

# Attachments

## UNDER SEPARATE COVER ORDINARY COUNCIL MEETING

**6:00PM, TUESDAY, 25 June, 2019**



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# Masterplan

## Muttama Memorial Hall

Prepared for:  
Muttama Hall Committee  
Issued:  
17 June 2019

Prepared by:  
Dunn & Hillam Architects

DUNN  
& HILLAM  
ARCHITECTS



We acknowledge the Wiradjuri as the original custodians of the lands and waters on which Muttama was built. We respect their cultural and spiritual relationships with place and honour elders past, present and emerging whose knowledge and wisdom has and will ensure the continuation of cultures and traditional practices.

#### Report register and quality assurance

Dunn & Hillam Architects operates under a quality management system which has been certified as complying with quality management systems ISO 9001:2008. This report has been reviewed and approved for issue in accordance with the Dunn & Hillam quality assurance policy and procedures.

Job Number:	19_309
Issue Number:	03
Client:	Muttama Memorial Hall Committee
Issue Date:	17 June 2019

The following report register documents the development and issue of the report entitled Muttama Memorial Hall Masterplan and remedial works, undertaken by Dunn & Hillam Architects in accordance with its quality management system.

Project Architect:	Rose Davies
Project Director:	Lee Hillam
Signature	
Date:	17 June 2019

#### REPORT REGISTER

Issue	Description
01 DRAFT	Draft report for discussion
02 DRAFT	Draft report for discussion
03 FINAL	Final Report

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Front cover image: Muttama Memorial Hall 2018

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DRAFT

1

Discover

## Executive summary

Dunn & Hillam Architects and Somewhere Landscape Architects have been asked by Muttama Hall Committee to work with them to upgrade and review the facilities and services provided by Muttama Memorial Hall and to provide a guiding masterplan for all future work.

This report documents the heritage, condition and amenity of the existing building, analyses the site and context of Muttama Memorial Hall and considers the needs and potential of this building within the social and civic functions. A program of works to address urgent maintenance and functional issues will be supported by a longer term vision for the whole site. This analysis allows the client to ensure that works that are urgently required are in line with the future plans. A set of Project Principles are proposed which can serve to guide all work in the short and long term and at all scales.



# Introduction

## Purpose of Document

The purpose of this document is to outline the existing condition of the Muttama Memorial Hall; the physical context and a Master Plan for future stages. Challenges and opportunities are analysed.

## Background of this project

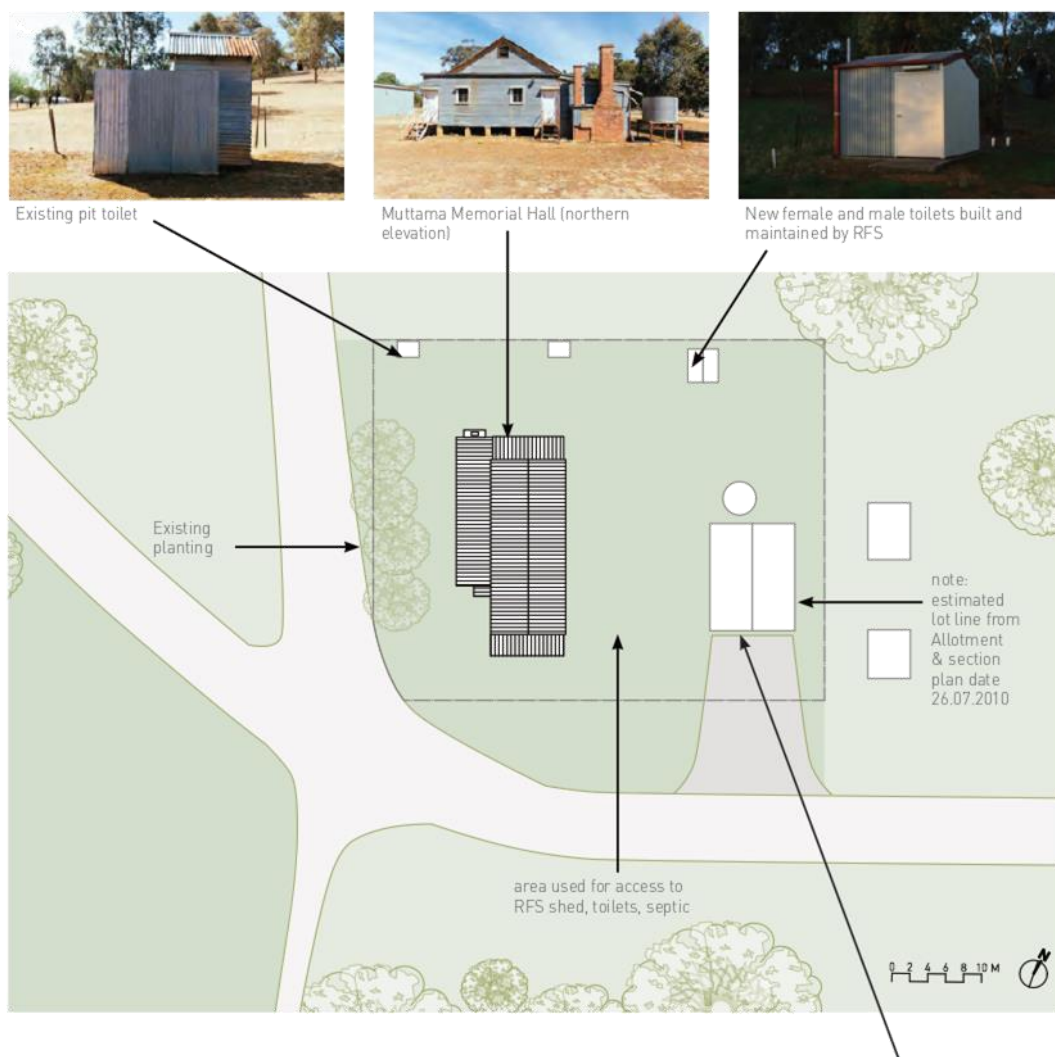
Muttama Memorial Hall (the Hall) was built in 1925. The Hall is owned by Cootamundra-Gundagai Regional Council (CGRC) and managed with guidance from the Muttama Memorial Hall Committee. The Hall sits on a lot that also accommodates the Rural Fire Service shed and small toilet block.

The Hall has significant structural, compliance and amenity issues. A full condition report has not been undertaken, however Table 01 shows known issues.

The analysis was done in consultation to documents provided by the Muttama Memorial Hall Committee. These documents include:

- Allotment and Section plan, dated 26.07.2010
- Proposed Renovations Ground floor plan, prepared by Coota Design, dated 11.03.2019
- Muttama Hall Drainage, prepared by Cootamundra-Gundagai Regional Council
- Statement of Heritage Impact for Conservation and Reconstruction works Muttama Public Hall, Prepared by Ray Christison for High Ground Consulting, dated 17.02.2019
- Muttama Hall Conservation Action plan, Prepared by Ray Christison and Tanya Cullen for High Ground Consulting, dated 21.08.2016
- Title Search and Certificate of Title, provided by Last and Maxwell solicitors and conveyancers, cover letter dated 18.09.1995

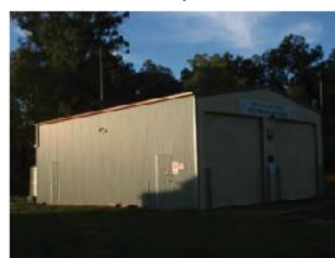
## Analysis of Site



Muttama Memorial Hall (southern elevation)



Muttama Memorial Hall (eastern elevation)



Rural Fire Service - Muttama Brigade

## Analysis of statutory context

The Muttama Memorial Hall is currently governed by the Gundagai Local Environment Plan (2011).

### City Local Environment Plan 2012



- To encourage development that does not adversely impact nearby agricultural activities
- To protect, enhance and conserve the natural environment, including native vegetation, wetlands and wildlife habitat
- To ensure development prevents or mitigates land degradation

Land Use Zone	RU1 Primary Production
Heritage Controls	This site is not listed as a heritage item
Natural Resources Sensitivity	The site is located within a Resource Sensitivity area for Water, Land and Biodiversity
NCC Class	Class 9b – buildings in which people gather for social, theatrical, political, religious or civil purposes

**Within the Primary Production (RU1) the zone objectives are as follows:**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- To encourage diversity in primary industry enterprises and systems appropriate for the area
- To minimise the fragmentation and alienation of resource lands
- To minimise conflict between land uses within this zone and land uses within adjoining zones
- To encourage the efficient use and conservation of water resources
- To protect significant scenic landscapes



# Analysis of Code Compliance

## NCC Number of persons accommodated

Type of existing use	Number of people allowed in existing ground floor
Hall	120 people (120m <sup>2</sup> at 1m <sup>2</sup> per person)
Supper Room	42 people (42m <sup>2</sup> at 1m <sup>2</sup> per person)
Kitchen	2 people (20m <sup>2</sup> at 10m <sup>2</sup> per person)
Stage	7 people (29m <sup>2</sup> at 4m <sup>2</sup> per person)
Change Room	5 people (20m <sup>2</sup> at 4m <sup>2</sup> per person)
Total Capacity 176 people, evenly split across genders	(allows 88 female patrons to function room)

Muttama Memorial Hall will require at minimum:

- 1 male toilet
- 2 female toilets
- 1 unisex accessible toilet
- 1 unisex ambulant toilet

The use of the existing RFS toilets in these calculations is recommended, but will be subject to a formal arrangement being made for access to those toilets.

## NCC Sanitary Compliance

The following clauses from Section F of NCC 2019 are relevant for the existing and future uses of the Muttama Memorial Hall:

### Class 9b public halls, function rooms or the like

- 1 male patron toilet, 1 male patron urinal, 1 male patron washbasin (allows 88 male patrons to function room)
- 3 female patron toilet, 2 female patron washbasin

### Accessible Sanitary Facilities

- Accessible unisex sanitary compartments must be provided in accessible parts of the building
- In calculating the number of sanitary facilities to be provided, a unisex facility required for people with a disability may be counted once for each sex.
- Any 1 additional sanitary compartment should be suitable for a person with ambulant disability for use by males and females
- 1 accessible sanitary compartment is required on every floor containing sanitary compartments



DRAFT

2

Create





## Strategic Framework

A project such as this, where work will be completed over a long time frame and there are a large number of community members whose support will enable this to happen, benefits from a clear framework which can guide all parts of the project. Below are a number of criteria which can form this Strategic Framework.

### Pragmatic and Honest

The Muttama Memorial Hall is a structure with a great deal of honest integrity. It is neither more nor less than what is needed for the job. All remedial or new work should take this approach. New work should aim to improve the amenity without compromising the feeling of a country hall or compromising the original character, style and purposes of the hall. Primarily those purposes were for social cohesion of the local community, and also for the community to recognise and commemorate those who served during world wars, and provided national and local services.



### Contemporary versions of traditional materials

Materials used in new construction should be strongly tied to the existing materials. While it is not thought necessary that replica or nostalgic materials be used, they should make reference to the original. For example where new cladding is required it can be zincalume mini-orb which references the galvanised ripple iron. Where hardwood floors are being replaced they should also be hardwood, however the species may not be able to be matched and so a similar colour and scale of boards should be looked for. Finishes should replicate the original, such as using penetrating oils for the floor finish and should avoid polyurethane based coatings. Materials that must be removed during the course of repair work should be retained and re-purposed.



### Look for the Value Add

Where new work is being proposed it should look to provide the greatest amount of amenity and value for the project. For example planting could provide shade, privacy, demarcation of use and deal with the overland water flow issues. Every element that is added to the project should efficiently and effectively expand and support the functions of the hall.



