

# REVIEW REPORT

## THE LOCAL GOVERNMENT [PROCEEDINGS OF COUNCILS] REGULATIONS 1984

The review of the Local Government [Proceedings of Councils] Regulations has been undertaken by Optimum Consulting and Training Services for the Office of Local Government in association with the introduction of the Local Government Act 1999 [the Act].

The aim of the review has been to develop recommendations for regulations for the proceedings of council and council committee meetings that reflect the objects of the Local Government Act 1999, Section 3 [b], [c], & [d];

- *To encourage the participation of local communities in the affairs of the local government and to provide local communities, through their councils, with sufficient autonomy to manage the local affairs of their area; and*
- *To provide a legislative framework for an effective, efficient and accountable system of local government in South Australia; and*
- *To ensure the accountability of councils to the community.*

And, the objective of a council included in section 8[a];

*that a council must, in the performance of its roles and functions provide open, responsive and accountable government.*

The following recommendations have been developed within the policy aims of the Local Government Act 1999 in relation to council and council committee meetings that;

- *Meetings of council and council committees should reflect open, transparent decision-making;*
- *Provisions for committee procedures should be sufficiently flexible to protect the rights of citizens when regulatory activities are undertaken and to encourage participation in community management committees, with levels of formality and reporting appropriate to the nature and scope of their responsibilities;*
- *Processes which encourage onto the agenda issues and problems identified as requiring the attention of council.*

The recommended policy aims for the regulations are;

- *Statutory procedures which are certain enough to give the community and elected members confidence in the deliberations of the councils and regulatory committees;*

- Meeting processes which are only as formal as necessary to enable councils and committees to conduct the business entrusted to them in an effective, representative and transparent way.

### **Process of the review**

The review has been undertaken in consultation with a reference group of elected members and officers from a range of councils, representatives of the Office of Local Government and the Local Government Association.

The members of the reference group were:

Cr Ray Agnew	DC Yorke Peninsula
Mayor Anita Aspinall	Adelaide Hills Council
Ms Susan Law	City of Charles Sturt
Mr Fred Pedler	City of Port Lincoln
Cr Karen Possingham	City of Burnside
Ms Susan Renner	Adelaide City Council
Ms Ione Brown	Office of Local Government
Mr Noel Crowe	Office of Local Government
Mr Ken Coventry	LGA representative
Mr Brian Clancey	LGA representative

The methodology of the review included consultation with councils and individuals with experience in the application of the current Regulations. Responses were received from the:

City of Adelaide	District Council of Mt Remarkable
District Council of Barunga West	City of Prospect
City of Burnside	City of Playford
City of Campbelltown	City of Port Lincoln
District Council of Grant	City of Salisbury
City of Mitcham	District Council of Yorke Peninsula
District Council of Mt Barker	City of Whyalla
The Town of Gawler	City of West Torrens

The comments and suggestions of the councils were taken into account in development of the recommendations. Prior to consideration of the draft recommendations by the reference group comments were sought from the members of the LGA State Executive.

The responses from the consultations indicated that generally councils found the current regulations workable. Anecdotal evidence however suggests that in some respects the Regulations may not always be complied with.

An overview of the requirements in other States for the conduct of meetings of council and council committees was undertaken. Consideration was also given to the historical development of local government meeting procedures in South Australia [see Appendix 1]

Particular attention has been paid in the course of the review to the effect of Section 199 authorities becoming council committees as proposed under clause 24 of the Local Government [Implementation] Bill 1999, currently before Parliament. [see Appendix 2] The pattern proposed for committees is deliberately designed to ensure that these committees can continue to function with the minimum of formality consistent with their nature and purpose. Separately from these regulations, transitional provisions are being made to ensure the changeover can be smooth.

## Review Recommendations

### *The approach*

During the course of the review it has become apparent that in some respects the meeting procedures adopted by some councils may not always comply with the existing relatively prescriptive Regulations. In many cases this does not present problems. In some cases, however, non-compliance with prescribed procedures may be in conflict with the principles underlying them.

The review recommendations are designed to address this problem by providing a degree of flexibility in relation to some requirements, while drawing attention to the underlying principles which should inform all practices adopted.

The proposals for regulations thus recognise both the common principles affecting the conduct of meetings, and the diversity of councils in South Australia. They also seek to recognise that there are important differences between what different council committees may be asked, or empowered, to do.

