District Council of
Loxton Waikerie

CODE OF PRACTICE – PROCEDURES AT MEETINGS

Responsible Officer/s	Executive Assistant Chief Executive Officer
Relevant Legislation / Documents	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013
Adopted	15 September 2000
Reviewed	15 April 2026
Next Review	15 April 2027 (review at least once each financial year)

A. Purpose

This Code is to establish a consistent and transparent approach and provide clear expectations for Elected Members, Council employees and members of the public regarding Council and Committee meetings.

B. Objective

This Code is to establish a consistent and transparent approach and provide clear expectations for Elected Members, Council employees and members of the public regarding Council and Committee meetings.

This Code only applies to all ordinary and special meetings of Council and section 41 Committee meetings at the District Council of Loxton Waikerie.

Riverland Regional Assessment Panel (RRAP) is governed by the Planning, Development and Infrastructure Act 2016 and therefore has its own meeting procedures.

C. Policy

1. Introduction

Council and Committees follow the rules and procedures outlined in the:

1. Local Government Act 1999
2. Local Government (Procedures at Meetings) Regulations 2013
3. Code of Practice for Meeting Procedures – this code
4. Committee Structure – terms of reference and membership

Sections 86(8) and 89(1) of 6the Local Government Act 1999 “the Act” provide that meetings of the council or a council committee will be conducted according to procedures:

prescribed by the Act; prescribed by regulation; and

in relation to council meetings, insofar as the procedure is not prescribed by either the Act or regulations – as determined by the council and; in relation to committee meetings, insofar as the procedure is not prescribed by the Act or regulation to committee meetings, insofar as the procedure is no prescribed by the Act or regulations, determined by the council – as determined by the committee itself.

Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 ("the Regulations") specify certain procedures to be followed during the operation of council and certain council committee meetings. These meetings include:

The meetings of council;

The meetings of a council committee performing regulatory activates; and

The meeting of any other council committee to which the council has resolved Part 2 will Apply.

Regulation 6 provides that the council may develop a Code of Practice, where it chooses, to establish its own procedures in substitution for procedures under the Regulations which are expressed to allow variation.

This code may incorporate three types of procedures:

a. procedures contained in regulations

b. procedures contained in the Regulations that are expressed to allow variation and are varied buy the Council; and

c. procedures on which the council has determined both the Act and Regulations are silent and so has determined those matters itself.

For ease of reference this code of practice includes the Regulations and are referenced with the same regulation number. Procedures that are varied, or concern matters on which the Act and Regulations are silent, are shown in bold and italics and/ or enclosed in a border.

Note – whilst procedures contained within the Act are not incorporated into this Code of Practice, they must be adhered to in all council and committee meetings.

This Code of Practice will be available to the public to assist in their understanding of the procedures associated with the operation of both council and council committee meetings of the District Council of Loxton Waikerie.

In accordance with Regulation 6, the council should review the operation of this Code of Practice at least once in every financial year. The council may, at any time, by resolution supported by at least two- thirds of the members of the council entitled to vote, alter, substitute or revoke this Code of Practice – Procedures at Meetings.

In developing this Code of Practice, the council has at all times had regard to the Guiding Principles set out in Regulation 4.

2. Regulations

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PART 1 PRELIMINARY

1. Citation

These procedures may be cited as the “Code of Practice – Procedures at Meetings”. .

2. Approval

These procedures were approved by the District Council of Loxton Waikerie on 15 September 2000 to be reviewed within each financial year.

3. Interpretation

(1) In these regulations, unless the contrary intention appears-

"**Act"** means the Local Government Act 1999;

"clear days” - see clause 3((2) and 3(3);

"deputation" means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

"formal motion" means a motion-

(a) that the meeting proceed to the next business; or
(b) that the question be put; or
(c) that the question lie on the table; or
(d) that the question be adjourned; or
(e) that the meeting be adjourned";

1 See regulation 13 for specific provisions about formal motions.

"Guiding Principles” - see regulation 4;

"member" means a member of the council or council committee (as the case may be);

"point of order" means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

"presiding member" means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

"written notice" includes a notice given in a manner or form determined by the council.

(2) In the calculation of **"clear days"** in relation to the giving of notice before a meeting-

(a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and

i. Saturdays, Sundays and public holidays will be taken into account.

b. For the purposes of the calculation of ***clear days*** under clause 3 (2), if a notice is given after 5:00pm on a day, the notice will be taken to have given on the next day.

c. For the purposes of these regulations, a vote on whether ***leave of the meeting*** is granted may be conducted by a show of hands (but nothing in the clause presents a division from being called in relation to the vote).