### Flexible use over time

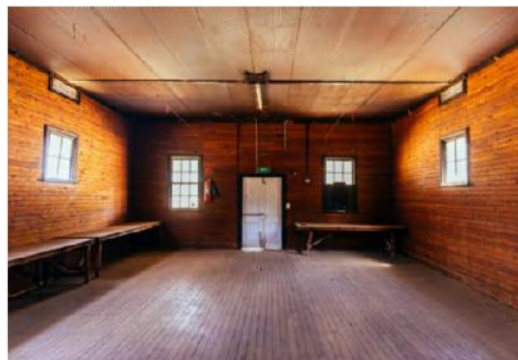
The Hall has been used for a wide variety of events and activities over its life. New work should seek to keep all the potential uses, even those not yet thought of. This means work should not be too prescriptive or specific or build in a way that reduces the possibility of uses.

### No work to be undone

Work to the Hall will be done incrementally over a long period of time. Therefore at each stage care should be taken to do work that supports the next stages, even if those seem a long time away. For example where new electrical work is being done it should be specified to allow for a future capacity or the installation of solar panels, fans, heating and cooling etc so that in the future there is not a need for replacing a meter box or other components. Opportunities to install insulation or sarking when opening up roof or wall cavities should be taken, to avoid having to re-open these spaces at a later date. In-ground drainage should be installed while groundworks are underway for the floor repairs, to protect that new work and to avoid further site disruptions.

### Respect for the stories of the Place

The long history of the Muttama Hall is linked intrinsically to the people. There are many formal and informal markers of those people. Formal markers are the War Memorial honour boards and bushfire commemoration, while informal markers would be the graffiti in the backstage rooms and could also be particular works of craft such as patches on the floor. It is not possible to know and list all the stories that are held within this structure, however careful consultation with the community should reveal many interesting and important links to locals and visitors from the past. These should all be retained and respected. New interpretative panels, if installed, should reflect the scale and materials found within the hall.



# Masterplan

The following diagram explores a possible strategy for future works to Muttama Memorial Hall.

The aims of the Masterplan are to:

- provide compliant access to the hall, stage and backstage and provide toilets as required by the NCC
- improve the useability of the existing hall through upgrades to kitchen, main hall, back stage room, supper room external
- pathways, landscaping and entrances and by providing additional storage, electrical and plumbing points
- resolve urgent repair and maintenance, compliance and amenity issues as per table below:

**Table 01**

Item	Description of condition	Description of works required	Funded	Stages
Overland Flow	Pooling in the sites west (under building) caused by natural overland flow and significantly increased by recent roadworks.	Planted landscape and swales to divert water movement	No	2
		remove debris and obstructions from under and around building.	Yes	1
		ag drain to be installed around building and land contoured around the building to the west and north	No	1
Pathways	Non-existent, or uneven	universal and disabled access to all areas of site is preferable	No	2
Access to all areas		Maintaining clear access between RFS & Hall.	N/A	
Access to existing toilets Pathway to toilets non-existent and dirt washed away surrounding toilet slab		link the toilets to hall via an easily trafficable pathway	No	2
No accessible toilets	Hall and site non-compliant as no accessible toilet is provided	Investigate design and siting for new accessible toilet. Make multi-functional (baby-change/family room)	No	2

Structural	Stumps appear to have failed in various places, as well as rafters in supper room.	Works to Main Hall & Kitchen to repair/replace floor and build new brick stumps with footings	Yes	1
Electrical	Must be tested for safe of operation	To provide new electrical services for the kitchen (rough in)	Yes	1
		New Electrical and lighting for main hall, stage and backstage	No	3
	No access to power for movable equipment such as lighting, cool rooms etc for event specific purposes	provide external electrical points at key places to allow safe connection of cool room trailers, extra event lighting etc (provide capacity for this at Stage 1)	No	3
Plumbing	Must be tested for safe of operation	To provide new plumbing services for the kitchen (rough in)	Yes	1
	No connection to septic tank for kitchen	Make a connection from the kitchen to an compliant location (either existing or new septic tank)	No	2
	Existing tank gravity feed only and small capacity	Tank capacity may be adequate. Check to see if external taps can be supplied without pump	No	2
	No overflow connection for existing tank	The small capacity of the tank may mean that in a significant rain event the tank overflows. A way to move this overflow water away from the building needs to be put in place	No	2
	No access to water and drainage for movable equipment such as lighting, cool rooms etc for event specific purposes	provide external water supply and drainage points at key places to allow safe connection of cool room trailers, extra event lighting etc	No	3



Thermal Performance	The hall currently has no insulation in either walls or ceiling. Some walls and rooves are single skin meaning they do not have the protection of an air cavity	Install insulation and sarking in the kitchen before installing internal linings. Insulation should be the heaviest rating possible within the existing cavity.	No	2
		Install insulation and linings in the backstage area.	No	3
	The hall can be uncomfortably hot or cold depending on the season	Ceiling fans should be considered for the main hall. There may be the potential to install a reverse cycle heating/ cooling unit in joinery above the kitchen servery window. No heating or cooling systems or vents associated with those systems should be installed in original fabric.	No	3
Supper Room	The floor is in poor condition and very low to ground	Remove existing floor and provide appropriate clearance. Replace floor	No	2
	Repair to wall and roof framing where damaged by termites	Replace studs walls, rafters and battens as necessary to provide structural safety and true lines for new guttering.	Yes	1
Kitchen	In disrepair and does not comply with current food safety standards	To remove existing kitchen, rough in services and pour new concrete slab.	Yes	1
		Repair and realign battens to the existing wall frames and ceiling joists to take linings. Reposition doorways as shown in drawings.	No	2

		Install new commercial kitchen.	No	2
Guttering & Stormwater	Guttering & downpipes are in poor condition	To repair, replace or realign all gutters with adequate falls and supply connections to downpipes and existing tank, with overflow as required	Yes	1
		Install new tank and pump	No	2
Stage	Stage floor in reasonable condition	Repair where necessary and make level	Yes	1
Back Stage Rooms	Access to stage and back stage is not accessible	Design and build new disabled access to backstage doors. Propose solution for access to stage from main hall floor	No	3
		Repair and secure external doors	No	3
	Inadequate sinks, mirrors and hanging rails for dressing rooms	Install basic and appropriate sinks and mirrors and hanging hooks	No	3
Storage	Little to no storage exists, Storage room at end of supper room is falling down	Provide adequate storage for chairs and tables and other equipment as might be needed	No	2

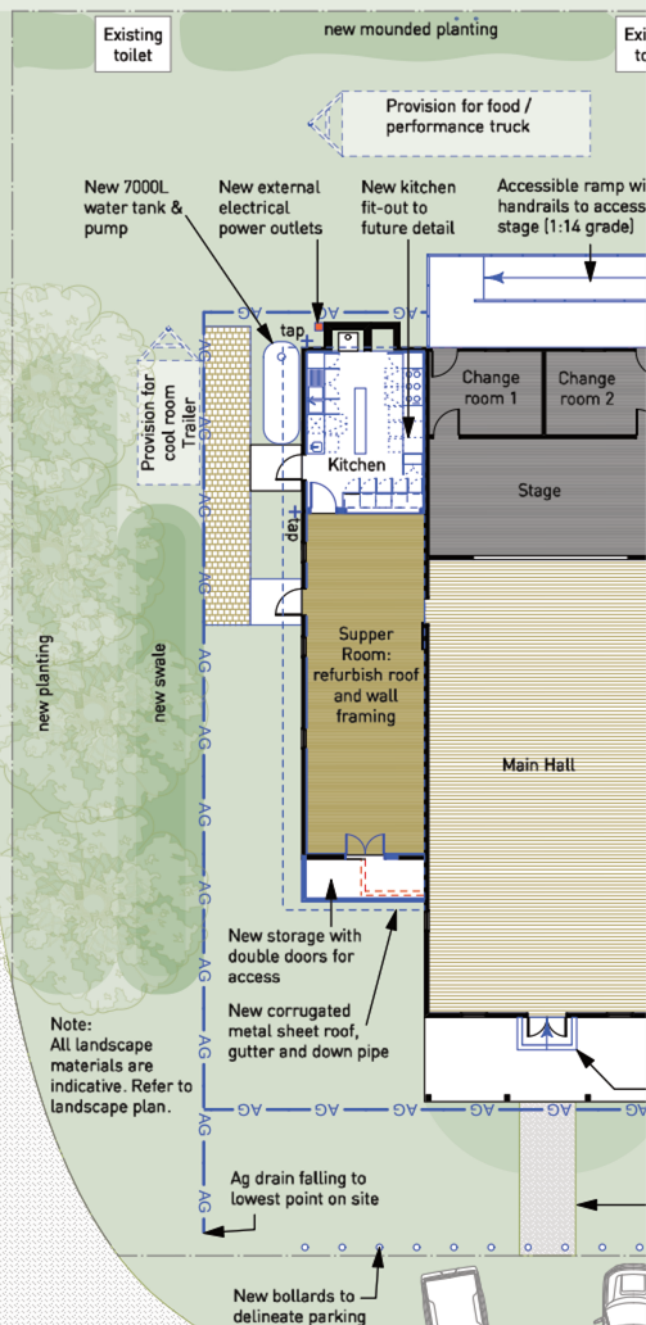
## Masterplan

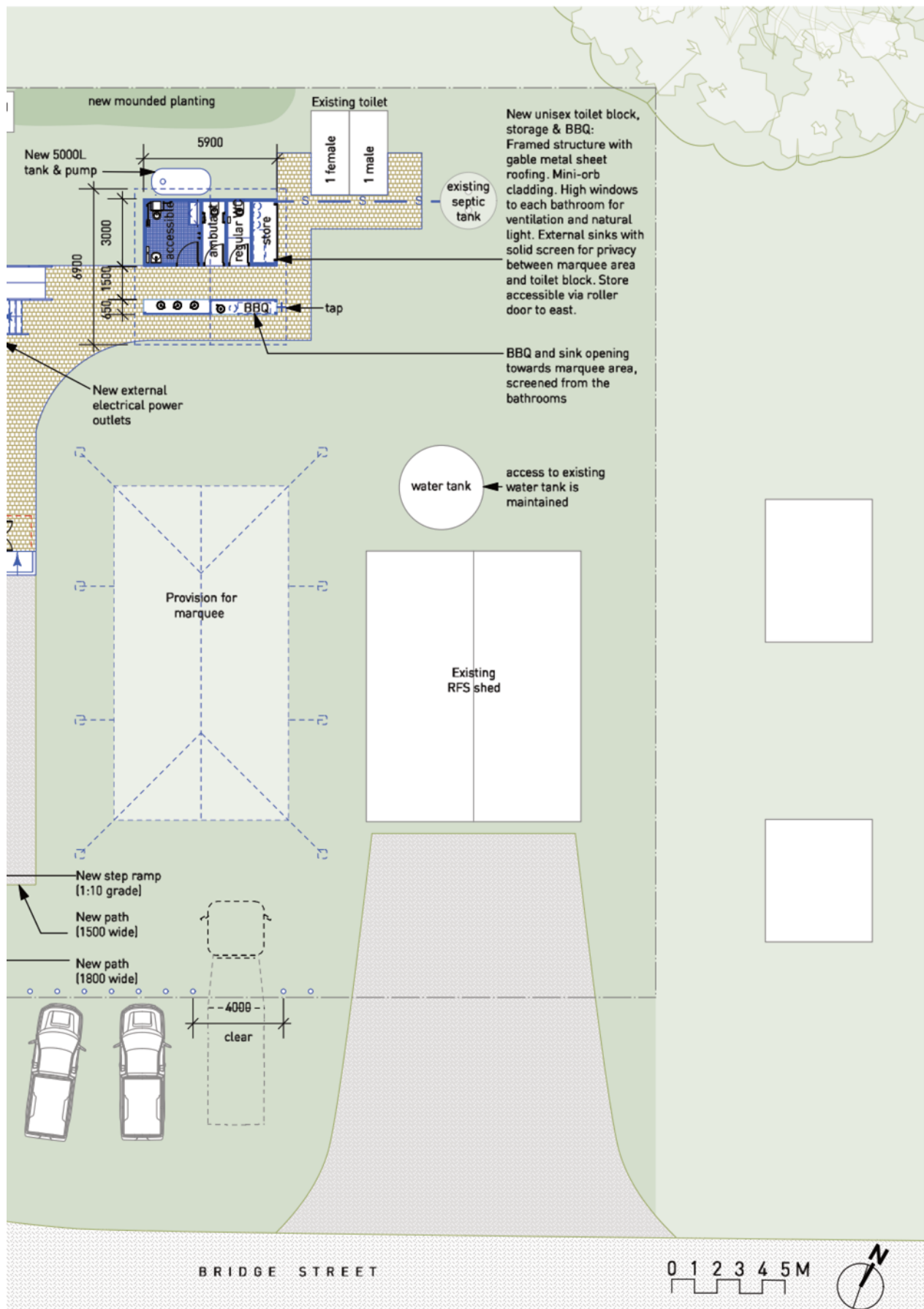
The work that is supported by the first round of grants will allow urgent work to be complete. Further work is envisioned by the committee and the community that would allow the Hall to be more widely and regularly used. The Masterplan seeks to create a contained zone for the hall to spill into when events are on. A new building to the north provides the northern edge for this large community courtyard and contains toilets, storage and a space for a barbecue. Accessible pathways connect the front verandah, to the side entrance, and through the new building to the existing toilets in the north east corner of the site.