The policy framework outlined above envisages that the following principles should apply to meeting procedures set out in the regulations and to those adopted locally, and these principles are **recommended** for inclusion in the regulations:

- Procedures adopted should contribute to open, transparent, informed decision-making.
- Procedures adopted should encourage community participation in the affairs of the council.
- Procedures adopted should reflect levels of formality appropriate to the nature and scope of the responsibilities exercised.
- Procedures adopted should be certain enough to give the community and decision-makers confidence in the deliberations undertaken.
- The rights of citizens recognised by the common law rules of procedural fairness should be recognised in meeting procedures in particular those adopted for regulatory activities.

### *Organisation of recommendations*

The first three sections of the recommendations, which follow, address new regulations for meeting procedures for councils and council committees. A fourth section addresses the provision of further information and other forms of support to councils as they move into implementation of these aspects of the new legislation.

The first section contains general recommendations, proposing that the regulations should be in two parts, the first applying to councils, to council committees performing regulatory activities, and to those committees to which the council resolves to apply this Part. Regulations in the second Part are intended to be the minimum requirements for all other council committees.

The second section contains specific recommendations as to provisions in each Part of the regulations, combining core and discretionary requirements for councils and regulatory committees, and greatly simplifying those which may be applied to non-regulatory, especially community-based, committees.

The third section contains definitions of key terms in meeting procedures recommended in order to achieve common understanding.

As indicated, the fourth section of the report deals with other forms of support for councils in the area of meeting procedures.

#### *Core and discretionary requirements*

For councils and council committees undertaking regulatory activities<sup>1</sup>, affected by the proposals for Part 1 of the regulations recommended below, the approach distinguishes between core and non-core requirements. Regulatory activities are those which impact most directly on the rights and obligations of individual citizens, and both councils and some council committees, with or without delegated powers, make very significant determinations of this kind.

It is proposed that core requirements, [for example the procedures surrounding minutes of meetings, which are regarded as a central aspect of transparency of decision making] are to be met by all councils and regulatory committees and that non-core requirements [for example, the process for receiving deputations] may be met either by following the practice specified or by adopting a preferred practice.

It is further proposed that the adoption of non core requirements or any other procedures on which the regulations are silent be a matter of discretion for councils and that where councils exercise that discretion and adopt approaches other than those specified they set out those practices in writing and how the practices reflect the relevant principles.

The recommendations are therefore based more clearly on principles and less on prescription than are the present regulations governing local government meeting proceedings.

## **1.0 General Recommendations about new regulations**

1.1 The principles referred to above should be included as governing principles for meeting procedures in SA Local Government

1.2 The regulations should be in two parts:  
Part [1] regulations should apply to meetings of councils and to meetings of council committees performing regulatory activities, and in addition those committees to which the council resolves to apply the regulations.

Part [2] regulations should comprise the minimum requirements for all other council Committees.

1.3 Language:

- a) The language overall requires simplification.
- b) All references to chairman to be changed to presiding member.
- c) References related to written communication to recognise electronic communication modes.
- d) Gender neutral language to be used through out.

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<sup>1</sup> A “regulatory activity” is defined in the Local Government Act 1999, section 4, as “*an activity which involves the making or enforcement of by-laws, orders, standards or other controls under this or another Act*”.

- 1.4 Key terms should be defined in order to achieve common understanding. [section 3].
- [1] presiding member
  - [2] clear days
  - [3] in writing or written notice
  - [4] deputation
  - [5] tied vote
  - [6] formal motions
  - [7] point of order
  - [8] with leave of the meeting
- 1.5 Format and layout
- The layout of the regulations should follow the general flow of a meeting agenda.
  - Each regulation should be titled to reflect content and as far as possible contain all references to that content, for example, all requirements in relation to motions should be contained in a single regulation.
  - Regulations should be cross-referenced to relevant sections of the Act.
- 1.6 Council Practice Statement
- A general provision, requiring a council to set out and make publicly available its meeting procedures for the council and for its regulatory and non-regulatory committees, is required.

## **2.0 Specific Recommendations about New Regulations**

### **Part [1]**

#### **2.1 The application of this Part**

Provision that these regulations shall apply to meetings of council, meetings of council committees performing regulatory activities and those committees to which the council resolves to apply the regulations.

