	<b>CODE OF PRACTICE 104</b>	Version:	8
	Discretionary Procedures (Procedures at Meetings)	Date Adopted:	29/11/2022
		Next Review Due:	Nov 2023

## 1. STATEMENT

This is a Code of Practice developed for the requirements of Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013 (the Regulations)*.

## 2. DEFINITIONS

The Act and the Regulations may specify other definitions that apply.

## 3. PRINCIPLES

### 3.1 Guiding Principles

Council has considered the following Guiding Principles in developing this Code of Practice:

- procedures should be fair and contribute to open, transparent and informed decision making;
- procedures should encourage appropriate community participation in the affairs of the Council;
- procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting; and
- procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting. (Regulation 4 of the Regs)

### 3.2 Variation of Regulations

In addition to the mandatory procedures detailed in the Act and Regulations, Council has determined to vary the following Regulations (in accordance with regulation 6). Any other sub-regulation not referred to, but capable of being varied, remains as per the Regulations.

#### 3.2.1 Motions

Regulation 12(11) states:

*"A member who has spoken to a motion may not at a later stage of the debate move or second any amendments to the motion".*

Council varies this to:

A member, other than the mover or a seconder, who has spoken to a motion may at a later stage of the debate move or second an amendment to the motion.

#### 3.2.2 Amendments to Motions


Regulation 13(1) states:

*"A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion."*

Council varies this to:

A member, other than the mover or seconder, who has or has not spoken to a motion may at a later stage of the debate move or second an amendment to the motion.

File Ref:	Classification:	Department:	Position Responsible:	Review Frequency:
GF/ 9.63.1/4	Public	Corporate Services	Chief Executive Officer	Annually
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### 3.2.3 Addresses by Members

Regulation 15(1) states:

*“A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting.*

Council varies this to:

A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting and must rise in their place if able.

## 4. REVIEW

This Code of Practice must be reviewed at least once each financial year <sup>(r6(2))</sup>.

The Council may, at any time, by resolution supported by at least two thirds of the members of the council entitled to vote may alter, substitute or revoke the Code of Practice <sup>(r6(3))</sup> Note: Regulation 12(4) would not apply in this circumstance.

## 5. AVAILABILITY

This Code is available without charge on the Wattle Range Council website: [www.wattlerange.sa.gov.au](http://www.wattlerange.sa.gov.au).

A copy of this Code may be purchased from the Principal Council Office, Civic Centre, George Street, Millicent upon payment of the fee detailed in Council's Schedule of Fees and Charges.

## 6. REFERENCES & FURTHER READING

Relevant Legislation:	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1999</i></li> <li>• <i>Local Government (Procedures at Meetings) Regulations 2013</i></li> </ul>
Relevant Policies /Procedures/ Guidelines	<ul style="list-style-type: none"> <li>• Code of Conduct 6 - Public Access to Council and Committee Meetings and Associated Documents</li> <li>• Procedure 106 - Deputations to Council</li> <li>• Procedure 369 - Petitions to Council</li> </ul>

## 7. ADOPTION & AMENDMENT HISTORY

The table below sets out the adoption, review and amendment history of the policy.

Version No:	Issue Date:	Authorised by:	Description of Change:	Minutes Reference:
1	8/11/ 2011	Council	Adopted	Folio 4660; Item 11.1.3
2	11/12/2012	Council	Reviewed	Folio 4848; Item 11.1.9
3	08/04/2014	Council	Reviewed and amended	Folio 5284; Item 12.2.8
4	27/11/2018	Council	Reviewed.	Folio 7983; Item 13.1.2
5	12/11/2019	Council	Removed reference to regulations that have not been varied.	Folio 8695; Item 15.2.5
6	14/04/2020	Council	Amended due to changes to the Local Government Act (COVID-19)	Folio 8948; Item 4.1.1
7	24/06/2022`	Council	Amended due to change removal of Emergency Management Declaration	Folio 10207; Item 15.1.3
8.	29/11/2022	Council	Reviewed and adopted	Folio 10384; Item 15.1.4

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