This courtyard space can be used as is; just for overflow as people leave or arrive, for children to play and run, or can be arranged for outdoor movie screenings, or to accommodate a marquee, either just for a bar, or a larger marquee for a wedding or larger event. The space will be left open so that during non-event times it can be used for access to the RFS shed.

We are proposing that external service points for electricity and water be provided in the first stage of works to allow a cool room trailer and a larger performance van to 'plug and play' on the northern and western sides of the hall with good access into the kitchen and supper room.

Upgrades to the backstage rooms would be desirable in the long term and the masterplan shows a proposal for providing compliant ramps to those rooms and therefore on to the stage. This ramp connects with other pathways around the hall and to the toilets. We are also proposing extending the space allocated to storage on the southern end of the supper room.







## LANDSCAPE CONCEPT

### LEGEND

Legend text



#### Village green

Kikuyu lawn with edging to delineate and define the importance of the space.  
Maintenance: Occasionally watered and mowed in summer.



#### Gravel areas

Compacted road base 100mm topped with Juggling gravel. Create fall out from buildings and edge to enable seasonal slashing around edge.

#### Front path

Refer to architectural plans



#### Fall/swales

Create subtle land shaping to direct overland flow away from building and into plantings where it can be used



#### Edging

Recycled brick edge to define lawn and hold gravel areas



#### Native grass area

Kangaroo grass (*Themeda australis*)  
Dianella (*Dianella longifolia* var. *longifolia*)  
Ringed Wallaby grass (*Danthonia caespitosa*)  
Wallaby grass (*Danthonia racemosa*)  
Red grass (*Bothriochloa macro*)  
Mat Rush (*Lomandra multiflora* subsp. *multiflora*)  
Encourage existing grasses by targeting weeds and knocking out.  
Plant in patches at high density to establish cover.  
Maintenance: Water in at time of planting + water crystals.  
Annual slashing to disperse seed and encourage regen.



#### Remembrance planting

Rosemary (*Rosmarinus officinalis*)  
Native Rosemary (*Westringia Mundii*)  
Saltbush (*Rhagodia spinescens*)  
Maintenance: Watered in at time of planting, water crystals applied and annual clipping to maintain shape. Maintain mulched base.



#### Screen planting

Golden Wattle (*Acacia decora*)  
Hopbush (*Dodonaea viscosa* subsp. *cuneata*)  
Saltbush (*Atriplex nummularia*)  
Native Wisteria (*Indigofera australis*)  
Kunzea (*Kunzea parvifolia*)  
Native blackthorn (*Bursaria spinosa*)  
Maintenance: Watered in at time of planting + water crystals applied.  
Maintain mulched base.



#### Additional trees

To match existing  
Pink flowering Yellow Gum (*Eucalyptus leucosylon* var. *Rosea*)



#### Car barrier/ restriction/ bollards

Reference National Trust document regarding fencing styles in rural areas 1900-1925.

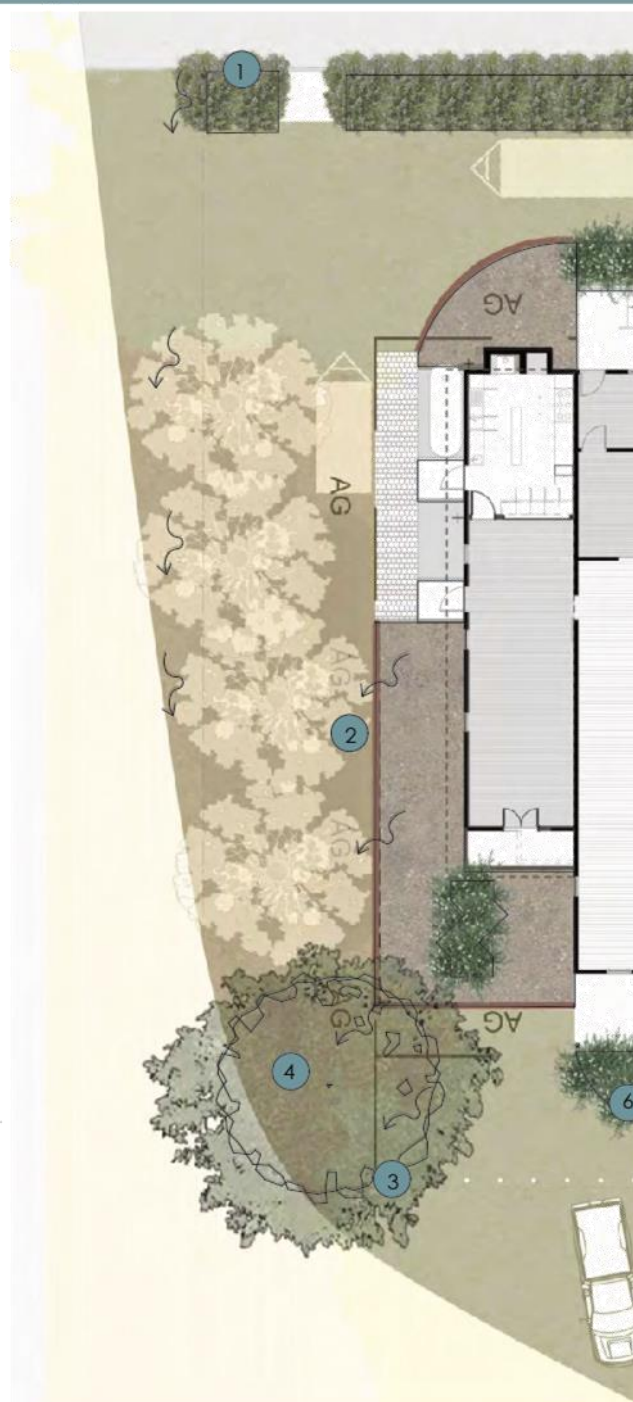


#### Flags

Australian and Aboriginal flags

### Notes

1. Gently mounded areas to send overland flow east and away from hall and to make its way to existing pipe under Armstrong st. Plant mounds out with layered native/ endemic plantings to screen and give a back drop to the site.
2. Ag drains as per architectural drawings and subtle swale formed along the long side of the hall. Native grasses to opportunistically uptake overland flow.
3. Low point. Plant out grasses at higher density to take up water. Additional options to stop water backing up towards the hall includes to place a pit in low point and bore under road to release run off or drop road level/ create rip rap drain through road to release water.
4. Additional tree to continue line and protect the corner of the building. Maintain line of site to Memorial gates across the road.
5. Barrier/ car restriction sympathetic to interwar period and building facade.
6. Low minimal planting for remembrance. Path to door flanked by flags.
7. Car parking out in wide verge. Cars restricted back to maintain curtilage around the hall. Car barriers/ bollards to be sympathetic to building and to be confirmed.
8. Access for RFS and to enable set out of space.
9. Screening of septic and tank area with space for access to the tank.
10. Access for pumping out septic.
11. Possible location for additional large water storage tank.



*Somewhere.*

LANDSCAPE ARCHITECTS, DESIGNERS AND DREAMERS

**Muttama Memorial Hall**  
Muttama, NSW

Discla  
photo  
it is no



## PLANTING PALETTE

Planting requirements;

Not to restrict access, low maintenance/ water

### TREE/ SHRUBS



### UNDERSTOREY

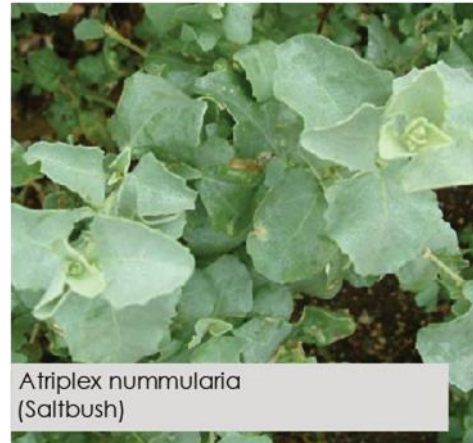


*somewhere.*  
LANDSCAPE ARCHITECTS, DESIGNERS AND DREAMERS

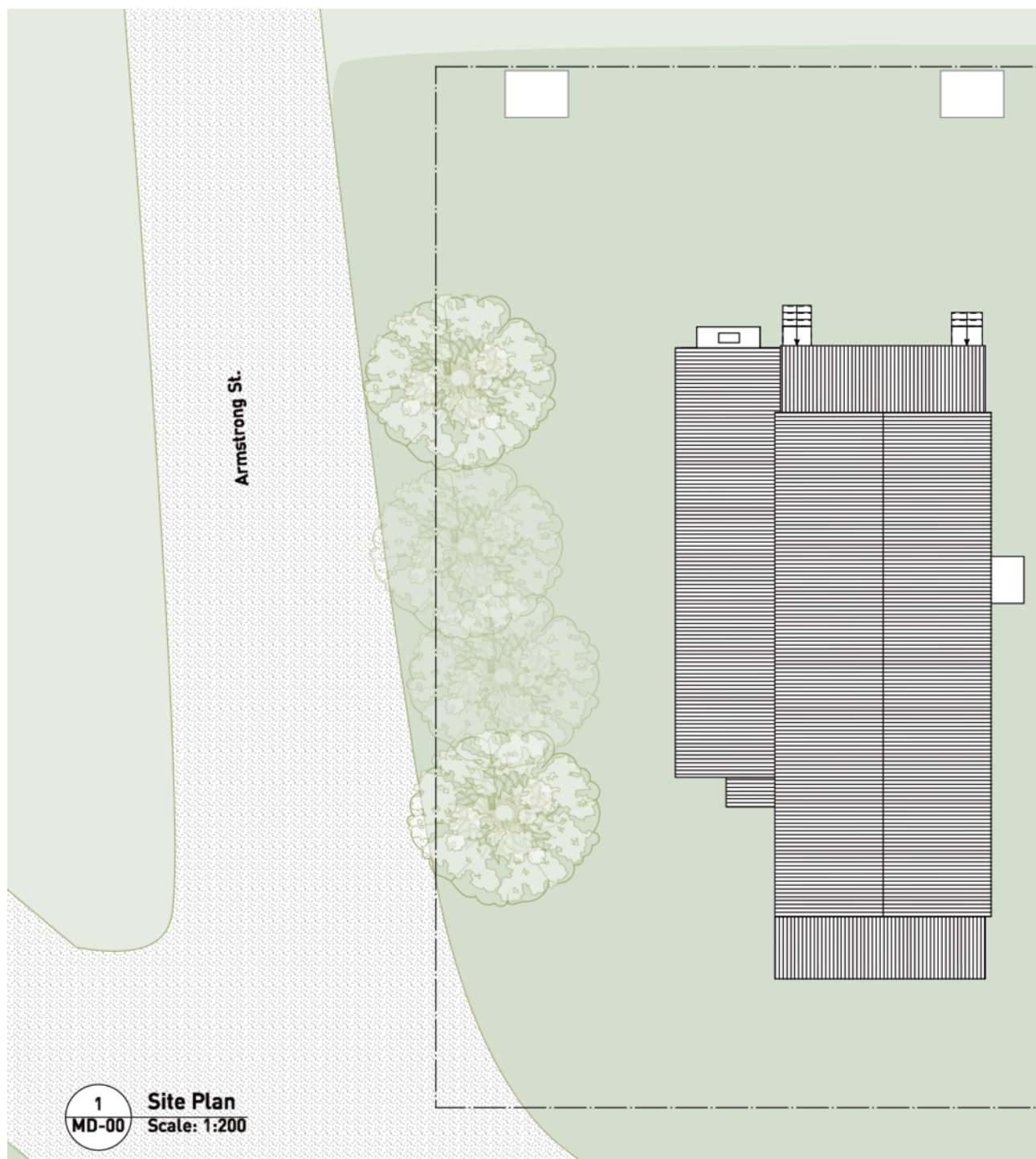
**Muttama Memorial Hall**  
**Muttama NSW**



