COUNCIL MEETINGS POLICY

Responsible Directorate	Office of the CEO
Responsible Section	Governance
Responsible Officer	Chief Executive Officer

OBJECTIVE:

To provide direction in relation to the process and procedures for meetings of the Council of the Town of Cambridge.

SCOPE:

This policy applies to Council meetings, Committee meetings, Agenda Briefings and Working Groups of the Town of Cambridge.

POLICY STATEMENT:

1. Meetings Structure

1.1 Council Meetings

(a) Council meetings will ordinarily be held on the fourth Tuesday of every month (excluding the month of January) unless resolved otherwise.
(b) Council meetings will be held in accordance with the requirements of the *Local Government Act 1995,* the *Local Government (Administration) Regulations 1996* and the *Town of Cambridge Meeting Procedures Local Law 2019*.
(c) Council meetings will be open to the public unless Council resolves to go behind closed doors in accordance with the s 5.39 of the *Local Government Act 1995.*
(d) Members of the public will be able to ask questions of Council at the Ordinary Council Meeting through Public Question time.
(e) The CEO shall determine which staff are required to attend Council meetings.

1.2 Agenda Briefing Forums

(a) An Agenda Briefing will be held on the Tuesday prior to the Ordinary Council Meeting.
(b) Agenda Briefings are not a decision making forum. The purpose of the Agenda Briefing Forum is to for Elected Members only to ask question on agenda items and to hear deputations.
(c) The Agenda Briefing will be open to the public. Council will close the meeting to the public to ask questions on confidential items.

1.3 Standing Committees

(a) To assist with its decision-making responsibilities, Council may establish committees from time to time.
(b) Unless Council provides a Committee with an appropriate delegation to make decisions, all Committee reports will be presented to Council endorsement.

(c) The Terms of Reference for Standing Committees are to be reviewed by Council following each election.
(d) Terms of Reference will be included in the agenda and minutes of each relevant meeting and will be available on the Town's website.

1.4 Elected Member Forums

(a) Elected Member Forums provide a forum for two-way communication between Elected Members and the CEO on strategic or complex issues.
(b) Elected Member Forums are not open to members of the public.
(c) The sessions are open to all Elected Members, the CEO and other employees determined by the CEO.
(d) Elected Member Forums also provide an opportunity for relevant staff and/or outside consultants to present information on a concept or project.
(e) Elected Members are encouraged to ask questions but not enter into debate.
(f) Elected Member Forums are usually held on a Tuesday from 7:30am to 9:00am, with frequency determined by Council when setting the annual meeting dates.

1.5 Working Groups

(a) Council may establish working groups as a mechanism for facilitating and improving community participation in the Town's decision-making process.
(b) Working Groups provide an opportunity for the Town to obtain the views of community representatives as well as enabling networking opportunities for Elected Members with a wide range of representatives on issues of common interest.
(c) Working Groups are not meetings established under legislation. Working Groups can provide feedback and recommendations to the Administration however cannot direct staff.
(d) The Administration will ensure that feedback is considered and included in reports to Council or a Committee on the topic/issue of the Working Groups.
(e) Terms of Reference will be adopted by Council when establishing the Working Group.
(f) Terms of Reference will be included in the agenda and minutes of each relevant meeting and will be available on the Town's website.

2. Opportunities for the public to address Council

2.1 Deputations

a) Deputations will be heard at the Agenda Briefing.
b) Deputations may be heard at the Ordinary Council Meeting in extraordinary circumstances where approved by the Presiding Member in accordance with the *Town of Cambridge Meeting Procedures Local Law 2019.*
c) A request to present a deputation is to be lodged via the Town of Cambridge website or by contacting the Town directly.
d) Deputation requests are to be received by 12pm on the day of the Agenda Briefing Forum. Any late requests will be at the discretion of the Presiding Member.
e) Deputees should limit their submission to the provision of additional information over and above that which is contained in the Council report.
f) Unless the Presiding Member allows, a deputee is not to address the meeting for more than 3 minutes.

g) Unless approved the Presiding Member, only two members of the deputation may address the meeting, although others may respond to specific questions from Elected Members
h) The Presiding Member may require deputees to leave the meeting while other deputations are being heard in relation to that matter where there are opposing views.

