



## Policy No. 41 – Council Meeting Procedures

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Author Executive Assistant

Responsible Officer General Manager

Statutory Authority *Local Government (Meeting Procedures) Regulations 2025*

*Local Government Act 1993 – Section 72B*

### OBJECTIVE

The purpose of the Policy is to set out rules and procedures for Council Meetings and Council Committee Meetings which apply in addition to the procedures prescribed in the *Local Government (Meeting Procedures) Regulations 2025 (the Regulations)*, and to ensure that participation in Council Meetings is undertaken in a respectful and open manner.

### SCOPE

This Policy applies to Council Meetings, Annual General Meeting and Council Committee Meetings. Regulation 44 (Other Procedures) permits Council to determine 'any other procedures relating to meetings it considers appropriate'. The following additional meeting procedures should be read in conjunction with the Regulations.

It does not apply to any other meeting held by Council (including a meeting of a special committee) unless the body conducting the meeting has expressly resolved to adopt all or part of it.

### DEFINITIONS

The definitions of terms used in this Policy are set out below.

Term	Definition
Allocated Time	Defined period for questions from the public or councillors – being 15 minutes.
Annual General Meeting	A meeting held annually by Council on a date that is not later than 15 December in each year, as defined in Section 72B of the <i>Local Government Act 1993 (the Act)</i> .
Chairperson	Is the Mayor, or in the Mayor's absence, the Deputy Mayor. If both the Mayor and Deputy Mayor are not present, then the Chairperson is the Councillor that is elected by Councillors present at that Meeting.
Closed Meeting / Session	A part of a Meeting which is closed to the public under Regulation 17.
Council Committee	A 'Council Committee' established under section 23 of the Act.
Council Committee Meeting	A meeting of a 'Council Committee' convened in accordance with Regulation 6 of the <i>Local Government (Meeting Procedures) Regulations 2025</i> .

<b>Council Meeting / Meeting</b>	<ul style="list-style-type: none"> <li>a. An ordinary meeting of Council convened in accordance with Regulations 5(2)(a), (3), (4) or (6), other than Council's Annual General Meeting, or</li> <li>b. A special meeting of Council convened in accordance with Regulation 5(2)(b) or (7).</li> </ul>
<b>General Manager</b>	The General Manager appointed under the Act, or delegate.
<b>General Terms</b>	<p>In addition to the above, in this Policy a reference to:</p> <ul style="list-style-type: none"> <li>a. A 'Regulation' is to a provision in the Regulations, and</li> <li>b. A 'Meeting' is to a Council Meeting and / or a Council Committee Meeting.</li> </ul>
<b>Minutes</b>	Are the written minutes of a Meeting prepared in accordance with Regulation 39
<b>Period of Notification</b>	<p>A period of notification referred to within this Policy includes Saturdays, Sundays and statutory holidays, but does not include:</p> <ul style="list-style-type: none"> <li>a. The day on which the notice is given; or</li> <li>b. The day of the Meeting.</li> </ul>
<b>Question</b>	<p>A question is:</p> <ul style="list-style-type: none"> <li>a. A public question without notice; or</li> <li>b. A public question on notice; or</li> <li>c. A question without notice (Councillor); or</li> <li>d. A question on notice (Councillor).</li> </ul>
<b>Relevant Entity</b>	<p>In relation to refusing a question, means:</p> <ul style="list-style-type: none"> <li>a. If the question is a question without notice or a public question without notice, the Chairperson of the Meeting; or</li> <li>b. If the question asked is a question on notice or public question on notice, the General Manager.</li> </ul>

## POLICY

### 1 GENERAL PROCEDURES

The frequency, dates and times of Council Meetings will be determined annually prior to the end of the calendar year, for the following calendar year. The Mayor and / or General Manager may arrange for Special Meetings, as required throughout the year, in accordance with Regulation 5.

Councillors and members of the public are reminded that Council Meetings are open forums and unlike State and Commonwealth parliaments, these Meetings do not have protection from parliamentary privilege. This means any questions or statements made or documents produced are subject to the laws of defamation.