L02



<b>CLIENT</b>	Muttama Hall Committee	<b>SCALE</b>	NA
<b>DATE</b>	11.06.2019	<b>REVISION</b>	A
<b>PROJECT</b>	J507	<b>STATUS</b>	For Comment



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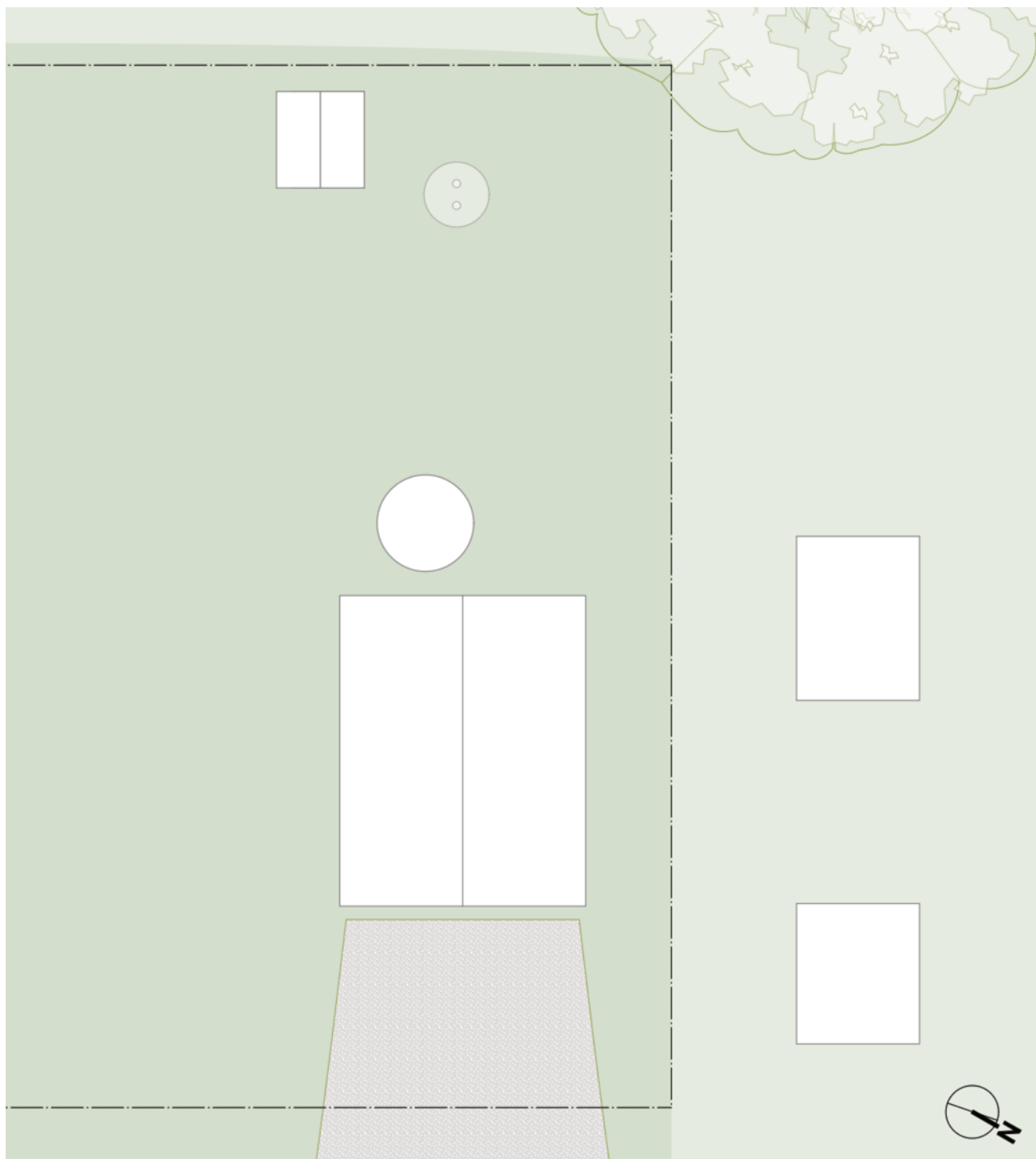
**Revision**

**Note**

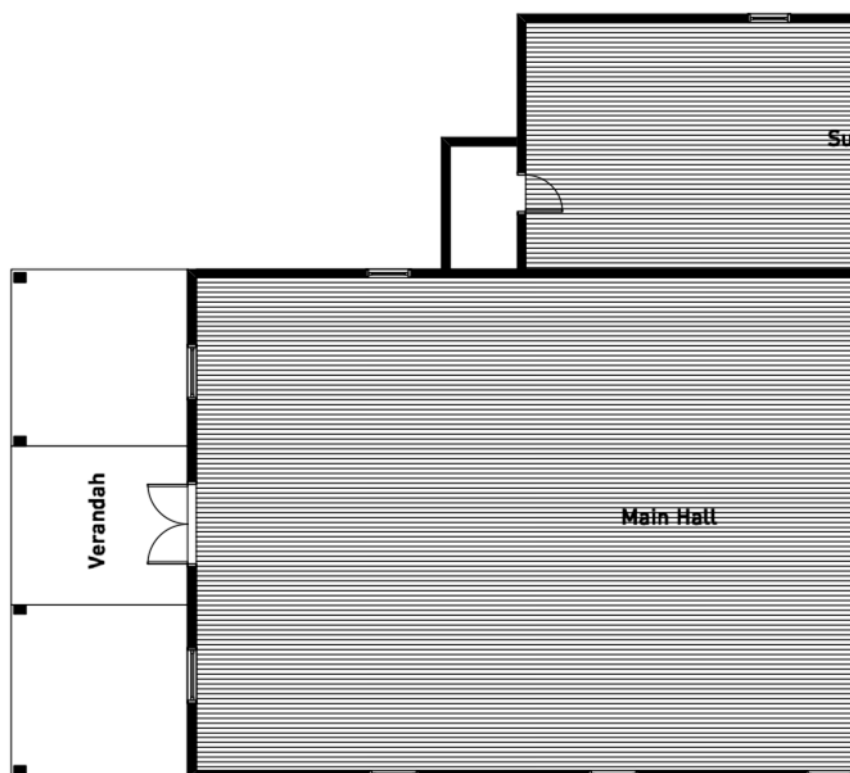
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contact ph:	<b>Notes</b> <ol style="list-style-type: none"> <li>1. all dimensions in mm.</li> <li>2. do not scale from drawing.</li> <li>3. this drawing has been prepared for Information purposes only and is not to be used for development approval purposes or construction.</li> <li>4. clarification to be sought from the architect in the event of any discrepancies in the documentation or if further information is required.</li> </ol>	<b>Client</b>	Muttama Memorail Hall Committee	
r - contact ph:		<b>Project</b>	Muttama Memorial Hall	
er - contact ph:			Bridge St. Muttama	
' - contact ph:		<b>Issue</b>	Measured Drawing	
- contact ph:		<b>Date</b>	Mon, 17 Jun 2019	<b>Job No.</b> 19_309
· contact ph:		<b>Scale</b>	1:100 @A3	<b>Drawn</b> CV
contact ph:		<b>Drawing</b>	Site Plan	<b>Rev.</b>
		<b>Dwg No.</b>	MD-00	<b>Check</b> LH



2 Ground Floor Plan  
MD-01 Scale: 1:100

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Nominated architect Ashley Dunn NSW ARB No. 7547

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#### Revision

#### Note

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**Client** Muttama Memorail Hall Committee

**Project** Muttama Memorial Hall  
Bridge St. Muttama

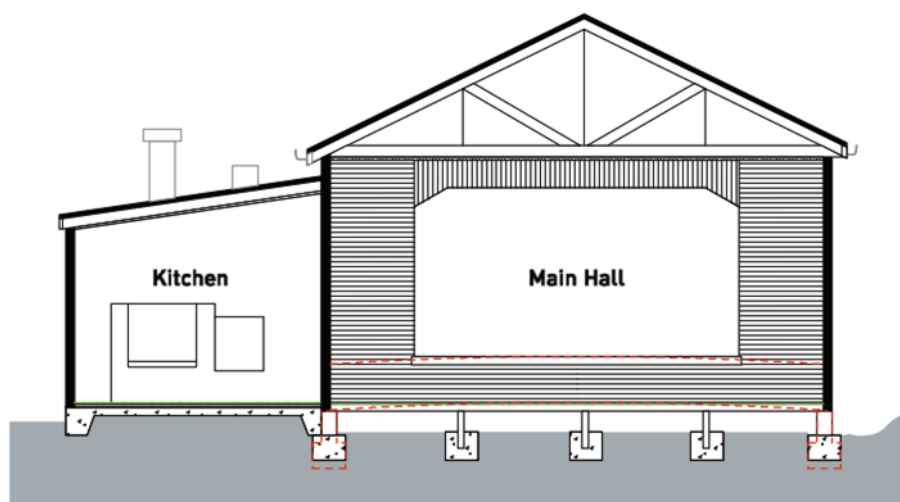
**Issue** Measured Drawing

**Date** Mon, 17 Jun 2019 **Job No.** 19\_309

**Scale** 1:100 @A3 **Drawn** CV

**Drawing** Ground Floor Plan **Rev.**

**Dwg No.** MD-01 **Check** LH



**3** **Section 1-1**  
**MD-02** **Scale: 1:100**

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 Nominated architect Ashley Dunn NSW ARB No. 7547

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**Revision**

**Note**

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**4 Southern Elevation**  
MD-02 Scale: 1:100