#### **2.2 Discretionary procedures**

Provision that;

- a) Where provided for in these regulations a council may by resolve by a two-thirds majority of the council to establish its own procedures.
- b) Subject to the requirements of the Act and these regulations any other meeting procedures shall be at the discretion of the council.
- c) any discretionary procedures must be able to be measured against the policy aims of these regulations;
- d) A council is required to adopt a meeting procedure code of practice for any discretionary procedures at council and council committee meetings established in accordance with these regulations.
- e) Discretionary procedures must be adopted by the council within three months of a periodical election and set out in a meeting procedure code of practice. A council may make provision for a review of any discretionary procedures.

## **2.3 Quorum**

- a) Provision that a meeting shall commence as soon after the time specified in the notice of meeting as a quorum is present.
- b) Provision that if the number of apologies received by the chief executive officer indicate a quorum would not be present at a meeting, the chief executive officer may adjourn the meeting prior to the notice being issued.
- c) Provision that if at the expiration of 30 minutes from the notified meeting time a quorum is not present, the presiding member, or in the presiding member's absence the members present, or in the absence of all members, the chief executive officer, shall adjourn the meeting.
- d) Provision that where a meeting is adjourned for want of a quorum the chief executive officer shall record in the minute book the reason and details of the adjournment.
- e) Provision that where any meeting is adjourned to another day the chief executive officer shall give written notice to every member setting out the time, date and place to which the meeting has been adjourned.

## **2.4 Minutes**

- a) Provision that the minutes of every meeting shall be submitted for confirmation at the next meeting but if that is omitted, at a subsequent meeting.
- b) Provision that no discussion on the minutes shall be allowed before their confirmation, except as to the accuracy of the minutes as a record of proceedings.
- c) Provision that on the confirmation of the minutes, the presiding member shall initial every page of the minutes, which pages shall be consecutively numbered; and place his/her signature and the date of confirmation at the foot of the last page of the minutes.
- d) Provision that the minutes shall include:
  - the names of all members present and the time at which they entered or left the meeting;
  - every motion or amendment and the names of the mover and seconder;
  - any alteration or withdrawal of a motion or amendment;
  - whether the motion or amendment is carried, lost or tied;
  - any disclosure of interest made by a member;
  - any personal explanation given by a member;
  - any order made in accordance with S90 [2];
  - any order made in accordance with S91[7];
  - details of any adjournment of business.

## **2.5 Questions**

- a) Provision for any member to ask any question on notice by giving to the chief executive officer written notice at least five clear days prior to the meeting at which the question is to be asked.
- b) Provision for all questions on notice and the replies to be entered in the minute book.
- c) Provision for a member to ask a question without notice.
- d) Provision that questions without notice and the replies to such questions not to be entered in the minute book unless a resolution to that effect is passed at the time the question is answered
- e) Provision for the presiding member to decline to answer a question with or without notice if, in his or opinion, the question is vague, irrelevant, insulting or improper.
- f) Provision that any other procedures in relation to questions with or without notice shall be at the discretion of the council.

## **2.6 Petitions**

- Provision for petitions to be addressed to the council and posted or delivered to the Principal Office of the Council.
- Provision that the petition be placed on the agenda of the next ordinary meeting of the council with a statement as to the nature of the request or submission and the number of signatures.
- Provision that any other procedures in relation to petitions shall be at the discretion of the council.

## **2.7 Deputation**

- a) Provision that requests for a deputation to the council shall be made in writing.
- b) Provision that the presiding member is to agree or not to the deputation and the applicants to be informed of that decision in writing by the chief executive officer.
- c) Provision for any decision by the presiding member to refuse a deputation to be reported to the council.
- d) Provision that any other procedures in relation to receiving a deputation be at the discretion of the council.