At Meetings, Councillors and members of the public are to ensure that any question or statement made or document produced is not deliberately misleading, is not defamatory, does not disclose any confidential or personal information and does not disclose any commercial-in-confidence information.

Should a question or statement made, or document produced be defamatory, disclose confidential or personal information or disclose commercial-in-confidence information, then the Councillor or member of the public asking the question or making the statement are fully responsible for any issues which follow from the question or statement.

If a member of the public –

- a. hinders or disrupts a Meeting; or
- b. tries to hinder or disrupt a Meeting; or
- c. fails or refuses to leave a Closed Meeting; or
- d. exhibits threatening behaviour -

the Chairperson may take reasonable steps to remove the person from the Meeting or Closed Meeting, including requesting the assistance of a Police Officer in removing the person.

In accordance with Regulation 8, the Chairperson of a Meeting is to make a verbal statement at the beginning of each Meeting advising (but not limited to) the following:

- An audio recording is being made of the meeting;
- All persons attending the meeting are to be respectful of, and considerate towards other persons attending the meeting;
- Workplace Health and Safety requirements; and
- Language and conduct at the Meeting that could be perceived as offensive, defamatory or threatening to a person attending the meeting, or listening to the recording, is not acceptable.

## 2 PUBLIC QUESTION TIME

Public Question Time provides an opportunity for members of the community to ask questions relating to Council's activities, not make statements. Anyone wishing to address Council and make a statement may do so under the Invitation to Address Council section of the Meeting.

Regulations 33, 36, 37 and 38 provides rules in relation to Public Question Time. In accordance with Regulation 44, the following procedures will also apply.

### 2.1 Asking a question

Any member of the public may ask a question. A person may ask a maximum of four questions per Meeting. Questions may be submitted in two ways:

- a. Two questions can be submitted in writing and be 'received on notice' before the Meeting.
- b. Two questions may be raised from the public gallery 'without notice' during Public Question Time.
- c. The Chairperson reserves the right to consider whether questions above this limit will be accepted or treated as correspondence and answered in accordance with Council's Customer Service Charter timeframes.

### 2.2 Putting a Question on Notice

- a. Members of the public are encouraged to submit a question(s) in writing and be put on notice to address the Council in the next ordinary Meeting. Council recommends this option as it will enable Council to provide a considered and complete response.
- b. A maximum of two questions may be submitted in writing before the Meeting.
- c. Members of the public can submit a question(s) in writing by any of the following methods:

Email: [gm@dorset.tas.gov.au](mailto:gm@dorset.tas.gov.au) or [dorset@dorset.tas.gov.au](mailto:dorset@dorset.tas.gov.au)

Via online submission form available at [www.dorset.tas.gov.au/council-meetings](http://www.dorset.tas.gov.au/council-meetings)

In Person: 3 Ellenor Street, Scottsdale

Mail: PO Box 21, Scottsdale TAS 7260

- with all questions clearly marked for the attention of the General Manager and be in the format of the registration form.

- d. Any question(s) on notice must be received at least 7 days before a Meeting and in accordance with the period of notification.
- e. Questions receive 'on notice' in writing to be answered will be listed on the agenda for the next ordinary Meeting.

## **2.3 Questions without Notice**

- a. Members of the public wishing to ask Questions without Notice will be required to register their intent with Council's Executive Assistant prior to the commencement of the Meeting.
- b. Questions without Notice are required to be provided in writing to Council's Executive Assistant for inclusion in the minutes of the Meeting either at the Meeting, or within 24 hours of the Meeting concluding.
- c. Questions without Notice will be dependent on available time at the Meeting within the allocated time. This allocated time may be extended at the discretion of the Chairperson to a maximum of 30 minutes.

## **2.4 Refusal of Questions**

The relevant entity may refuse to allow a question on notice to be listed or refuse to respond to a question put at a Meeting without notice that:

- i. Relates to any item listed on the agenda for the Meeting<sup>1</sup>.
- ii. Is unlawful in any way.
- iii. Contains defamatory remarks, offensive or improper language.
- iv. Questions the competency of Council employees or Councillors.
- v. Relates to the personal affairs or actions of Council employees or Councillors.
- vi. Relates to confidential matters, legal advice or actual or possible legal proceedings.
- vii. Relates to any matter which would normally be discussed in Closed Session of the Meeting.
- viii. Is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than to make a genuine enquiry.
- ix. Is vague in nature or irrelevant to Council.
- x. Is not related to Council activities.
- xi. Is a question that has been substantively asked at a previous Meeting.