**5 Northern Elevation**  
MD-02 Scale: 1:100

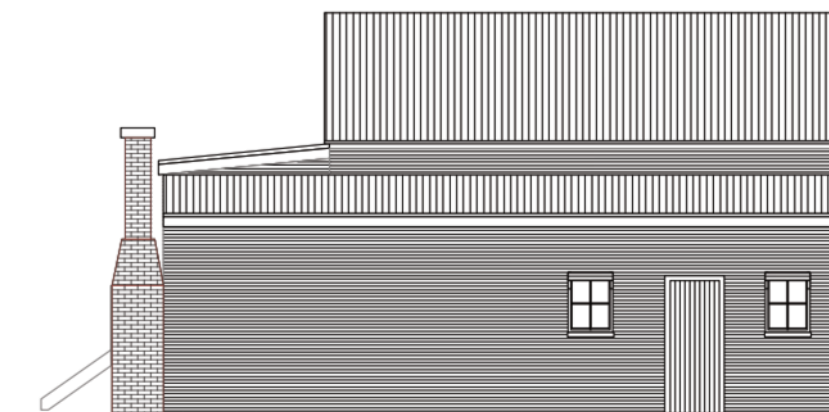
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**Notes**

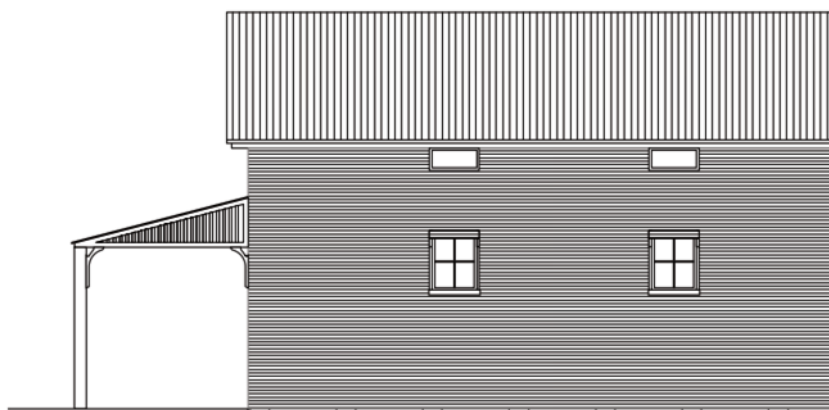
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<b>Client</b>	Muttama Memorail Hall Committee		
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<b>Issue</b>	Measured Drawing		
<b>Date</b>	Mon, 17 Jun 2019	<b>Job No.</b>	19_309
<b>Scale</b>	1:100 @A3	<b>Drawn</b>	CV
<b>Drawing</b>	Section & Elvations	<b>Rev.</b>	
<b>Dwg No.</b>	MD-02	<b>Check</b>	LH





**6**  
**MD-03** **Western Elevation**  
**Scale: 1:100**



**7**  
**MD-03** **Eastern Elevation**  
**Scale: 1:100**

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Nominated architect Ashley Dunn NSW ARB No. 7547

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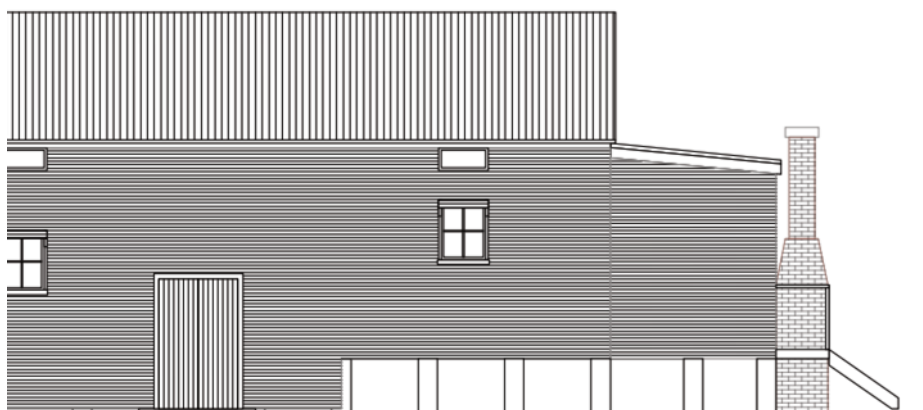
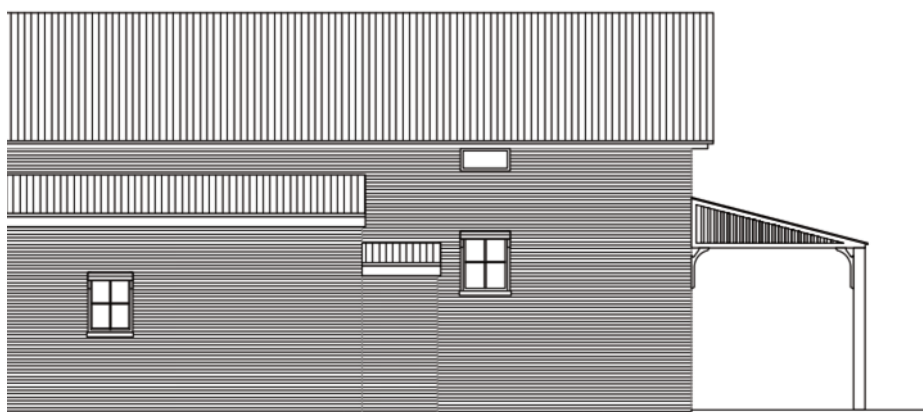
Revision

Note

Consultants

Surveyor -  
Structural Eng  
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Hydraulic Engi  
Acoustic Engir  
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contact ph:	<b>Notes</b> <ol style="list-style-type: none"> <li>1. all dimensions in mm.</li> <li>2. do not scale from drawing.</li> <li>3. this drawing has been prepared for Information purposes only and is not to be used for development approval purposes or construction.</li> <li>4. clarification to be sought from the architect in the event of any discrepancies in the documentation or if further information is required.</li> </ol>	<b>Client</b>	Muttama Memorail Hall Committee	
r - contact ph:		<b>Project</b>	Muttama Memorial Hall	
er - contact ph:			Bridge St. Muttama	
~ - contact ph:		<b>Issue</b>	Measured Drawing	
- contact ph:		<b>Date</b>	Mon, 17 Jun 2019	<b>Job No.</b> 19_309
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contact ph:		<b>Drawing</b>	Eastern & Western Elevation	<b>Rev.</b>
		<b>Dwg No.</b>	MD-03	<b>Check</b> LH

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**Statement of Heritage Impact for  
Conservation & Reconstruction Works**

# **Muttama Public Hall**

**Muttama NSW 2722**



**Date:** 17 March 2019

**Reference:** SHI No: 1680293

**Address and property description:**

Lot 5 DP 1155179

Bridge Street

Muttama NSW 2722

**Prepared by:**

Ray Christison

High Ground Consulting

PO Box 3020

Bowenfels NSW 2790

0419 438609

**For:**

Muttama Hall Committee

## Statement of Heritage Impact for Muttama Hall

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## 1. Introduction

### 1.1 Outline of tasks required to be undertaken in brief

During 2005 the Gundagai Shire Community Based Heritage Study identified Muttama Hall as an item of local heritage significance. This study recommended that a more formal assessment of significance be undertaken.

The hall is valued by the community of Muttama who have obtained grants to undertake conservation works on the building. During 2016 Tanya Cullen of High Ground Consulting developed a Conservation Action Plan to guide works on the building. These works have now been planned and costed, and a Statement of Heritage Impact is required to cover some major structural changes and alteration of services. This is also considered an opportunity to undertake a formal assessment of significance.

Ray Christison of High Ground Consulting has been engaged to prepare an assessment of significance and Statement of Heritage Impact.

### 1.2 Definition of study area

The study area is located in Bridge Street, Muttama. The property is identified as Lot 5 DP 1155179.

### 1.3 Methodology

This study has been undertaken in consultation with Sarah Last and the Muttama Hall Committee.

The process has been guided by:

- *NSW Heritage Manual*, 1999
- *The Burra Charter*, 1999
- *Assessing Heritage Significance*, 2000
- *Statements of Heritage Impact*

### 1.4 Identification of authors

This report was written by Ray Christison MPHA BA (Hons.), heritage consultant of High Ground Consulting, Lithgow. Jennifer Christison assisted with site recording and assessment.

### 1.5 Limitations of study

Historical research has been limited to publicly available records.

## 2. Documentary evidence

### 2.1 Outline history

A brief history of Muttama Hall has been prepared to support an assessment of the property.

The Muttama Pastoral Run appears to have been established during the 1840s. In February 1848 Francis Taaffe was listed as holding the licence to depasture stock on this run. By the early 1850s Sydney merchant Daniel Cooper and business associate John Cropper acquired the licence. They advertised the run for sale in March 1854, but it was apparently not sold.<sup>1</sup>

Daniel Cooper was an English born Sydney merchant, who prospered greatly during the gold rushes of the early 1850s. He also inherited additional wealth after the death of his uncle in 1853. Cooper was a director of the Sydney Railway Company and of the Bank of New South Wales and "held large stations in the western districts". He built a large house at Point Piper in 1856 and was actively involved in colonial politics. He sold most of his assets during the late 1850s and returned to England in 1861. Cooper sold the Muttama run to Thomas Broughton in April 1859.<sup>2</sup>

Born at Windsor in 1810, Thomas Broughton was a merchant who appears to have held pastoral land from an early age. He was active in the politics of the City of Sydney and was elected to the New South Wales Legislative Assembly in June 1859 and was considered by many to be an opponent of free selection. He failed to be re-elected following the dissolution of parliament in 1860 and subsequently "spent most of his time on his stations, Muttama and Gundagai". He died on 12 December 1901 at Hazelmere, Glebe.<sup>3</sup>

The Village of Muttama was officially proclaimed on 20 March 1885 and its boundaries were modified on 19 May 1887. The village, located on the eastern bank of Muttama Creek in the Parish of Mooney Mooney County of Harden, was surveyed within part of the Muttama Pastoral Run resumed under the Crown Lands Act of 1884. included both village allotments and suburban lands. Surveyed streets included Bridge Street, which led from Hoskins Street (Cootamundra-Gundagai Road) to a crossing of Muttama Creek. It appears that Bridge Street was intended to be a principal thoroughfare in the new village. In 1884-1885 Section 20, fronting Bridge Street, was dedicated as the site of a public school and in the 1890s part of the adjoining Section 25 was included in the school area. Two lots in Section 25, fronting Bridge Street between Western and Armstrong Streets, were originally purchased by James Barnett. These blocks were forfeited and eventually became the location of the Muttama Hall.<sup>4</sup>

Australia's traumatic experience of World War I led to spontaneous community action to create memorials. Government regulation limited fundraising for the construction of memorials until after the end of hostilities in 1918. During and after the war there was much debate about the role of memorials. Public opinion was divided between the desirability of pure monument and the creation of memorials that served a civic purpose.<sup>5</sup> The utilitarian

<sup>1</sup> New South Wales Government Gazette 1 February 1848 p.162; Cooper, Sir Daniel (1821-1902) [Online] Available: <http://adb.anu.edu.au/biography/cooper-sir-daniel-3253> (2019, January 21); The Sydney Morning Herald 10 March 1854 p.8

<sup>2</sup> New South Wales Government Gazette 19 April 1859 p.878; Cooper, Sir Daniel (1821-1902) [Online] Available: <http://adb.anu.edu.au/biography/cooper-sir-daniel-3253> (2019, January 21)

<sup>3</sup> Broughton, Thomas Stafford (1810-1901) [Online] Available: <http://adb.anu.edu.au/biography/broughton-thomas-stafford-3072> (2019, January 21)

<sup>4</sup> New South Wales Government Gazette 4 June 1887 p.3762; Parish of Mooney Mooney County of Harden 1895; Village of Muttama Parish of Mooney Mooney 1904

<sup>5</sup> Inglis, K. 2001, *Sacred Places. War Memorials in the Australian Landscape*. pp.138-144

### Statement of Heritage Impact for Muttama Hall

point of view seems to have prevailed at Muttama and a public hall was built to honour the dead.

