 (11% of market)	Member of CCT Dec 2010 (15.92% of market)	
Restaurants	201	23	32	



### Visitor Information Centre Bookings Nov-Dec 2010

Bookings - 2010	Nov 10 #Nov-10 \$18,865.00	55	Dec 10 #Dec-10 \$16,014.00	37	YTD Jul-Dec 10 \$121,271.00
Bookings - 2009	Nov 09 #Nov-09 \$30,143.00	81	Dec 09 #Dec-09 \$34,119.00	69	YTD Jul-Dec 09 \$151,696.00
Comparison %	<b>-37%</b>		<b>-53%</b>		<b>-20%</b>
<b>Bookings by Centre</b>	Nov 10 #Nov-10		Dec 10 #Dec-10		YTD Jul-Dec 10
The Entrance VIC	\$2,871.00	13	\$379.00	2	\$9,189.00
Gosford VIC	\$178.00	1	\$0.00	0	\$723.00
Kariong VIC	\$13,758.00	34	\$13,474.00	27	\$97,132.00
Internet / Online	\$2,058.00	7	\$2,161.00	8	\$14,132.00
<b>Total</b>	<b>\$18,865.00</b>	<b>55</b>	<b>\$16,014.00</b>	<b>37</b>	<b>\$121,176.00</b>

Visitor Information Centre Door Counter Statistics Nov-Dec 2010

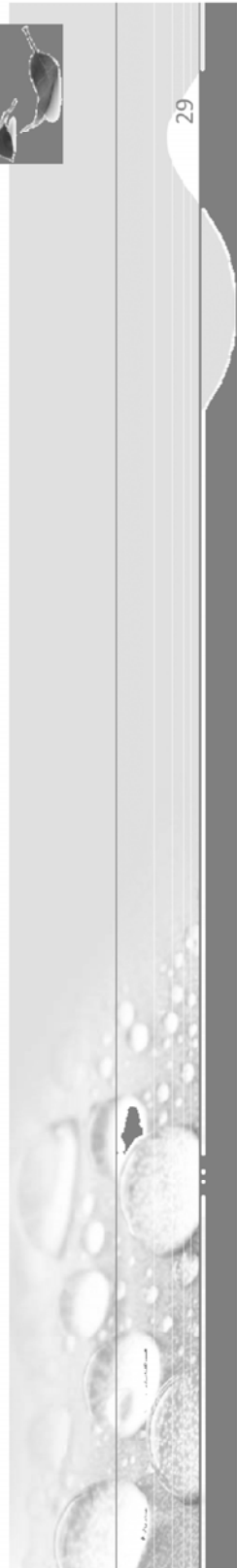
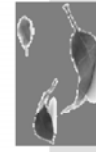
Kariong VIC	Nov 10 2182	Dec 10 3073	YTD Jul-Dec 10 13018
	Nov 09 2371	Dec 09 2903	YTD Jul-Dec 09 15390
Comparison %	<b>-8%</b>	<b>6%</b>	<b>-15%</b>
Gosford VIC	Nov 10 1089	Dec 10 997	YTD Jul 10-Dec 10 6363
	Nov 09 982	Dec 09 1230	YTD Jul 09-Dec 09 6870
Comparison %	<b>10%</b>	<b>-19%</b>	<b>-7%</b>

\* Door counter statistics for The Entrance VIC not available

Mail outs & Distribution Packs from Visitor Centre Nov-Dec 2010



	Nov-10	Dec-10
Mail outs & Distribution Packs	196	155
Email & online enquiries & Info pack requests	151	132



## Summary

Central Coast Tourism has developed a new strategy for the destination, as well as the organisation and moved definitively to enact change and improve its engagement with the industry.

The Destination Management Plan has served to increase the awareness of the value of tourism to the Central Coast and laid a platform for stakeholder engagement.

Central Coast Tourism is delivering measurable results to the tourism industry and now plays a central role to policy formation in tourism and economic development planning efforts with RDA, councils, TNSW, NSW Industry and Investment.

The Central Coast tourism industry requires further investment, prioritisation and resourcing to drive economic development on the coast.

An extension of the MOU with Wyong Shire Council for a period of 3 years, in line with the Destination Management Plan, is critical to deliver certainty and a strategic approach to tourism for the future.