## 2.8 Motions

- Provision for a member to bring forward any business in the form of a written notice of motion. The notice of motion shall be received by the chief executive officer at least five clear days before the meeting at which the motion is to be moved.
- Provision for a motion, the effect of which, if carried, would be to revoke or amend any resolution passed at any time since the last periodical election to require written notice to the chief executive officer at least five clear days prior to the meeting at which the motion is to be moved. If that motion is lost, a motion to the same effect can not accepted for twelve calendar months or the next periodic election whichever is sooner.
- Provision for a member to bring forward any business by way of a motion without notice.
- Provision for the presiding member to refuse to accept a motion when the subject matter in his/her opinion is *ultra vires*.
- Provision for any motion to lapse unless seconded.
- Provision for a member moving or seconding a motion with or without notice to speak to the motion at the time of moving or seconding the motion.
- Provision for a member to speak only once to a motion except;
  - to explain some material part of his speech, but shall not introduce any new matter;
  - with the leave of the meeting; or,
  - as the mover in reply.
- Provision that a member who has spoken to a motion may not move or second an amendment to that motion.
- Provision that the requirements of clauses [f], [g] & [h] may be varied at the discretion of the council.
- Provision for a member who has not spoken in the debate on a question to move a formal motion;
- If seconded a formal motion will take precedence and be put by the presiding member without discussion except in the case of motions for adjournment;
- If a formal motion is lost, the debate on the question is resumed where it was interrupted and no similar formal motion to be taken until at least one member has spoken on the question;
- Any formal motion for an adjournment should include the reason for the adjournment and the details for resumption.
- Provision for the mover of a motion or amendment with the consent of the seconder, to request leave of the meeting to withdraw, alter or vary a motion or amendment.

## **2.9 Amendments**

- Provision for a member who has not spoken in the debate on a motion to move or second an amendment to that motion.
- Provision that a proposed amendment shall lapse if not seconded.
- Provision that if the amendment is lost, only one other amendment may be moved to the original motion.
- Provision that if an amendment is carried only one further amendment may be moved.
- Provision that the requirements of clauses [a], [c] & [d] may be varied at the discretion of the council.

## **2.10 Members addressing the council**

### Duration of address

- a)** Provision for a member to speak for no longer than five minutes at any one time without leave of the meeting.

### Matters of Urgency

- b)** Provision for a member, with the leave of the meeting, to raise any matter of urgency.

### Personal explanation

- c)** Provision for a member, with leave of the meeting, to make a personal explanation of any matter affecting the member personally.

### Relevance to the matter

- d)** Provision to prevent members digressing from the subject matter of the debate.
- e)** Provision that the requirements of this regulation may be varied at the discretion of the council.

## **2.11 Voting** [cross reference to Section 86 [4-7]]

- a)** Provision for the presiding or any other member to ask the CEO to read out the question before the vote is taken.
- b)** Provision that the presiding member in taking the vote on a question shall ask for the votes of members in favour then for the votes of the members against and declare the outcome of the vote.
- c)** Provision that a member who is not in their seat can not vote.
- d)** Provision that the requirements of clauses [a], [b] & [c] may be varied at the discretion of the council

## **2.12 Division**

- a) Provision that any member may request a division.
- b) Provision that when a division is called for it shall be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost shall be set aside.
- c) Provision for the process of taking a division that includes:
  - the members voting for the question standing in their place until the vote is recorded;
  - the members voting against the question remaining in their seats; and
  - the presiding member counting the number of votes and declaring the result of the vote.
- a) Provision for the chief executive officer to enter in the minutes the names of the members who voted for the question and the names of the members who voted against the question and the result of the vote.
- a) Provision that the requirements of clause [c] may be varied at the discretion of the council

## **2.13 Tabling of information**

- a) Provision for any member to request the chief executive officer to table, as far as is practicable, any documents of the council relating to a matter under discussion at a meeting.

## **2.14 Adjourned business**

- a) Provision that the member whose motion or amendment has been adjourned be entitled to speak first on resumption of debate.
- b) Provision that if debate on a motion or amendment is interrupted by want of a quorum the debate resumes at the point at which it was interrupted upon resumption of the meeting.
- c) Provision for any business adjourned from a previous meeting to be dealt with before any new business at a subsequent meeting.
- d) Provision that the requirements of clauses [a], [b] & [c] may be varied at the discretion of the council

## **2.15 Interruption of meetings**

- a) Provision is required to prevent a member behaving in an improper or disorderly manner or causing an interruption to a meeting.
- b) Provision is required to allow a member to object to words used by a member when speaking, call attention to a point of order or want of a quorum.
- c) Provision is required for the presiding member or the meeting by resolution to require a member who is causing an interruption to a meeting or whose behaviour is considered improper or disorderly to make a personal explanation and leave the meeting whilst the meeting considers the matter and resolves any suspension of that member from the meeting.

- d) Provision for an offence for a member who refuses to leave the meeting or enters the meeting contrary to any resolution suspending the member. The penalty should be commensurate with those under an analogous part of the Act, [see S95].