Muttama Hall was opened with a large ball on 20 May 1925. The opening was described as being “the ball of the season”. Muttama locals were joined by guests from Cootamundra, Gobarralong, Coolac, Gundagai, Burra, Tumut, Bongongo and Sydney. The official opening was performed by Mr. Albert Last, grazier of Muttama. The event was celebrated by dancing, which continued throughout the evening, with music provided by Ella Maher on piano and Miss Costello on violin. Additional music was provided by “Mesdames Scott and Douglas, Misses Morton, Hogarth, Horne, Last and Callan”. Mr & Mrs W. Waighe supervised preparation of food, including roast turkey, salads and jellies. Dancing continued until the morning.<sup>6</sup>

On 4 April 1925 Muttama Public Hall had been declared as coming under the provisions of Part 11 of the Theatres and Public Halls Act, 1908<sup>7</sup>. The cost of the hall was paid off progressively. It was reported in 1932, at the height of the Great Depression, that a debt of £480 remained on the hall. It was expected that this debt would be repaid with “the loyal support of all district residents”. By September 1938 the debt had been reduced to £240.<sup>8</sup>

During the Second World War the hall continued to be the district’s main social hub. It hosted activities held by the Muttama comforts fund and numerous functions to welcome servicemen returning to the district.<sup>9</sup>



**Plate 2.1:** Local children in fancy dress posed for a photograph on the verandah of Muttama Hall in the early 1950s. (Courtesy Joan Kirk)

The hall has been in constant use since its opening, hosting celebrations, dances, community gatherings and remembrance activities.

<sup>6</sup> “Opening of Muttama Hall a huge success” in Cootamundra Herald 26 May 1925 p.4

<sup>7</sup> Government Gazette of the State of New South Wales 9 April 1925

<sup>8</sup> “Muttama” in Cootamundra Herald 15 July 1932 p.3; “Muttama Hall” in Cootamundra Herald 26 September 1938 p.2

<sup>9</sup> “Muttama” in Cootamundra Herald 26 March 1943 p.4

## Statement of Heritage Impact – Muttama Hall

### 3. Description

Muttama Hall is a vernacular structure built with a timber frame and corrugated iron cladding. The front of the hall was constructed in a simple Inter-war Free Classical style with a gable end clad in compressed asbestos fibre (fibro) sheeting and a timber-framed verandah. The interior of the hall is lined with milled cypress boards. These boards retain their original finish. An elevated stage and dressing rooms are located at the western end of the building. The dressing rooms are located within a skillion-roofed annex. A supper room and kitchen are located on the southern side of the building. These are also clad in corrugated iron and mostly unlined. A brick fireplace and chimney are located at the western end of the kitchen.

The elements of the hall are described below. The condition of each element is defined in accordance with the following table.

Condition	Definition
<b>Sound</b>	Complete, stable and structurally intact. The element appears to be in a condition to sustain its current function for some time to come.
<b>Fair condition for age</b>	Displays a level of deterioration commensurate with the time it has been in use. Although not pristine it maintains a reasonable level of structural integrity.
<b>Poor condition</b>	Heavily weathered or deteriorated. This may mean element is close to failing or has become detached from other elements.

#### 3.1: Exterior

The exterior of the hall presents as requiring maintenance, with painting of timber and fibro elements required, failed or failing ledged and braced timber doors. Corrugated iron roof and wall cladding requires repair and re-fixing.



**Plate 3.1:** The front of the hall showing the Inter-war Free Classical style façade. (16.11.2018)

Statement of Heritage Impact – Muttama Hall



**Plate 3.2:** The northern side of the hall. (Jennifer Christison 10.2.2019)

**Plate 3.3:** The northern side of the hall showing the stage area, dressing room annex and outhouse. (Jennifer Christison 10.2.2019)



**Plate 3.4:** The western end of the hall showing the dressing room annex. The kitchen chimneys are on the right. (Jennifer Christison 10.2.2019)



## Statement of Heritage Impact – Muttama Hall



**Plate 3.5:** The western end of the supper room showing the kitchen chimneys and water tank.  
(Jennifer Christison 10.2.2019)



**Plate 3.6:** The western end of the supper room viewed from the south.  
(Jennifer Christison 10.2.2019)



**Plate 3.7:** The southern side of the supper room.  
(Jennifer Christison 10.2.2019)



**Plate 3.8:** The southern side of the supper room and eastern end of the hall.  
(Jennifer Christison 10.2.2019)

## Muttama Hall exterior - condition of building elements

Building element	Condition
Building stumps	Stumps appear to have failed in many places, resulting in displacement of the floors.
Brick piers – stage area	The brick piers appear to have been repaired at various times & appear to be in generally fair condition. Their ability to support the stage & dressing rooms should be assessed by a certified structural engineer.
Kitchen chimneys	The brick chimneys appear to be generally sound. A void in the northern chimney has been patched with corrugated iron sheets
Floor, wall & roof frames	Appear to be generally sound. There is little evidence of movement in walls.
Roof cladding & flashings	The corrugated galvanised iron cladding on the gable roof & skillions appears to be complete. Some sheets show evidence of lifting & rippling. The integrity of all fixings should be checked & appropriate repairs undertaken.
Wall cladding	The external walls are clad entirely in Lysaght mini-orb. This appears to be complete. Some sheets show evidence of lifting & rippling. The integrity of all fixings should be checked & appropriate repairs undertaken.
Gable vents	Wooden vents are located in the eastern & western gables. These are in fair to poor condition & require repair or replacement.
Fibrolite gable end cladding	This cladding appears to be complete & unbroken. It requires

## Statement of Heritage Impact – Muttama Hall

Building element	Condition
	painting. The fibrolite sheets & strapping were manufactured with compressed asbestos fibres. WorkCover guidelines for managing asbestos must be followed when handling this material.
Weatherboard cladding - façade	The front façade is clad with clapboard. This appears generally sound but requires painting.
Verandah structure & cladding	The verandah structure appears to be complete & generally sound. Like all other external joinery it requires painting. The integrity of all fixings should be checked & appropriate repairs undertaken.
Guttering & downpipes	Guttering & downpipes are in fair to poor condition. It is critical to the long-term conservation of the building that guttering & downpipes collect all stormwater water & distribute this away from the building.
Timber-framed windows	Four-pane timber-framed windows are located on the northern, southern and western sides of the building. The front doors are flanked by double hung timber windows. All windows appear to be complete. Frames require painting.
Timber-framed crown lights	Crown lights sit above four windows on the northern wide of the hall. These appear to be complete. Frames require painting.
Bracketed window hoods	Window hoods are located on the western & southern sides of the building. These appear to be complete but in only fair condition. Brackets require painting.
External doors – front of hall	The front doors appear to be sound but require cleaning & painting. Panic bars must be replaced.
External door – northern side	The emergency exit doors on the northern side of the hall are in fair to poor condition. They may require bracing & definitely require replacing. Panic bars must be replaced.
External doors – supper room	The emergency exit doors on the kitchen & supper room are in poor condition. They should be replaced with suitable doors fitted with appropriate exit mechanisms.
External doors – dressing rooms	Doors located on the western side of the backstage area appear to be generally sound. They require painting.

### 3.2: Interior

The interior of the hall contains five distinct spaces:

- Main hall,
- Stage and dressing rooms,
- Supper room and kitchen,
- Store room.

The hall is lined with milled, loaded cypress boards. These boards retain their original finish. The raft floor is laid with milled cypress boards. The ceiling is lined with Lysaght mini-orb sheets and contains timber vents. An elevated stage is located at the western end of the hall. The proscenium is an arch opened with a timber-framed curtain wall. This wall is lined with milled, loaded cypress boards. A number memorial boards are fixed to the proscenium. These are as follows:

- Muttama Roll of Honor, listing those who answered the call of Empire in the Great War 1914 to 1918.
- Muttama Roll of Honour, listing men and women of the Muttama district who served in World War I and World War II.

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**Statement of Heritage Impact – Muttama Hall**

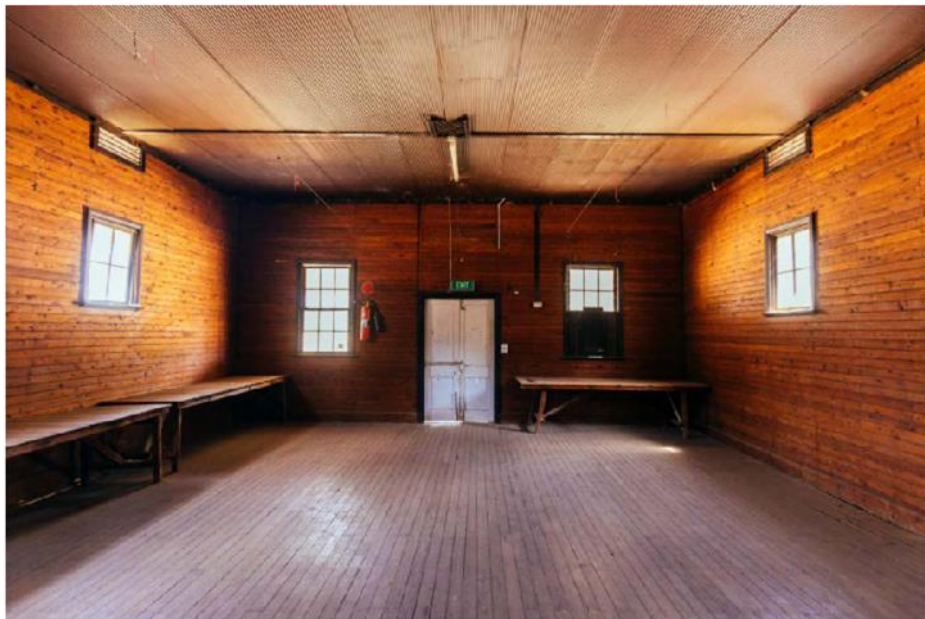
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- A shield to the memory of Allan & Paul Rolles who died while serving as members of the Muttama Bushfire Brigade in January 1987.

The supper room, store room and dressing rooms are unlined.