Note

(b) see clause 12 for specific provisions about formal motions

4. Guiding Principles

(1) The following principles (the "***Guiding Principles***") should be applied with respect to the procedures to be observed at a meeting of a council or a council committee-

(a) procedures should be fair and contribute to open, transparent and informed decision- making;

(b) procedures should encourage appropriate community participation in the affairs of the council;

(c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;

(d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

PART 2

MEETINGS OF COUNCILS AND KEY COMMITTEES DIVISION 1-PRELIMINARY

5. Application of Part

The provisions of this Part apply to or in relation to-

(a) the meetings of a council; and

(b) the meetings of a council committee performing regulatory activities; and

(c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

6. Discretionary Procedures

(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least two-thirds of the members of the council as a whole, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).

2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation

(3) A council may at any time, by resolution supported by at least two-thirds of the members of the council as a whole, alter a code of practice, or substitute or revoke a code of practice.

(4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles. (refer to definition 5 at the beginning)

(5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.

(6) A person is entitled to a copy of the code of practice without charge.

(7) Clause 12(4) does not apply to a motion under sub clause (3).

(8) This regulation does not limit or derogate from the operation of clause 20

Note – Furthermore, if a matter is not dealt with by the Act or this Code of Practice, then the relevant procedure will be-

(a) as determined by the council; or

(b) in the case of a council committee where a determination has not been made by the council as determined by the committee.

(c) The meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee

See sections 86(8) and 89(1) of the Act.)

DIVISION 2-PRESCRIBED PROCEDURES

7. Commencement of meetings and quorums

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.

(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.

(4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

(5) If a meeting is adjourned to another day, the chief executive officer must-

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

8. Minutes

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will-

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include-

(a) the names of the members present at the meeting; and
(ab) the name of any member who is not present because the member is suspended or taken to have been granted leave of absence from the office of member of Council; and

(b) in relation to each member present-

(i) the time at which the person entered or left the meeting; and

(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(iii) if, during the meeting, the member is excluded under section 86(6b) of the Act, a statement that the member was excluded and the period for which the member was excluded; and

(c) each motion or amendment, and the names of the mover and seconder; and

(d) any amendment or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

(j) details of any adjournment of business; and

(k) A record of any request for documents to be tabled at the meeting; and

(l) a record of any document tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation

9. Questions

(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 7 clear days before the date of the meeting at which the question is to be asked.

(2) If notice of a question is given under subregulation (l)-

(a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

(b) the question and the reply must be entered in the minutes of the relevant meeting.

(3) A member may ask a question without notice at a meeting.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

(6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

10. Petitions

The Chief Executive Officer is required to ensure that any petition is made available to Elected Members upon request and is available at the meeting of Council at which the summary is presented.

(1) A petition to the council must—
- (a) be legibly written or typed or printed; and
- (b) clearly set out the request or submission of the petitioners; and
- (c) include the name and address of each person who signed or endorsed the petition; and;
- (d) be addressed to the council and delivered to the principal office of the council.

(2) If a petition is received under sub regulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.

(3) Sub regulation (2) may be varied at the discretion of the council pursuant to regulation 6.

11. Deputations

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.

(2) The chief executive officer must transmit a request received under sub clause (1) to the presiding member.

(3) The presiding member may refuse to allow the deputation to appear at a meeting.

(4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

(5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).

(6) The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

(7) A council may refer the hearing of a deputation to a council committee.

12. Motions

(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the chief executive officer at least 7 clear days before the date of the meeting at which the motion is to be moved.

(3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last periodic election of the council must be brought by written notice of motion.

(4) If a motion under sub clause (3) is lost, a motion to the same effect cannot be brought-

(a) until after the expiration of 12 months; or
(b) until after the next general election, whichever is the sooner.

(5) Subject to the Act and these procedures, a member may also bring forward any business by way of a motion, without notice.

(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

(7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).

(8) A motion will lapse if it is not seconded at the appropriate time.

(9) A member moving or seconding the motion will speak to the motion at the time of moving or seconding the motion

(10) a member may only speak once to a motion except –

(a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or

(b) with leave of the meeting; or

(c) as the mover in reply; or

(d) Unless permitted by the presiding member

(11) A member who has spoken to a motion may at a later stage of the debate, by permission of the presiding member, move or second an amendment to the motion.

(12) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in sub regulation 14 (and no other formal motion to a different effect will be recognised)

(14) If the formal motion is-

(a) that the **meeting proceed to the next business**, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

(b) that **the question be put**, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or

(c) that **the question lie on the table**, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

(d) that **the question be adjourned**, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(e) that **the meeting be adjourned**, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

(15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost-

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e., a motion to the same effect) cannot be put until at least 1 member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under sub regulation (14) (c) lapses at the next general election.

(20) The chief executive officer must report on each question that lapses under sub regulation (19) to the council at the first ordinary meeting after the general election.

(21) Sub regulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

13. Amendments to motions

(1) The Presiding Member may allow a member who has already spoken to a motion at an earlier stage of the debate move or second an amendment to the motion.