**2.16 Point of order**

- a) Provision for the presiding member or any other member to call to order a member who is in breach of any provision of these regulations or the Act.
- b) Provision that a point of order shall take precedence over all other business until determined.
- c) Provision for the presiding member to give a decision on a point of order.
- d) Provision that if any member objects to the decision of the presiding member, a motion to disagree with the decision shall be moved immediately. Provision that prior to the motion being put, the presiding member may make a statement in defence of the decision.

- 2.17**
- a) Provision that at any meeting of the council or council committee to which these regulations refer, the meeting may resolve by a two thirds majority of the council to suspend for part of the meeting the provisions of these regulations or part thereof with the exception of those relating to a quorum.
  - b) Provision that, with the exception of a motion to resume the requirements of the regulations, no motion may be dealt with during that suspension.

## **Part [2] Minimum requirements for Council Committees**

- 2.18** a) Provision that pursuant to Section 87[15] a council must, when establishing a committee, adopt a procedure for the calling and timing of meetings appropriate to the nature and purpose of the committee.
- b) Provision that pursuant to Section 88[7] a council must, when establishing a committee, adopt a procedure for public notice of meetings appropriate to the nature and purpose of the committee.
- c) Provision that when establishing a committee a council must ensure that the procedure for the giving of notice of the meeting and agenda items to members of the committee is appropriate for the nature and purpose of the committee.
- d) Provision that when establishing a committee a council must establish any procedures to be observed in relation to the conduct of meetings in addition to those prescribed in Part 2. These procedures may be;
- as determined by the council; or
  - as prescribed in Part 1 of these Regulations.
- a) Provision that the first meeting of a council committee shall be held at a time and place appointed by the chief executive officer or any other delegated officer.

### **2.19 Quorum**

- a) Provision that the quorum of a committee shall be;
- ascertained by dividing the total number of committee members by two, ignoring any fraction resulting from the division, and adding one or,
  - such other number of persons as determined by the council as appropriate given the nature and purpose of the committee.

*Cross reference to S41[6] is required.*

### **2.20 Voting**

- a) Provision that a question arising for decision at a meeting of a council committee shall be decided by a majority of the votes of the members present at the meeting.
- b) Provision that the presiding member of a committee or in the absence of the presiding member any other member appointed by that committee to preside at that meeting shall have a deliberative vote on any question arising for decision at a meeting but not a casting vote in the event of an equality of votes.

### **2.21 Interruption to committee meetings**

Provision to prevent any person causing an interruption to a committee meeting and provision for a penalty.

### 3.0 Definition of key terms

**presiding member**— this refers to the person presiding at a meeting. It may be the Mayor or Chairperson of a council, the Chairperson of a committee or any other person presiding in the absence of a Mayor or Chairperson.

**clear days**—the day the notice is given and the day of the meeting are not taken into account. Clear days include weekends and public holidays.

**written notice**—by a means authorised by the council as an available means of giving written notice.

**deputation**—a person or persons who wish to appear personally to address the council on a matter.

**tied vote**—an equality of votes for and against.

**formal motions**—are motions that are used to interrupt the debate. If carried they dispose of a question [motion or amendment] either permanently or temporarily.

The specific formal motions are:

- a) *the meeting proceed to the next business*: the effect of this motion, if successful, is that the meeting moves to the next item on the agenda without taking a vote on the question before the meeting.
- b) *the question be put*: the effect of this motion, if successful, terminates debate and requires the presiding member to put the question to the vote.
- c) *the question lie on the table*: the effect of this motion, if successful, is that the question is automatically disposed of and the meeting moves on to the next item on the agenda. The question can only be retrieved at a later time by resolution.
- d) *the question be adjourned*: the effect of this motion, if successful, disposes of the question in a manner the permits resumption at a future time. An adjournment motion should shall include the details of resumption.
- e) *the meeting be adjourned*: the effect of this motion, if successful, is to end the meeting without consideration of any further business. The motion should include details as to the date, time and place to which the meeting is to be adjourned.

**point of order**—used to draw attention to an alleged breach of the Regulations or the requirements of the Act in relation to meeting procedures.