**Plate 3.9:** The interior of the hall looking west towards the stage. The honour rolls are located each side of the stage. (16.11.2018)



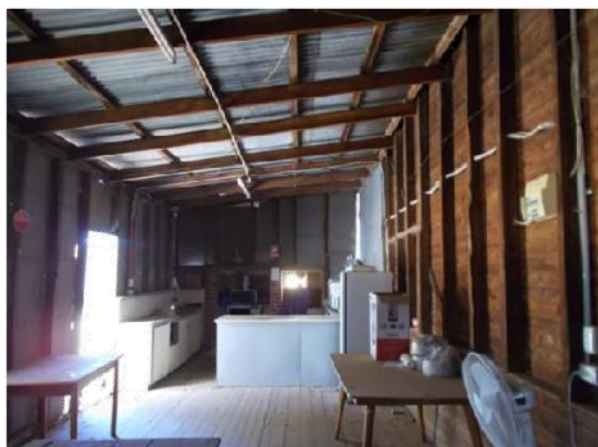
**Plate 3.10:** The interior of the hall looking east towards the front doors. (16.11.2018)



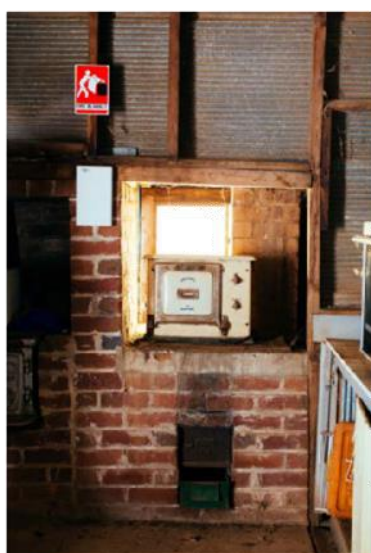
Statement of Heritage Impact – Muttama Hall



**Plate 3.11:** The interior of the supper room looking east.  
(Jennifer Christison 10.2.2019)



**Plate 3.12:** The interior of the supper room looking west towards the kitchen. (Jennifer Christison 10.2.2019)



**Plate 3.13 (above):** The interior of the kitchen.  
(16.11.2018)

**Plate 3.14 (left):** Metters No.1 electric oven set in a niche that appears to have originally held a wood-fired oven. The electric oven, possibly dating from the early 1950s, was reputedly the first of its kind in the district. (16.11.2018)

## Statement of Heritage Impact – Muttama Hall

**Muttama Hall interior - condition of building elements**

<b>Building element</b>	<b>Condition</b>
Hall mini-orb ceiling	The ceiling appears to be complete. Sheets require re-fixing in places.
Hall ceiling vents	Appear to be sound.
Hall cypress wall cladding	Appears to be sound. The cypress boards retain their original finish.
Hall crown light vents	Appear to be sound.
Hall cypress floor	The floor is complete but heavily deformed as a result of failure of the stumps.
Hall front window infill	This window may have served as a ticket window. The infill prevents light from entering the building.
Proscenium & cladding	The appears to be complete & sound.
Honour rolls & memorial plaque	These are currently undergoing professional conservation works.
Stage structure	This appears to be complete. The integrity of the stage should be assessed by a certified structural engineer.
Stage floor	This appears to be complete. The integrity of the stage should be assessed by a certified structural engineer.
Backstage wall & cladding	Appear to be sound. The cypress boards retain their original finish.
Doors to backstage area	Appear to be sound.
Backstage area walls & cladding	Appear to be sound.
Supper room sliding door & fittings	Appears to be sound & functional.
Supper room cypress floor	Appears to be sound. The kitchen floor is in fair to poor condition.
Kitchen benches & cupboards	Appear to be sound, but may not comply with current food safety standards.
Wall lining – northern wall of kitchen	This lining is in fair to poor condition.
Metters wood-fired oven	This oven is incomplete & in only fair condition.
Metters No.1 electric oven	This appears to be complete. It should not be used unless certified safe.
Store room linings & floor	Appear to be generally complete & in fair condition.
Plumbing services & fittings	Must be tested for safe operation by a licenced plumber.
Electrical services & fittings	Must be tested for safe operation by a licenced electrician.



## 4. Assessment of Cultural Significance

This section includes assessments of the cultural heritage significance of each of the features covered by this report. Cultural heritage significance has been assessed using the guidelines prepared by the Heritage Branch, Office of Environment and Heritage and articulated in the publication Assessing Heritage Significance. The criteria applied to assessing cultural heritage significance are listed below.

The NSW heritage assessment criteria encompass the four values in the Australia ICOMOS Burra Charter, which are commonly accepted as generic values by Australian heritage agencies and professional consultants:

- historical significance
- aesthetic significance
- scientific significance
- social significance

The values are expressed as criteria in a more detailed form than this to:

- maintain consistency with the criteria of other Australian heritage agencies;
- minimise ambiguity during the assessment process; and
- avoid the legal misinterpretation of the completed assessments of listed items.

They are based on the criteria used by the Australian Heritage Commission for the assessment of potential items for the Register of the National Estate and are in line with the standard criteria adopted by other state heritage agencies.

State significance means significance to the people of NSW. Local significance means significance within the local government area. Some items of local significance may have values that extend beyond the local government area, or need a wider contextual consideration. Where this is the case these values should be included in the statement of heritage significance.

### NSW Heritage Assessment Criteria

<b>Criterion (a)</b>	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (b)</b>	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (c)</b>	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
<b>Criterion (d)</b>	An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
<b>Criterion (e)</b>	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (f)</b>	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (g)</b>	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> <li>• Cultural or natural places; or</li> <li>• Cultural or natural environments</li> </ul> (or a class of the local area's <ul style="list-style-type: none"> <li>• Cultural or natural places; or</li> <li>• Cultural or natural environments.)</li> </ul>

## Statement of Heritage Impact – Muttama Hall

## Gradings of Significance

Grading	Justification	Status
<b>Exceptional</b>	Rare or outstanding item of local or State significance. High degree of intactness. Item can be interpreted relatively easily.	Fulfils criteria for local or State listing.
<b>High</b>	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfils criteria for local or State listing.
<b>Moderate</b>	Altered or modified elements. Elements with little heritage value, but which will contribute to the overall significance of the item.	Fulfils criteria for local or State listing.
<b>Little</b>	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
<b>Intrusive</b>	Damaging to the item's heritage significance.	Does not fulfil criteria for local or State listing.

## 4.1 Cultural Heritage Significance

NSW Heritage Assessment Criterion	Significance	Reasons
<b>Historical significance</b> Criterion (a)	Local	Muttama Hall was constructed in 1925 to recognise men from the Muttama district who served in the Great War. It is one expression of a national desire to create utilitarian monuments to honour those killed in the Great War. The hall is one of the most prominent features of the Village of Muttama, which was dedicated in 1885. Since its construction it has served as the principal meeting place, and place of celebration, for people of the district.
<b>Historical association significance</b> Criterion (b)	Local	The hall has associations with many prominent former district residents, with the former servicemen and women for a remembered within its walls, and with the two bushfire fighters who are also memorialised within the building.
<b>Aesthetic significance</b> Criterion (c)	Local	The hall is a simple vernacular structure that demonstrates the influence of the Californian Bungalow style in its front gable end.
<b>Social significance</b> Criterion (d)	Local	The hall has been, and will continue to be, an important element of the community and cultural fabric of the Muttama district. It has been a place of celebration and gathering that holds positive memories for residents and former residents.
<b>Technical/ Research significance</b> Criterion (e)	-	-
<b>Rarity</b> Criterion (f)	-	-
<b>Representativeness</b> Criterion (g)	Local	The hall is representative of the 20 <sup>th</sup> century development of the Muttama district and Village of Muttama. It is also representative of community halls and gathering places around Australia.
<b>Integrity</b> Criterion (h)	The Muttama Hall has a high degree of integrity.	

## Statement of Heritage Impact – Muttama Hall

**4.1.1 Summary Statement of Significance**

The significance of the hall is summarised as follows:

*Muttama Hall was constructed in 1925 to recognise men from the Muttama district who served in the Great War. It is one expression of a national desire to create utilitarian monuments to honour those killed in the Great War. The hall is one of the most prominent features of the Village of Muttama, which was dedicated in 1885. Since its construction it has served as the principal meeting place, and place of celebration, for people of the district. The hall has associations with many prominent former district residents, with the former servicemen and women for a remembered within its walls, and with the two bushfire fighters who are also memorialised within the building. It is a simple vernacular structure that demonstrates the influence of the Californian Bungalow style in its front gable end. The hall has been, and will continue to be, an important element of the community and cultural fabric of the Muttama district. It has been a place of celebration and gathering that holds positive memories for residents and former residents. It is representative of the 20<sup>th</sup> century development of the Muttama district and Village of Muttama. It is also representative of community halls and gathering places around Australia. The Muttama Hall has a high degree of integrity.*

**4.2 Gradings of significance**

The grading of significance of each element of the place has been assessed in accordance with its integrity, interpretations of its function within the site, and its relationship with other features. Gradings of significance have been assessed using NSW Heritage Office criteria contained in the NSW Heritage Manual Update Assessing Heritage Significance. According to this publication; 'Different components of a place make a different relative contribution to its heritage value. Loss of integrity or condition may diminish significance'<sup>10</sup>.

Gradings of significance reflect the relative contribution of an item or its components to the significance of the whole.

Muttama Hall	Grading of Significance				
	Excep- tional	High	Moderate	Little	Intrusive
<b>Building exterior</b>					
Building stumps				X	
Brick piers – stage area			X		
Kitchen chimneys		X			
Floor, wall & roof frames		X			
Roof cladding & flashings		X			
Wall cladding		X			
Gable vents			X		
Fibrolite gable end cladding			X		
Weatherboard cladding -façade		X			
Verandah structure & cladding		X			
Guttering & downpipes			X		
Timber-framed windows		X			
Timber-framed crown lights		X			

<sup>10</sup> NSW Heritage Office, 2001. Assessing heritage significance. p.11

Statement of Heritage Impact – Muttama Hall

Muttama Hall	Grading of Significance				
	Exceptional	High	Moderate	Little	Intrusive
Bracketed window hoods		X			
External doors – front of hall		X			
External door – northern side			X		
External doors – supper room				X	
External doors – dressing rooms			X		
<b>Building interior</b>					
Hall mini-orb ceiling		X			
Hall ceiling vents		X			
Hall cypress wall cladding	X				
Hall crown light vents		X			
Hall cypress floor			X		
Hall front window infill			X		
Proscenium & cladding		X			
Honour rolls & memorial plaque	X				
Stage structure		X			
Stage floor		X			
Backstage wall & cladding	X				
Doors to backstage area		X			
Backstage area walls & cladding		X			
Supper room sliding door & fittings		X			
Supper room cypress floor			X		
Kitchen benches & cupboards			X		
Wall lining – northern wall of kitchen				X	
Metters wood-fired oven				X	
Metters No.1 electric oven		X			
Store room linings & floor				X	
Plumbing services & fittings				X	
Electrical services & fittings				X	

## 5. Recommendations for future management

### 5.1 Management of building fabric

The following recommendations are made in relation to the future management of building fabric.

#### 5.1.1 Muttama Hall exterior

Building element	Recommendation
Building stumps	Replace building stumps with steel stumps.
Brick piers – stage area	Assess condition & repair or replace as required.
Kitchen chimneys	Should be conserved. Void in northern chimney to be patched with matching materials.
Floor, wall & roof frames	Must be conserved.
Roof cladding & flashings	Should be conserved. The integrity of all fixings should be checked & appropriate repairs undertaken. Failed sheets must be replaced with matching galvanised materials.
Wall cladding	Should be conserved. The integrity of all fixings should be checked & appropriate repairs undertaken. Failed sheets must be replaced with matching galvanised materials.
Gable vents	May be repaired or replaced as required. Replacement vents should match the style of the existing vents.
Fibrolite gable end cladding	Should be conserved. WorkCover guidelines for managing asbestos must be followed when handling this material.
Weatherboard cladding - façade	Should be conserved. Repaint to matching colour scheme using mineral based paints.
Verandah structure & cladding	Must be conserved. Repaint to matching colour scheme using mineral based paints. The integrity of all roof fixings should be checked & appropriate repairs undertaken. Failed sheets must be replaced with matching galvanised materials.
Guttering & downpipes	May be repaired or replaced as required. Stormwater drainage systems must direct water away from the building.
Timber-framed windows	Should be conserved. Repaint to matching colour scheme using mineral based paints.
Timber-framed crown lights	Should be conserved. Repaint to matching colour scheme using mineral based paints.
Bracketed window hoods	Should be conserved. Repair & repaint to matching colour scheme using mineral based paints.
External doors – front of hall	Should be conserved. Repair & repaint to matching colour scheme using mineral based paints. Panic bars must be replaced to comply with current fire safety standards.
External door – northern side	Should be conserved. Repair & repaint to matching colour scheme using mineral based paints. Panic bars must be replaced to comply with current fire safety standards.
External doors – supper room	May be repaired or replaced as required. Replacement doors should match the style of existing doors and be fitted with exit mechanisms to comply with current fire safety standards.
External doors – dressing rooms	Should be conserved. Repair & repaint to matching colour scheme using mineral based paints. Exit mechanisms must be replaced to comply with current fire safety standards.