(2) An amendment will lapse if it is not seconded at the appropriate time.

(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion which the amendment relates.

(4) If an amendment is lost, only one further amendment may be moved to the original motion.

(5) If an amendment is carried, only one further amendment may be moved to the original motion.

14. Variations, etc.

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

15. Addresses by members, etc.

(1) A member must not speak for longer than five minutes at any one time without leave of the meeting.

(2) A member may, with leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

(6) Sub regulations (1) and (2) may be varied at the discretion of the council pursuant to clause 6.

16. Voting

(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.

(2) The presiding member will , in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

(3) A person who is not in his or her seat is not permitted to vote, without the leave of the presiding member.

(4) Sub regulation (3) –

(a) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.

17. Divisions

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

(3) The division will be taken as follows-

(a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and

(b) the members voting in the negative will, until the vote is recorded, sit in their seats; and

(c) the presiding member will count the number of votes and then declare the outcome.

(4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

(5) Sub regulation (3) may be varied at the discretion of the council pursuant to regulation 6.

18. Tabling of information

(1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

19 . Adjourned business

(1) If a formal motion for a substantive motion to be adjourned is carried-

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.

(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of this regulation may be varied at the discretion of the council pursuant to clause 6 .

20. Short-term suspension of proceedings

(1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the

operation of this Division (or any part of this Division) for a period determined by the presiding member.

(2) The Guiding Principles must be taken into account when considering whether to act under sub regulation (1).

(3) If a suspension occurs under subregulation(1)-

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension-

(i) the provisions of the Act must continue to be observed'.; and
(ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) The period of suspension will come to an end if-

(i) the presiding member determines that the period should be brought to an end; or
(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Note – See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

21. Chief Executive Officer may submit a report recommending revocation or amendment of council decision

(1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.

(2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

(3) The provisions of this clause may be varied at the discretion of the council pursuant to regulation 6.

PART 3 - MEETINGS OF OTHER COMMITTEES (to which Part 2 does not apply)

22. Application of Part 3

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

23. Notice of meetings for member

Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

(a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee; and

(b) that notice need not be given for each meeting separately; and

(c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting; and

(d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

24. Public notice of committee meetings

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

(a) that public notice need not be given for each meeting separately; and

(b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

25. Minutes

(1) The minutes of the proceedings of a meeting must include-

(a) the names of the members present at the meeting; and

(b) each motion carried at the meeting; and

(c) any disclosure of interest made by a member; and

(d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(e) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.

(2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

PART 4 MISCELLANEOUS

26. Quorum for committees

(1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.

(2) for the purposes of this code the prescribed number of members of a council committee is-

(a) unless paragraph (b) applies-a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or
(b) a number determined by the council.

Note
See also section 41(6) of the Act.

27. Voting at committee meetings

(1) Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

(2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.

(3) The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

28. Points of order

(1) The presiding member may call to order a member who is in breach of the Act or these regulations.

(2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.

(3) A point of order takes precedence over all other business until determined.

(4) The presiding member will rule on a point of order.

(5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under sub regulation (5) is put.

(7) A resolution under sub regulation (5) binds the meeting and, if a ruling is not agreed with-

(a) the ruling has no effect; and
(b) the point of order is annulled.

28A—Exclusion of member from meeting by presiding member

(1) For the purposes of section 86(6b) of the Act, before giving a direction under that subsection, the presiding member must allow the member to make a personal explanation.

(2) If a member is excluded from a meeting for a contravention of section 86(6a) of the Act, action cannot be taken under regulation 29 in respect of the contravention.

(3) A member will not be taken to contravene section 86(6a) of the Act merely because the member is—
(a) objecting to words used by a member who is speaking; or
(b) calling attention to a point of order; or
(c) calling attention to want of a quorum.

(4) For the purposes of section 86(6e) of the Act, if a member the subject of a direction excluding them from a meeting under section 86(6b) of the Act refuses to comply with the direction or enters the meeting in contravention of the direction, the remaining members at the meeting may, by resolution—

(a) censure the member; or
(b) suspend the member for a part, or for the remainder, of the meeting.

29. Interruption of meetings by members

(1) A member of a council or council committee must not, while at a meeting-

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking.

(2) Sub clause (1)(b) does not apply to a member who is-

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(3) If the presiding member considers that a member may have acted in contravention of sub clause (1), the member must be allowed to make a personal explanation.

(4) Subject to complying with sub clause (3), the relevant member must leave the meeting while the matter is considered by the meeting.

(5) If the remaining members resolve that a contravention of sub clause (1) has occurred, those members may, by resolution-

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.

(6) A member who-

(a) refuses to leave a meeting in contravention of sub regulation (4); or

(b) enters a meeting in contravention of a suspension under sub regulation (5), is guilty of an offence.
Maximum penalty: $1 250.