## **2.5 At a Council Meeting**

The following rules and procedures apply to Public Question Time:

- a. Members of the public are to stand (if able) and announce their name and the suburb / town they reside before asking a question (all of which will be recorded in the minutes).
- b. Questions are to be put succinctly and in the form of a question, not a comment.
- c. Where a member of the public asks a question that is inappropriate, defamatory, offensive or constitutes bullying behaviour of Councillors or Council employees, the Chairperson may give the individual a warning that if they persist, they will be asked to leave the Council Meeting. The Chairperson may then take

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<sup>1</sup> This ground for refusal is in order to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Meeting agenda.

reasonable steps to remove the person from the Meeting, including requesting the assistance of a Police Officer in removing the person.

- d. If more than one person wishes to ask a question, the Chairperson is to determine the order in which those questions are asked.
- e. Questions relating to planning applications that are to be decided at that Meeting, or a future Meeting will be taken on notice.
- f. Questions must be directed to the Chairperson who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known, otherwise taken on notice and responded to in the next ordinary Meeting agenda and in writing to the member of the public who asked the question.

### 3 INVITATIONS TO ADDRESS A COUNCIL MEETING<sup>2</sup>

Regulation 46(1) gives persons the opportunity to address a Council Meeting. Council has determined that the following procedures will apply to any person when addressing a Meeting:

- a. A statement is an address or report to Council; it is not a question or discussion time with Councillors. Statements by members of the public and questions asked by Councillors are not to be debated.
- b. Members of the public wishing to address Council at a Meeting shall indicate their intent and subject matter in writing by 10am on the Friday prior to the Meeting. The notification can be made by any of the following methods:

Email: [gm@dorset.tas.gov.au](mailto:gm@dorset.tas.gov.au) or [dorset@dorset.tas.gov.au](mailto:dorset@dorset.tas.gov.au)

In Person: 3 Ellenor Street, Scottsdale

Mail: PO Box 21, Scottsdale TAS 7260

- clearly marked for the attention of the General Manager. The Mayor and General Manager may exercise discretion on this notification deadline in exceptional circumstances.
- c. All proposed statements are to be provided in writing prior to the Meeting to allow for circulation to Councillors and inclusion in the minutes of the Council Meeting.
- d. Council will allow a maximum of 15 minutes for public statements at Meetings.
- e. A person(s) seeking to make a statement to Council may speak for a period up to 3 minutes but may be extended at the discretion of the Chairperson to a maximum of 5 minutes.
- f. Prior to making a statement, members of the public are to stand (if able) and announce their name and the suburb / town they reside (all of which will be recorded in the minutes).
- g. The subject of any statement can relate to a matter currently before, or at some future stage to come before the Council, or any other matter of general relevance to the interest of Dorset.
- h. Statements in relation to planning applications that are to be decided at that Meeting, or a future Meeting are:
  - i. not to exceed 5 minutes in duration.
  - ii. only to be made by the applicant or a valid representor.

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<sup>2</sup> Invitations to address Council Meetings were called 'Deputations' in earlier versions of the Regulations and this Policy.

- iii. limited to statements supporting the content of representations made during the statutory advertising period of the planning application and cannot introduce new information pertaining to the application.
- iv. A maximum of five deputations will be permitted on any one planning application. The Chairperson has the right to refuse or cease an address where the statement is a repetition of a previous public address.
- i. Comments and statements are not to be defamatory, offensive or abusive, or be designed to embarrass any person, including Council employees or Councillors.
- j. Statements are not to be repetitive of points already made. Several people repeating a common position should nominate a single speaker on their behalf.

## 4 COUNCILLOR QUESTION TIME

Regulations 33, 34 and 35 provides rules in relation to questions from Councillors. In accordance with Regulation 44, the following procedures will also apply to Councillor Question Time.

