




Policy Title: **STANDING ORDERS FOR COUNCIL MEETINGS**

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Implementation Department		Officer Position	
Community Services		Director Community Services	
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2.0			

1 Standing Orders

- These Standing Orders apply to all meetings of Council and any standing Committees.
- Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

2 Procedures for Meetings of Council

2.1 Presiding Officer

- The Mayor will preside at a meeting of Council.
- If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- If both the Mayor and the Deputy Mayor, or the Mayor's delegate, are absent or unavailable to preside, a Councillor chose by the Councillors present at the meeting will preside at the meeting.
- Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

2.2 Order of Business

- Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.
- The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- Unless otherwise altered, the order of business shall be as follows:
 - attendances
 - apologies and granting of leaves of absence
 - confirmation of previous minutes
 - officers' reports.
- The minutes of a preceding meeting whether an Ordinary or Special meeting, not previously confirmed shall be taken into consideration, at every Ordinary Council meeting, in order that such minutes may be confirmed and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

2.3 Agenda

- The agenda may contain:
 - notice of meeting
 - minutes of previous meeting

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- business arising out of previous minutes
 - business which the Mayor wishes to have considered at that meeting without notice
 - matters of which notice has been given
 - committees' reports to Council referred to the meeting by CEO
 - officers' reports to Council referred to the meeting by CEO
 - deputations and delegations
 - any other business Council determines by resolution be included in the agenda paper.
- Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

2.4 Petitions

- Any petition presented to a meeting of Council shall:
 - be in legible writing or typewritten and contain a minimum of ten signatures
 - include the name and contact details of the Principal Petitioner (i.e., person who is the organiser and who will act as the key contact for the issues)
 - include the postcode of all petitioners
 - have the details of the specific request/matter appear on each page for the petition.
- Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that the petition be received; or received and referred to a Committee or Officer for consideration and a report to Council; or not be received because it is deemed invalid.
- Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

2.5 Deputations

- A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven business days before the meeting.
- The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
- For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- The Chairperson may terminate an address by a person in a deputation at any time where:

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- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
 - the time period allowed for a deputation has expired
 - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
- The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

3 Motions

3.1 Motion to be Moved

- A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of the Council.
- Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these *Standing Orders* shall be received and put to the meeting by the Chairperson.

The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.

- The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

3.2 Absence of Mover of Motion

- Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
 - moved by another Councillor at the meeting
 - deferred to the next meeting.

3.3 Motion to be Seconded

- A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, except for Procedural Motions.

3.4 Amendment of Motion

- An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.

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- Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
 - Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

3.5 Speaking to Motions and Amendments

- The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
- The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first.

The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

- A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.
- The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- Each speaker shall be restricted to no more than five minutes.
- Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- In accordance with *Section 273 of Local Government Regulation 2012*, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of reason for not adopting the recommendation or advice.

3.6 Method of taking Vote

- The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection.

A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and those voting in the negative.

The Chairperson shall declare the result of a vote or a division as soon as it has been determined.

- Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by division.
- Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.

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- If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

3.7 Repealing or Amending Resolutions

- A resolution of Council may be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*.
- Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three months.

3.8 Procedural Motions

- A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
 - that the question/motion be now put
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceeds to the next item of business
 - that the question lies on the table
 - a point of order
 - a motion of dissent against the Chairperson's decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)
 - that the meeting stands adjourned.
- A procedural motion, *'that the question be put'*, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
- The procedural motion, *'that the motion or amendment now before the meeting be adjourned'*, may specify a time or date, to which the debate shall be adjourned.

Where no date or time is specified:

 - a further motion may be moved to specify such a time or date
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- Where a procedural motion *'that the meeting proceed to the next item'* is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- A procedural motion, *'that question lies on the table'*, shall only be moved where the Chairperson and/or Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting.

Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken

from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

- Any Councillor may ask the Chairperson to decide on a *'point of order'* where it is believed that another Councillor:
 - has failed to comply with proper procedures
 - is in contravention of the *Local Government Act/Regulations*
 - is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking.

Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.

- A Councillor may move *'a motion of dissent'* in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made.

Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made.

Whereas a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.

- The motion, *'that this report/document be tabled'*, may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws.

On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

- A procedural motion, *'to suspend the rule requiring that'*, may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- A procedural motion, that the *'meeting stands adjourned'*, may be moved by a Councillor at the conclusion of a debate on any matter on the business paper or at the conclusion of a Councillor's time of speaking on a matter and shall be put without debate.

Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

4 Maintenance of Good Order

4.1 Conduct during Meetings

- Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in *ASC Code of Conduct*.

The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.

- After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave the meeting without first notifying the Chairperson.
- Councillors shall speak of each other during the Council meeting by their respective titles, 'Mayor' or 'Councillor' and in speaking of or addressing officers shall designate them their respective official or departmental title and shall confine their remarks to the matter under consideration.

No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson and/or Councillor.

When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

4.2 Disorder

- The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion which shall be put without debate, to determine whether the meeting shall proceed.

Where such a motion is lost, the Chairperson shall declare the meeting closed and any outstanding matters referred to a future meeting.

4.3 Questions

- A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question.

A Councillor or Officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.

- A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates to.
- The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

5 Attendance and Non-Attendance

5.1 Attendance of Public and Media at Meetings

- An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend.
- When the Council is sitting in closed session, the public and media representatives shall be excluded.
- The resolution that Council proceed into closed session must specify the nature of the matters to be considered and these matters must be in accordance with *Section 275 Local Government Regulation 2012*. The Chairperson may direct any persons improperly present to withdraw immediately.

Council must not make a resolution (other than procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on matters considered in closed session.

5.2 Public participation at Meetings

- A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- In each meeting, time may be required to permit members of the public to address Council on matters of public interest related to Local Government.

Time allotted shall not exceed 15 minutes and no more than three speakers shall be permitted to speak in a meeting.

The right of any individual to address the Council during this period shall be at the absolute discretion of Council.

- If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- For any matter arising from such an address, Council may take the following actions:
 - refer the matter to a Committee
 - deal with matter immediately
 - place the matter on notice for discussion at a future meeting
 - not the matter and take no further action.
- Any person addressing the Council shall stand, act and speak with decorum and frame any remarks in a respectful and courteous manner.
- Any person considered by Council or Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

5.3 Closed Meetings

- Local Government and standing Committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:
 - appointment, dismissal or discipline of employees

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- industrial matters affecting employees
 - Local Government budgets
 - rating concessions or contracts proposed to be made by the Local Government or starting, defending legal proceedings involving Local Government
 - any action to be taken by the Local Government under *Planning Act 2016* (PA) including applications made to under the PA
 - business for which a public discussion would be likely to prejudice the interests of the Local Government or someone else or enable a person to gain a financial advantage.

A Local Government or Committee must not make a resolution (other than procedural) in a closed session. If Councillor/s are attending via teleconference they must maintain confidentiality by ensuring no other person can hear their conversation.

- To take an issue into closed session, the Local Government must first pass a resolution to do so.
- In the interest of accountability and transparency, the Local Government must specify the nature of the matter to be discussed and the reasoning the Councillors are going into closed session.
- If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed with brief explanation of why it is deemed necessary to take the issue into closed session.
- The minutes of a Local Government must detail the matter discussed and reasoning for discussing in closed session.

The Local Government must also ensure it complies with Statutory Obligations associated with recording of passed resolutions.

6 Model Meeting Procedures

6.1 Process for dealing with unsuitable meeting conduct by a Councillor, Management Officer or member of the public in a Council Meeting

When dealing with an instance of unsuitable conduct by a Councillor, Management Officer or member of the public the following procedures will be followed.