**leave of the meeting**—question determined by the majority of members present and entitled to vote voting in favour.

## **4.0 Provision of further information and other support**

4.1 The production of user friendly supplementary information to promote best practice and learning in councils in relation to the conduct of meetings is recommended. The publication should contain a range of information designed to encourage the elected body to conduct the formal decision making process effectively and efficiently with the goal of achieving good outcomes for their communities.

**a)** The information should be instructive about:

- the requirements of the Act and the Regulations in respect to the conduct of meetings.
  - the development of discretionary procedures.
  - the establishment of committees and subsidiaries. Including
    - checklists cross-referenced to the requirements of various sections of the Act
    - information to determine an appropriate level of meeting procedure for non-regulatory committees.
  - the responsibilities of officers providing administrative support for council and committee meetings such as;
    - preparation of the agenda including a 'model' agenda;
    - notice of the meeting and public access requirements;
    - preparation of information to support the decision making process; and
    - the taking and recording of minutes.
- a)** Strategies to encourage elected members to participate effectively in the decision making process.
- b)** Being the presiding member of a council or council committee.

4.2 It is recommended that as part of the elected member orientation processes councils be encouraged to include training and information on the requirements of the Act and Regulations in respect to meetings of council and committees.

## Appendix 1

### Historical perspective<sup>2</sup>

The rules for meeting procedures go back to the beginnings of Local Government in this State, the establishment of the Adelaide City Council in 1840. The early rules provided very basic rules as to quorum, majority voting, casting vote and minutes. Later changes in 1846 included more rules and power to make bylaws to regulate proceedings at meetings.

In 1934 all the Acts relating to Local Government were consolidated and a set of model bylaws including one for proceedings of council was provided. This change required every municipal and district council to determine its own meeting procedures, either by following the procedures set out for making standing orders by resolution or by adopting a bylaw. The standing orders could either adopt the model bylaw V or prescribe a procedure specifically designed to meet the local needs of the particular local authority.

Model Bylaw V was adopted by most councils either in full or with some modification until 1984.

In 1984 as part of a comprehensive review of the Local Government Act 1934, proceedings of councils were regulated and local bylaws on meeting procedures abolished. The 1984 Regulations provided a set of rules on meeting procedures that generally reflect the content of the old Bylaw V but were not subject to local variation.

### Review of requirements in other States

A review of the requirements in relation to provisions for the conduct of meetings of council and council committees in other States indicates there is considerable variance in the requirements of the States. The current South Australian regulations are significantly more detailed than those of the other States.

In Victoria, Queensland, and the Northern Territory there are few comparative requirements in either the Acts or Regulation. The respective Local Government Acts require that the procedures for the conduct of meetings of council or committee are at the council's discretion and provided in local laws or by-laws adopted by the council. The Tasmanian Act contains some matters in relation to meeting procedures with other procedures to be prescribed in by-laws.

New South Wales and Western Australia have regulations that are less comprehensive than South Australia. The NSW Local Government Act empowers the adoption of a code of meeting practice that incorporates meeting regulations and supplements those regulations with provisions that are not inconsistent with them.

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<sup>2</sup> Source

Goode M, & Williams D, 1992, Council Meetings in South Australia, The Federation Press, Melbourne.

Gifford Kenneth H, 1980, Council Meetings Law and Procedure in South Australia, The Law Book Company Ltd, Sydney.

## **Significant variations in other State's requirements.**

The New South Wales provision include:

- A council must not transact any business at a meeting unless a councillor has given notice of the business in writing or notice of the business has been sent to the Councillors in accordance with the Act.
- The mover of a motion has right of reply to the motion and any amendment as well as the right to speak to an amendment.
- A councillor may only speak once to a motion for no longer than five minutes.
- A councillor who fails to vote is taken to have voted against the motion.
- A councillor may request their dissenting vote be recorded in the minutes.
- The chairperson may adjourn a meeting for not more than 15 minutes if disorder occurs at a meeting.
- A person may use a tape recorder to record the proceedings of a meeting of a council or a committee only with the authority of the council or committee.
- If a motion to alter or rescind a motion a resolution has been negatived, or if a motion has the same effect as a previously negatived motion, no similar motion may be brought forward within 3 months.

The Tasmanian provisions include:

- A matter may only be discussed at a council meeting or council committee if it is listed on the agenda unless the council by absolute majority, or committee by simple majority, decides otherwise.
- Any other procedures other in relation to the conduct of meetings are to be prescribed by by-laws.

The Western Australian regulations provide for question time for the public at council meetings.