### 4.1 Submitting a Question on Notice

Any Councillor may ask a question at any ordinary Council Meeting. Questions may be submitted in two ways:

- a. Unlimited questions can be submitted in writing and be received 'on notice' before the Meeting.
- b. Two questions may be raised 'without notice' during Councillor Question Time.
- c. The Chairperson reserves the right to consider whether questions above this limit will be accepted or treated as correspondence and answered in accordance with Council's Customer Service Charter timeframes.

### 4.2 Putting a Question on Notice

- a. Councillors can submit a question(s) in writing to the General Manager by emailing [gm@dorset.tas.gov.au](mailto:gm@dorset.tas.gov.au)
- b. Any question(s) on notice must be received at least 7 days before a Council Meeting and in accordance with the period of notification.
- c. Questions received 'on notice' in writing along with answers will be listed in the agenda for the next ordinary Meeting.

### 4.3 Questions without Notice

- a. Council will allow a maximum of 15 minutes for Councillor Questions without Notice at a Meeting.
- b. Councillors wishing to ask a Question without Notice will be required to register their intent with Council's Executive Assistant prior to the commencement of the Meeting.
- c. Questions without Notice are required to be provided in writing to Council's Executive Assistant for inclusion in the minutes of the Meeting either at the Meeting, or within 24 hours of the Meeting concluding.

### 4.4 Refusal of Questions

- a. The relevant entity may refuse to allow a question on notice to be listed, or may refuse to respond to a question put at a Meeting without notice that:
  - i. Relates to any item listed on the agenda for the Council Meeting<sup>3</sup>.

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<sup>3</sup> This ground for refusal is to avoid any procedural fairness concerns arising in respect to any matter to be determined on the Meeting agenda.

- ii. Is unlawful in any way.
- iii. Contains defamatory remarks, offensive or improper language.
- iv. Questions the competency of Council employees or Councillors.
- v. Relates to the personal affairs or actions of Council employees or Councillors.
- vi. Relates to confidential matters, legal advice or actual or possible legal proceedings.
- vii. Relates to any matter which would normally be discussed in Closed Session of the Meeting.
- viii. Is, in the reasonable opinion of the Chairperson, proffered to advance a particular point of view rather than to make a genuine enquiry.
- ix. Is vague in nature or irrelevant to Council.
- x. Is not related to Council activities.
- xi. Is a question that has been substantively asked at a previous Meeting.

#### **4.5 At a Council Meeting**

The following rules and procedures apply to Councillor Question Time:

- a. A Councillor may ask a question without notice of the Chairperson, or through the Chairperson of another Councillor or the General Manager.
- b. In asking a question, a Councillor must not offer an argument or opinion or draw any inferences or make any imputations. The exception to this is where explanation of the question is necessary.
- c. Questions are to be put succinctly and in the form of a question, not a comment, with no debate permitted on the question or the answer provided.
- d. The Chairperson, Councillor or General Manager who is asked a question without notice at a Meeting may decline to answer the question.
- e. Where a Councillor asks a question that is inappropriate, defamatory, offensive or constitutes bullying behaviour of Councillors or Council employees, the Chairperson may give the individual a warning that if they persist, they will be asked to leave the Meeting. The Chairperson may then take reasonable steps to remove the person from the Meeting, including requesting the assistance of a Police Officer in removing the person.
- f. If more than one Councillor wishes to ask a question, the Chairperson is to determine the order in which those questions are asked.
- g. Questions must be directed to the Chairperson who shall answer or direct the question to the appropriate Councillor, or the General Manager. A question will be answered if the information is known otherwise taken on notice and responded to in the next ordinary Meeting agenda and in writing to the Councillor who asked the question.
- h. The Chairperson may refuse to accept a question without notice if it does not relate to the activities of the Council.

## **5 ANNUAL GENERAL MEETING**

Section 72B of the Act provides rules relating to Council holding an Annual General Meeting each year. Council has determined that the following guidelines will apply.

The Annual General Meeting will be conducted as far as practicable in a manner like an ordinary Council Meeting and generally align with processes in the Regulations.