2.2 Public Question Time

a) Public Question Time will be available at Ordinary Council Meetings only and is not available at Agenda Briefings.
b) Public Question Time provides:

   i) An opportunity for Members of the Public to ask questions in relation to the operations of the Town of Cambridge, and receive responses to them.
   ii) A means by which Members of the Public can be better informed on matters concerning the Town.

b) Public Question Time will be conducted in accordance with the requirements of the *Local Government Act 1995* (WA) and the *Local Government (Administration) Regulations 1996* (WA).
c) Questions may be lodged with the Town via the website, via email or in hard copy prior to the meeting.

2.2.1 Procedure for Public Question Time during a Council Meeting

a) Each person will be allocated a maximum of three minutes to ask up to three questions, including any contextual or opening statement.
b) Should a person have further questions, the Presiding Member shall have discretion to accept them once all members of the gallery have had the opportunity to ask their questions.
c) Questions will be called in the order that they have been received, being those received prior to the meeting called first and then questions from the gallery.
d) Any person who completes and submits a Public Question Time form via the Town's web site, no less than 24 hours' prior to the relevant Council Meeting, will have their question considered at that Meeting so far as reasonably possible.
e) A member of the public who raises a question during question time, is to state his or her name and address before asking their question.
f) Members of the Public may request that their contact details remain private and confidential if reasons are provided (e.g. employment, silent elector, safety and/or security etc.).
   i) The requirement to provide such details may be dispensed with at the Presiding Member's discretion.
g) Where a person submits a question in writing prior to a Council Meeting, the Presiding Member will ask if the person is in attendance at the meeting:
   i) Where a person who has submitted a question is not present at the meeting, the Presiding Member shall read the question aloud to the meeting to facilitate the provision of a response.
h) A member of the public who raises a question is to ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except so far as may be necessary to explain the question.
i) Sub parts of questions will be counted as a question.
j) Respect must be shown to the Presiding Member, Elected Members, Employees, Members of the Public, and all meeting attendees at all times

k) The Presiding Member may declare Public Question Time closed following the expiration of the allocated time period, or where there are no further questions to be asked.

2.2.2 Responding to questions at Public Question Time

(a) Questions are to be directed to the Presiding Member, who may, at his/her discretion:-

i) Accept or reject the question, and their decision is final;
ii) Nominate an Elected Member of the Council and/or an Officer to answer the question;
iii) Determine the question is to be a question taken 'on notice', in which case the response will be provided in the Minutes of the next Ordinary Council Meeting;
iv) Make a determination where there is concern about a question being offensive, defamatory or the like, in which case the question will not be received or published;

(b) The question, any pre-amble, and answers will be documented in full in the meeting minutes of Ordinary Council Meetings, Special Council Meetings, and Annual and Special Electors Meetings

(c) Where a person submits a question in writing prior to a Council Meeting, the Presiding Member will ask if the person is in attendance at the meeting:

i) Where a person who has submitted a question is not present at the meeting, the Presiding Member shall read the question aloud to the meeting to facilitate the provision of a response.

ii) The question, any pre-amble, and answers will be documented in full in the meeting minutes of Ordinary Council Meetings, Special Council Meetings, and Annual and Special Electors Meetings.

3. Recording and Livestreaming of Meetings

3.1 Recording Council Meetings

a) All Ordinary and Special Council meetings that are open to the public shall be electronically recorded by the Town.

b) Notwithstanding clause 2.1(a), Council may resolve not to record proceedings of a meeting of the Council which is ‘closed to the public’, where it is considered circumstances are of a nature that warrant such action. A motion not to record an item may be moved as part of the motion to go ‘behind closed doors’.

3.2 Livestreaming Council Meetings

a) All Council meetings will be streamed live via the Town’s website, except when Council has resolved to go ‘*behind closed doors’.*

b) It is intended that standard camera positions will provide live and recorded vision of all members of the Elected Members, Town employees, and public who address a Council meeting, and live and recorded video when they speak. By participating in a public Council meeting, those members of the public in attendance agree to being recorded.

c) As far as practically possible, it is not intended that there be either live or recorded video footage or audio of those members of the public who do not address the meeting, however, this Policy recognizes that there might be incidental capture.

d) Access to live streams and recordings of Council and Committee meetings is provided on the Town's website, or other appropriate social media platform, for personal and non-commercial use.