30. Interruption of meetings by others

A member of the public who is present at a meeting of a council or council committee must not-

(a) behave in a disorderly manner; or

(b) cause an interruption.

Maximum penalty: $500.

Part 5 – Supplementary procedures for council and committee meetings
Agenda Preparation and distribution – correspondence and reports

31. Correspondence

1. Correspondence received 7 clear days prior to the general meeting of council will be considered by the Chief Executive Officer for possible inclusion within the agenda.

2. The determination of correspondence items that may form the basis of a report to council will be where the request or substance of the correspondence item is not contemplated by existing policy or delegation. This determination will be made by the Chief Executive Officer, In the case where a report is required based on a correspondence item the correspondence item will be included in the agenda within the report.

3. Correspondence received after the nominated closure of acceptance of correspondence may form the basis of a late report presented for the consideration of Council.

32. Late Agenda Items

There shall be no late agenda items unless the Chief Executive Officer considers that the content of the report is deemed to relate to a matter of some urgency. Any late reports that the Chief Executive Officer agrees to table at the meeting will have the first part of the recommendation to read "that the late report, item entitled (name of the report) be considered" to allow elected members the right to consider the matter or not.

Any reports that are not approved for presentation at the meeting should be presented at the next available meeting of Council.

33. Reports from officers

1. Recommendation report

Council requires officers to provide fearless and frank advice to elected members. Every council report must include the officers recommendation in order to ensure that elected members are provided with informed advice. Whilst recommendations are provided, it is at the discretion of council whether recommendations are resolved or an alternate course of action/ direction is resolved.

2. Information only report

Information only reports are to be utilised by officers of council to inform elected members where endorsement is not required or a decision has been made under delegated authority from council. Information only reports may also include special reports from staff or elected members and non Section 41 committee meetings.
At the direction of council to determine organisations reports/ minutes for inclusion reports from elected members

1. A section of the agenda is dedicated to enable elected members to provide reports to council regarding attendance at meetings or any training/ professional

development undertaken. The reports are recorded in the minutes and those that require the discussion of Council are raised verbally.

2. Elected members should forward written reports & meeting/event attendance to the Executive Assistant 7 clear days prior to the meeting of council.

34. Recommendations of committees of council

A summary of recommendations of committees to be presented to Council at the beginning of this agenda item.

35 Distribution of the agenda

In provisions of the Act S84, the agenda to be available to view on Council's website and internally via the Docs on Tap portal 5 days prior to the date of the council or committee meeting unless otherwise directed by the Chief Executive Officer.

Notice of the meeting to be displayed no later than 3 days of the council or committee meeting in:

(a) Principal Office Loxton
(b) Loxton Library
(c) Waikerie Library and Visitor Information Centre

As a courtesy, either an electronic or hard copy of the agenda can be made available to past Mayors of the District Council of Loxton Waikerie upon request.

36 Access to Documents – S132 (1)

(1) Subject to the regulations, a council must—
  (a) publish a document referred to in Schedule 5 on a website determined by the chief executive officer; and
  (b) on request, provide a person with a printed copy of a document referred to in Schedule 5 (on payment of a fee (if any) fixed by the council).

(3a) To avoid doubt, if an order under section 91(7) expires or ceases to apply in relation to a document or part of a document, the council must ensure that the document or part of the document (as the case requires) is published on the website determined by the chief executive officer (in accordance with subsection (1)(a)).

D. Availability

This Policy will be available for inspection at the Council Offices at Loxton or Waikerie during ordinary business hours at no charge.

Copies of this Policy will also be available from Councils website: www.loxtonwaikerie.sa.gov.au or postal copies may be obtained from the Council Office free of charge.

This policy will be available in Council's Electronic Document Management System (Content Manager).

E. Document history and version control

Date	Version	Authorisation	Amendment Details
15/07/2016	2.4	Council	The code of practice was reviewed to ensure consistency and to note the addition under the supplementary procedures of Agenda Preparation and Distribution – Correspondent and Reports Procedures.
14/08/2023	3	Senior Management Team	Update procedures with changes to the Local Government (Procedures at Meetings) Regulations 2013- Regulations updated in 2021 and 2022 to be referred to council for adoption
20/09/2023	3	Council	Updated to new letterhead. Update procedures with changes to the Local Government (Procedures at Meetings) Regulations 2013- Regulations updated in 2021 and 2022
April 2026	3.1	Council	Minor edits to grammar and spelling and to ensure comparison with the Local Government (Procedures at Meetings) Regulations. Change to 7 clear days for EM reports Change to 5 days prior to the date of Council meeting for agenda distribution (Act states 3 clear days). Allowance for Elected Members to speak more than once to a motion in section 12 and 13.