### **5.1 Procedures Applicable to the Annual General Meeting**

- a. All discussion will be addressed through the Chairperson of the Meeting.
- b. For minute taking purposes, speakers are asked to identify themselves to the Meeting before speaking.

### **5.2 Moving a Motion**

- a. A Councillor or a member of the public who is an elector of the Dorset Council municipal area, may move or second a motion.
- b. All motions must be seconded before any debate can commence on that motion.
- c. Only one motion and one amendment may be before the Chairperson at any time.
- d. Councillors and electors of the Dorset municipal area may vote on motions and amendments.
- e. Voting will be by show of hands.
- f. A resolution is passed by half plus one of the Councillors and electors present voting in favour of a motion or amendment.
- g. In speaking to a motion, individuals may speak only once and for a maximum of 3 minutes.

### **5.3 General Procedures**

- a. A motion passed at the Annual General Meeting will be considered at the next ordinary Council Meeting.
- b. No person may:
  - i. Move more than two motions.
  - ii. Make any personal reflection of any Councillors, Council employees or any member of the public.
  - iii. Disrupt the Meeting.
  - iv. In the opinion of the Chairperson, use any offensive expression.

## **6 VOTING PROCEDURE**

In accordance with Regulation 31 and 32, a vote at a Meeting will be taken as follows:

- a. The Chairperson will ask all those in favour of the motion to indicate their affirmative vote.
- b. The Chairperson will ask all those against the motion to indicate their negative vote.
- c. If necessary, the Chairperson will advise the name of any Councillor who has abstained<sup>4</sup> from the vote. The name of any Councillor who abstains from a vote is to be recorded in the minutes as having voted in the negative and listed as 'abstaining' from the vote.
- d. A motion at a Council Meeting is determined by a simple majority of votes unless an absolute majority is required under the Act or any other regulations made under the Act.<sup>5</sup>
- e. A tied vote at a Meeting will result in the motion being determined in the negative.

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<sup>4</sup> As required under Regulation 32(3) – abstention from a vote, is a vote in the negative.

<sup>5</sup> A simple majority is the majority of numbers present at the Meeting where the motion is being determined. An absolute majority is the majority of Councillors as elected, whether present at the Meeting or not.



## 7 AUDIO RECORDING OF MEETINGS

In accordance with Regulation 43, an audio recording<sup>6</sup> is to be made of all ordinary and Special Meetings of Council and the Annual General Meeting, including both the open and closed part of Council Meetings. Only the recording relating to the open session of a Meeting will be made available to the public. Audio recordings are to be made available to the public within five business days after the Meeting via Council's website and social media channels.

A recording may be edited, in full or in part, however a statement must be included with the audio advising that the recording has been edited and the reason for the edit in accordance with Regulation 43(8). Council must retain an unedited version of all audio recordings for the required 12 month period.

Where a recording of a Meeting is not possible for technical reasons, the Chairperson will advise those present that the Meeting is not being recorded. If a recording is not made, or if an audio file becomes damaged or unreadable for any reason, this information will be noted on Council's website and social media channels.

In accordance with Regulation 8, at the commencement of all Meetings being recorded, the Chairperson will announce to all present that:

- a. An audio recording of the meeting has commenced and will last the length of the open session of that meeting, unless otherwise directed by the Chairperson.
- b. Unauthorised filming or recording of the Meeting is not permitted.

## IMPLEMENTATION AND REVIEW

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The General Manager is responsible for the implementation of this Policy in accordance with responsibilities outlined. This Policy will be reviewed every 4 years following the Local Government election cycle, or earlier if required.

## DOCUMENT INFORMATION

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Version	Doc Ref	Date Reviewed	Author	Comments
V1	DOC/21/10802	September 2021	Sarah Forsyth	Policy established based on LGAT model template
V2	DOC/25/7976	June 2025	Sarah Forsyth	Policy review required due to the remaking of the Local Government (Meeting Procedures) Regulations, which came into effect on 24 June 2025.

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<sup>6</sup> For the purposes of Regulation 43(2), a Council that makes an audio-visual recording of a Meeting is taken to have made an audio recording of that Meeting.