3.3 Notification of Recording and Livestreaming

a) The Council agenda will clearly state the intention to electronically record and livestream the meeting on the Town's website.

b) A notice will be placed on the Meeting room or Council Chamber door advising the public that the meeting will be electronically recorded and livestreamed.

c) The Presiding Member shall advise the Council meeting that it will be recorded and livestreamed prior to the commencement of Council business.

3.4 Retention and Disposal of Recordings

Recordings pertaining to the proceedings of Council meetings specified in this Policy shall be retained and disposed of in accordance with the *State Records Act 2000*.

3.5 Copyright

a) Any plans or documents contained within the Council agenda and minutes, and any associated attachments are copyright to the Town of Cambridge, or the owner of the plans or authority of the documents, as the case may be.

b) The content is protected by Australian and international copyright trademark. Content must not be modified or reproduced without written authorisation of the Town of Cambridge or the owner of the plans or authority of the document.

c) All electronic recording content is the property of the Town of Cambridge. Reproduction without written authorisation of the Town of Cambridge is prohibited.

d) Video, images and audio contained in a livestream or recording must not be altered, reproduced or republished without permission of the Town.

3.6. Defamation:

a) Under section 9.57A of the *Local Government Act 1995,* the Town is not liable for an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings.

b) Elected Members and Town employees are not liable in defamation for any statements made in good faith.

c) Elected Members, Town employees and members of public are not liable in defamation for which a defence is available under the *Defamation Act 2005.*

4. Electronic Attendance at Meetings

PART A – ELECTRONIC ATTENDANCE AT LEGISLATIVE AND NON-LEGISLATIVE MEETINGS

4.1 Request to attend a Council Meeting electronically

a) Requests to attend a Council Meeting electronically are to be sent to the Mayor with a copy to the CEO and Executive Support Officer by no later than midday on the day of the relevant meeting.

b) In the request, the Member is to outline the following:
   i) Details of the location the Member will be attending from;
   ii) Details of the equipment to be used (if not Town equipment) and electronic connection method;
   iii) Confirmation that confidentiality can be maintained; and
   iv) Any declarations of interest that are to be made for the relevant meeting.

c) The Mayor's authorisation will have regard to whether the location from which the member intends to attend the meeting, and the equipment to be used are suitable to enable the member to effectively engage in deliberations and communications during the meeting.

d) Approval is to be provided in writing by the Mayor and recorded in the Town's record keeping system.

e) Should the request be denied or made later than midday of the relevant meeting, the request will be put to Council for consideration.

f) Should the Mayor wish to attend a Council meeting electronically, this request is to be forwarded to the Deputy Mayor following the process outlined in clauses 3.1(a) to (d).

4.2 Request to attend a Committee Meeting electronically

a) Requests to attend a Committee Meeting electronically are to be sent to the Mayor with a copy to the Committee Presiding Member, CEO and Executive Support Officer at least 24 hours prior to the relevant meeting.

b) In the request, the Member is to outline the following:
   i) Details of the location the Member will be attending from;
   ii) Details of the equipment to be used (if not Town equipment) and electronic connection method;
   iii) Confirmation that confidentiality can be maintained; and
   iv) Any declarations of interest that are to be made for the relevant meeting.

c) The Mayor's authorisation will have regard to whether the location from which the member intends to attend the meeting, and the equipment to be used are suitable to enable the member to effectively engage in deliberations and communications during the meeting.

d) Approval is to be provided in writing by the Mayor and recorded in the Town's record keeping system.

e) Should the Mayor wish to attend a Committee meeting electronically, this request is to be forwarded to the Deputy Mayor and copied to the Presiding Member, CEO and Executive Support Officer following the process outlined in clauses 3.2(a) to (d).

f) The relevant Committee does not have authorisation to approve electronic attendance. Should the request be denied, the Member may put the request to Council.

4.3 Request to attend a Non-Legislated meeting electronically

Requests to attend a Non-Legislated Meeting electronically are to be sent to the CEO with a copy to the Executive Support Officer by no later than midday on the day of the relevant meeting.

4.4 Location

a) The Member is to ensure that the location is indoors, quiet and private.

b) The location must have suitable controls (such as closing a door to an enclosed room) to ensure that confidentiality is not breached.