- If the Chairperson decides unsuitable meeting conducted has occurred, they must consider the severity of the conduct and take the following steps:
 - remedial action by asking the Councillor, Management Officer or member of the public to cease the unsuitable meeting conduct and refrain from exhibiting the behaviour
 - ask them to apologise for their conduct
 - withdraw their comments.

If the person complies with the Chairperson's request for remedial action, then no further action is required.

- If the Councillor, Management Officer or member of the public fails to comply then the Chairperson will warn them that failure to comply with request for remedial action will result in an order being issued.

If the person complies after the warning and request for remedial action, then no further action is required.

- If the Councillor, Management Officer or member of the public still does not comply with the Chairperson's request for remedial action then one or more of the below orders will be taken:
 - an order reprimanding the person for their conduct
 - an order requiring them to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

If the person fails to comply with the order to leave and stay away from the meeting the Chairperson will issue an order that they be removed from the meeting by an appropriate officer. The meeting will be adjourned whilst they are being removed.

- Following the completion of the meeting, the Chairperson will:
 - details of any order/s issued is recorded in the minutes of the meeting
 - if it is the third or more order within a 12-month period made against the person then the matter will be dealt with at the next Council meeting and treated as inappropriate conduct pursuant to the *Local Government Act*.

The Chief Executive Officer must ensure details of the order/s are recorded in the Local Government Councillor or Staff Conduct Register pursuant to *Local Government Act*.

6.2 Process for dealing with suspected inappropriate Conduct which has been referred to Local Government

Pursuant to section 150AF of *Local Government Act* after receiving a referral by the Independent Assessor or under paragraph 6.9.2. of said document a suspected inappropriate conduct the Local Government must complete an investigation into the alleged conducted.

After completion of the investigation, the Local Government must decide whether the Councillor has engaged in an inappropriate manner during a Council Meeting, unless it has delegated the responsibility for this decision under section 257 of *Local Government Act*.

When dealing with a suspected inappropriate conduct which has been referred to Local Government by the Independent Assessor, the Local Government must:

- Be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of Council.

Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section 275 of *Local Government Regulation 2012*.

- When deliberating on the issue the Councillor must leave the place where the meeting is being held, including any area set aside for the public. Should the complainant be a Councillor, that Councillor must inform the meeting of a personal interest and follow the Conflict of Interest procedure in section 4.
- The Local Government should then debate the issue and decide whether the accused Councillor engaged in inappropriate conduct.

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- If the Local Government decides that the Councillor has engaged in inappropriate conduct, they are required to decide what penalty or penalties from the following orders, if any, to impose on the Councillor:
 - an order that the Councillor make a public admission that they engaged in inappropriate conduct
 - an order reprimanding the Councillor for their conduct
 - an order that the Councillor attend training or counselling to address their conduct, at the Councillor's expense
 - an order that the Councillor be excluded from a stated Local Government meeting an order that the Councillor be removed, or resign from a position representing the Local Government other than the office of Councillor for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State Board or Committee
 - an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
 - an order that the Councillor reimburses the Local Government for all or some of the costs arising from the Councillor's inappropriate conduct.
 - When making an order, the Local Government can take into consideration any previous inappropriate conduct of said Councillor and any allegations made in the investigation that was admitted or not challenged and that the Local Government is reasonably satisfied is true.
 - The Councillor and where relevant the complainant Councillor must be invited back into the place where the meeting is being held once a decision has been made.
 - The Local Government must ensure the meeting minutes reflect the resolution made.

6.3 Material Personal Interest

Councillors are ultimately responsible for informing of a material personal interest on matters to be discussed at Council or Committee meeting.

When dealing with a material personal interest Councillors must abide by the following procedures:

- A Councillor with a material personal interest must inform the meeting of the Local Government of their material personal interest and set out the nature of the interest, including:
 - the name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - how a person or other entity stands to gain the benefit or suffer the loss
 - if the person or other entity who stands to gain the benefit or suffer the loss is not the Councillor, the nature of the Councillor's relationship to the person or entity.
- The Councillor must then leave the place of the meeting and stay away while the matter is being discussed and voted on unless the said Councillor has Ministerial approval to participate in the matter.

The Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.

- Once the Councillor has left the area where the meeting is being conducted, the Local Government can continue discussing and deciding on the matter at hand.
- If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about said interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable about their belief or suspicion and the facts and circumstances that form the basis of the belief or suspicion.
- The Chairperson then should ask the Councillor with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Councillor must follow the above procedures.
- In the event the majority of Councillors inform a meeting of a material personal interest regarding a matter:
 - the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to *section 257 of Local Government Act*
 - if the matter cannot be delegated under *section 257 of Local Government Act*, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government imposes.
- Where a Councillor informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted Council website) record:
 - the name of the Councillor who has a material personal interest in the matter
 - the material personal interest, including the particulars mentioned by the Councillor regarding the material personal interest
 - whether the Councillor participated in the meeting or was present during the meeting under an approval granted by the Minister for Local Government.

6.4 Conflict of Interest

Councillors are ultimately responsible for informing a conflict of interest whether real or perceived on matters to be discussed at Council or Committee meeting (other than ordinary business matters).

When dealing with a conflict of interest Councillors must abide by the following procedures:

- A Councillor with a real or perceived conflict of interest must inform the meeting of the Local Government of their conflict of interest and set out the nature of the interest, including:
 - the nature of the interest
 - if the Councillor's conflict of interest arises because of the Councillor's relationship with or receipt of a gift or benefit from another person:
 - the name of the other person

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- the nature of the relationship or value and date of receipt of the gift or benefit received
 - the nature of the other person's interest in the matter.
- The subject Councillor may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived or real conflict of interest.

If the Councillor does not leave the meeting, they may advise the other Councillors why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the matter.

- The other Councillors entitled to vote at the meeting must then decide whether the subject Councillor has a conflict of interest (including perceived conflict of interest) in the matter.

A Councillor who has declared a conflict of interest in relation to the matter at hand, must not vote under section 175E (4) as to whether another Councillor may stay in the meeting.

- If the other Councillors decide there is no perceived or real conflict of interest, the subject Councillor may remain in the meeting and the meeting may continue.
- If the other Councillors decide there is a conflict of interest they must then decide whether the subject Councillor is to leave the meeting while the matter is being discussed and voted on or can participate in the meeting including voting on the matter.

If the Councillor leaves the meeting the Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.

- When deciding whether a Councillor may stay in a meeting and vote following the decision of a conflict of interest, the other Councillors must consider significant variables including, but not limited to:
 - the size of significance of the benefit the subject Councillor stands to receive or benefit
 - the benefit the subject Councillor stands to receive versus the benefit the community stands to receive from the potential decision
 - the closeness of any relationship the subject Councillor may have with a given person or group.
- In making the decision as above point, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable about their belief or suspicion, and the facts and circumstance that form the basis of the believe or suspicion.

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- The Chairperson then should ask the Councillor with the suspected conflict of interest to inform the meeting of any conflict real or perceived they have in the matter.
 - In the event the majority of Councillors inform a conflict of interest in a matter:
 - the Local Government must resolve to delegate the consideration and decision on the matter, pursuant to *section 257 of Local Government Act*
 - if the matter cannot be delegated under the *section 257 of Local Government Act*, the Local Government should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government imposes.
 - Where a Councillor informs a meeting of a conflict of interest real or perceived, the Chairperson must ensure the minutes of the meeting (to be posted on Council website) record:
 - the name of the Councillor who has declared a conflict of interest
 - the nature of the conflict of interest, as described by the Councillor
 - the decisions made by the Local Government in the matter
 - whether the Councillor can participate in the meeting under approval by the Minister
 - if the Councillor voted on the matter and how they voted
 - how the majority of Councillors voted on the matter.

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Bernie McCarthy, PSM
Chief Executive Officer