4.5 Electronic Means

a) The Town will conduct electronic meetings via Microsoft Teams.

b) All meeting invitations will include a link to join the meeting electronically.

c) Members attending electronically are to join the meeting at least 15 minutes prior to allow for sufficient testing of equipment and to resolve any technical issues.

d) Members must use a suitable network connection such as private home WiFi or a mobile hotspot from a trusted personal device.

e) Due to increased cyber security risks, Members are not permitted to connect via public WiFi (such as connections at cafes, airports, hotels and restaurants).

4.6 Equipment

Where practical, Members attending meetings electronically are to use equipment provided by the Town.

4.7 50% cap

a) Members may only attend a Legislated Meeting by electronic means provided they have not attended more than half of Legislated meetings in the previous (12) months by this method.

b) Members meeting attendance will be recorded by the Administration and reporting to Council monthly.

c) The Administration will advise the Mayor and the relevant Member when they have attended 40% (or the percentage closest to 40%) of meetings electronically.

d) The 50% cap does not apply a member who is a person with a disability as defined in Section 3 of the *Disability Services Act 1993* (WA).

4.8 Declaration of Confidentiality

a) If the meeting or part of the meeting for which a Member is attending electronically is to be closed to the public, the Member must make a declaration that they can maintain confidentiality during the meeting or the closed part of the meeting (as the case required).

b) The declaration is to be made at the beginning of the meeting and recorded in the minutes of the meeting.

c) The wording of the declaration will be as follows:

'I [Member Name] declare that I am able to maintain confidentiality during the closed part of the meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting.'

d) Should the Member make the above declaration and subsequently cannot maintain confidentiality, they must leave the meeting or the closed part of the meeting.

PART B – ELECTRONIC MEETINGS

3.8 Electronic meetings outside of an emergency

a) Legislated meetings will primarily be held as in-person meetings.

b) To hold a Legislated meeting as an electronic meeting outside of an emergency, a Council resolution is required.

c) Clauses 3.4 to 3.8 will also apply to electronic meetings outside of an emergency.

d) Where a meeting is changed from an in-person meeting to an electronic meeting, the Administration will provide adequate public notice of the change.

DEFINITIONS:
Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

'CEO' *means the Chief Executive Officer or Acting Chief Executive Officer of the Town of Cambridge;*

'Confidential/closed' means except when Council resolves to close a meeting to the public, in accordance with s 5.23 of the *Local Government Act 1995,* and *'Proceed behind Closed Doors'.*

'Council Meeting' *means any Ordinary or Special Council Meeting, including a meeting of a Committee appointed by Council under Section 5.9(2) of the Local Government Act 1995 where that Committee has a delegated power or duty (if any) provided under Section 5.16 of the Local Government Act 1995.*

'Deputation' *means a verbal submission at an Agenda Briefing or at an Ordinary Council Meeting (in extraordinary circumstances) on an agenda item made by a person who has a direct interest in the agenda item.*

'Elected Member' *means a person elected and holding valid office under the Local Government Act 1995 as a member of the Council of the Town of Cambridge.*

'Electronic recording' means any recording made by an electronic device capable of recording sound and/or vision.

'Employee' *means any person employed as a full time, part time, or casual employee of the Town.*

'Legislated Meeting' means an Ordinary Council Meeting, Special Council Meeting or Committee Meeting of the Town of Cambridge.

'Live streaming' means to transmit or receive live video recording and audio coverage of a Council and Committee meeting over the internet and on the Town's website or other social media platform, with the content simultaneously recorded and broadcast in real time to the viewer.

'Member of the Public' *means any person other than an Elected Member or Employee of the Town.*

'Members' refers to an Elected Member, Independent Committee Member and any other person appointed as a member of a committee under Section 5.10 of the Act.

'Non-Legislated Meeting' *means a meeting that is not covered in the Regulations and includes briefings, forums and workshops.*

'Question taken 'on-notice' ' *means that the Presiding Member will seek further information and a written response will be provided by the CEO at a later time to the person asking the question.*

'Presiding Member' *means the person Chairing the Council Meeting*

Document Control	
Office Use Only:	
Previous Policy No	Nil.
Statutory Legislation and Compliance	*Local Government Act 1995;* *Local Government (Administration) Regulations 1996*
Related Documents/Legislation	*Town of Cambridge Meeting Procedures Local Law 2019* *Disability Services Act 1993 (WA)*
Date of Adoption by Council	27 February 2024
Date Reviewed/Amended	
Next Review Date	February 2026