## Statement of Heritage Impact – Muttama Hall

**5.1.2 Muttama Hall interior**

<b>Building element</b>	<b>Recommendation</b>
Hall mini-orb ceiling	Must be conserved.
Hall ceiling vents	Should be conserved & repaired as required.
Hall cypress wall cladding	The boards & original finishes must be conserved.
Hall crown light vents	Must be conserved.
Hall cypress floor	May be retained, repaired or replaced as required.
Hall front window infill	May be retained or replaced as required.
Proscenium & cladding	Must be conserved. Original finishes must be conserved.
Honour rolls & memorial plaque	Must be conserved in place.
Stage structure	May be retained or replaced as required.
Stage floor	May be retained or replaced as required.
Backstage wall & cladding	Must be conserved.
Doors to backstage area	Should be conserved.
Backstage area walls & cladding	Should be conserved.
Supper room sliding door & fittings	Should be conserved.
Supper room cypress floor	May be retained, repaired or replaced as required.
Kitchen benches & cupboards	May be retained, repaired or replaced as required.
Wall lining – northern wall of kitchen	May be retained, repaired or replaced as required.
Metters wood-fired oven	May be retained, repaired or replaced as required.
Metters No.1 electric oven	Should be retained within the hall.
Store room linings & floor	May be retained, repaired or replaced as required.
Plumbing services & fittings	May be retained, repaired or replaced as required.
Electrical services & fittings	May be retained, repaired or replaced as required.

## 6. Proposed works

The Muttama Hall Committee has received funding to undertake conservation and reconstruction works on the hall. These works include:

- Re-stumping the building to stabilise the floor. These works will require lifting of the existing floor and is expected that the 94 year old cypress floorboards will not survive this process. It is therefore planned to replace the floor as part of the re-stumping.
- Upgrading the kitchen. These works will include;
  - Removal of existing cabinets and benches,
  - Removal of existing linings,
  - Replacement of the floor,
  - Installation of new linings, floor coverings and kitchen benches that meet the requirements of current food safety standards.
- Replacement of failed external doors and upgrading of exit mechanisms.

### 6.1 The following aspects of the proposal respect or enhance the heritage significance of the item for the following reasons:

The assessed cultural heritage significance of the Muttama Hall is based based on its historical importance and social significance as:

1. A memorial hall housing the principal honour rolls to people of the district who served in World War I and World War II;
2. A gathering place and place of celebration for the Muttama district community.

The proposed works will reinforce the cultural heritage significance of the place by improving its ability to host community gatherings and other functions. Upgrading the floors and kitchen will also support the ongoing management and maintenance of the hall. This will be achieved by leasing the facility to wedding parties, wedding photographers and event planners.

The works have been planned to ensure minimal disturbance to the historic fabric of the building. The building's character and function will not be altered by these works.

### 6.2 The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts:

The proposed works will remove some historic fabric from the building, particularly the cypress floorboards in the main hall. Given the age and brittleness of the floorboards, this is considered inevitable as the boards will split and break when lifted. All options to retain the floor have been considered, including raising the floor level. These options would have resulted in substantial and possibly damaging alterations to the hall. They would have also created additional problems regarding access to the building. On balance it was considered more desirable to replace the floor than undertake other works. Replacement of the floorboards with matching materials will prolong the life of the hall.

**6.3 The following sympathetic solutions have been considered and discounted for the following reasons:**

The proposed works has been planned to provide the most sympathetic solution for repair of the hall and ensuring its ongoing use as a community facility. It is considered that these works fully support the assessed cultural heritage significance of the place.

## 7. References

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**COOTAMUNDRA-  
GUNDAGAI** REGIONAL  
COUNCIL

Developed using the Model Code of Meeting Practice  
for Local Councils in NSW

# **Draft** Code of Meeting Practice

25 June 2019





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## 1 INTRODUCTION

This Office of Local Government has developed a Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) pursuant to section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

Council must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code. This Code satisfies those obligations.

This Code applies to all meetings of Council and committees of Council of which all the members are councillors (committees of Council).

## 2 MEETING PRINCIPLES

### 2.1 Council and committee meetings should be:

*Transparent:* Decisions are made in a way that is open and accountable.

*Informed:* Decisions are made based on relevant, quality information.

*Inclusive:* Decisions respect the diverse needs and interests of the local community.

*Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.

*Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

*Respectful:* Councillors, staff and meeting attendees treat each other with respect.

*Effective:* Meetings are well organised, effectively run and skilfully chaired.

*Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

### 3 BEFORE THE MEETING

#### Timing of ordinary Council meetings

- 3.1 Ordinary meetings of the Council will be held at 6.00pm on the last Tuesday of each month, alternating between Cootamundra and Gundagai with the exception of the December meeting which will be held on the 2nd Tuesday of that month.

**Note: Under section 365 of the Act, Councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.**

#### Extraordinary meetings

- 3.2 If the Mayor receives a request in writing, signed by at least two (2) councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two (2) councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the public of Council meetings

- 3.3 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the Council.

**Note: Clause 3.3 reflects section 9(1) of the Act.**

- 3.4 For the purposes of clause 3.3, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary Council meetings

- 3.6 The General Manager must send to each councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.6 reflects section 367(1) of the Act.**

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.7 reflects section 367(3) of the Act.**

Notice to councillors of extraordinary meetings

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the Council in cases of emergency.

**Note: Clause 3.8 reflects section 367(2) of the Act.**

Giving notice of business to be considered at Council meetings

- 3.9 A councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by 3pm on the Wednesday immediately preceding the meeting.
- 3.10 A councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the General Manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.
- 3.12 A notice of motion may only propose the expenditure of funds on works and/or services already provided for in Council's current adopted operational plan. If the notice of motion does not identify such funding source, any resolution must include direction for the General Manager to prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers of a subsequent meeting.

Questions with notice

- 3.13 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the General Manager about the performance or operations of the Council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the General Manager or a member of staff of the Council, or a question that implies wrongdoing by the General Manager or a member of staff of the Council.
- 3.15 The General Manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.



Agenda and business papers for ordinary meetings

- 3.16 The General Manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.
- 3.17 The General Manager must ensure that the agenda for an ordinary meeting of the Council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
  - (b) if the Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.9.
- 3.18 Nothing in clause 3.17 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.
- 3.19 The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.
- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.20 reflects section 9(2A)(a) of the Act.**

- 3.21 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.22 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and committees of Council, are to be published on Council's website, and must be made available to the public for

inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.

**Note: Clause 3.22 reflects section 9(2) and (4) of the Act.**

- 3.23 Clause 3.22 does not apply to the business papers for items of business that the General Manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.23 reflects section 9(2A)(b) of the Act.**

- 3.24 For the purposes of clause 3.22, copies of agendas and business papers must be published on Council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.24 reflects section 9(3) of the Act.**

- 3.25 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

**Note: Clause 3.25 reflects section 9(5) of the Act.**

#### Agenda and business papers for extraordinary meetings

- 3.26 The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

- 3.27 Despite clause 3.26, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

- 3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.29 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.

- 3.30 A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.27(b) on whether a matter is of great urgency.

#### Pre-meeting briefing sessions

- 3.31 Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.

- 3.32 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.33 The General Manager or a member of staff nominated by the General Manager is to preside at pre-meeting briefing sessions.
- 3.34 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.
- 3.35 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

#### 4 PUBLIC FORUMS

- 4.1 Public forum will be held on the day of the each ordinary meeting of Council for the purpose of hearing oral submissions from members of the public, on items that relate to the business of Council. Public forums may also be held on the day of extraordinary Council meetings and meetings of committees of the Council.
- 4.2 Public forums are to be chaired by the Mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the Council in the approved form. Only items that relate to the business of Council may be presented in public forum. Applications to speak at the public forum must be received no later than 15 minutes prior to the scheduled commencement of the meeting. If the item on which the person wishes to speak is on the agenda of the Council meeting, the person must identify whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may not speak on the same matter not on the agenda of a Council meeting more than once every three (3) months.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 No more than two (2) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting. The Chairperson has the discretion to permit more speakers on any item.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no later than midday on the day prior to the public forum. The General Manager or their delegate may refuse to allow such material to be presented.

- 4.11 The General Manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed three (3) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 4.14 A councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14.
- 4.16 Councillors or Council staff are under no obligation to answer a question put by a speaker in public forum.
- 4.17 The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of Council's code of conduct or making other potentially defamatory statements.
- 4.19 If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.18, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
- 4.20 Clause 4.19 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.21 Where a speaker engages in conduct of the type referred to in clause 4.18, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
- 4.22 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or



committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

## 5 COMING TOGETHER

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the Council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 A councillor cannot participate in a meeting of the Council or of a committee of the Council unless personally present at the meeting.

- 5.3 Where a councillor is unable to attend one (1) or more ordinary meetings of the Council, the councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.4 A councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

- 5.5 The Council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1)(d) of the Act.**

- 5.7 A councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

### The quorum for a meeting

- 5.8 The quorum for a meeting of the Council is a majority of the councillors of the Council who hold office at that time and are not suspended from office.

**Note: Clause 5.8 reflects section 368(1) of the Act.**

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

- 5.10 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the Chairperson, or
  - (b) in the Chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the General Manager.
- 5.12 The General Manager must record in Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the Mayor may, in consultation with the General Manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.2.

Entitlement of the public to attend Council meetings

- 5.15 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.

**Note: Clause 5.15 reflects section 10(1) of the Act.**

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:
- (a) by a resolution of the meeting, or
  - (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.17 reflects section 10(2) of the Act.**

Webcasting of meetings

- 5.18 All meetings of the Council and committees of the Council are to be webcast on Council's website. These meetings will be livestreamed (audio visual) with recordings of the meetings subsequently uploaded onto Council's website.
- 5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20 At the start of each meeting the Chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.21 A recording of each meeting of the Council and committee of the Council is to be retained on Council's website until the close of the subsequent corresponding meeting. Recordings of meetings will be retained in accordance with the *State Records Act 1998*.

Attendance of the General Manager and other staff at meetings

- 5.22 The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are councillors.

**Note: Clause 5.22 reflects section 376(1) of the Act.**

- 5.23 The General Manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.23 reflects section 376(2) of the Act.**

- 5.24 The General Manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

**Note: Clause 5.24 reflects section 376(3) of the Act.**

- 5.25 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

## 6 THE CHAIRPERSON

### The Chairperson at meetings

- 6.1 The Mayor, or at the request of or in the absence of the Mayor, the deputy Mayor (if any) presides at meetings of the Council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the Mayor and the deputy Mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the Council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**

### Election of the Chairperson in the absence of the Mayor and deputy Mayor

- 6.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

- 6.4 The election of a Chairperson must be conducted:

- (a) by the General Manager or, in their absence, an employee of the Council designated by the General Manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.

- 6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one (1) of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

- 6.9 When the Chairperson rises or speaks during a meeting of the Council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the Chairperson to be heard without interruption.

## 7 MODES OF ADDRESS

- 7.1 If the Chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the Chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor *[surname]*'.
- 7.4 A Council officer is to be addressed by their official designation or as Mr/Ms *[surname]*.



## 8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the Council shall be:

- 01 Acknowledgement of country
- 02 Apologies and applications for leave of absence by councillors
- 03 Adjournment for public forum
- 04 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Reports from committees
- 08 General Manager's report
- 09 Motions of which notice has been given
- 10 Questions with notice
- 11 Confidential items

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: Part 13 allows Council to deal with items of business by exception.**

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

## 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a Council meeting

- 9.1 The Council must not consider business at a meeting of the Council:
- (a) unless a councillor has given notice of the business, as required by clause 3.9, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the Council, or
  - (b) is the election of a Chairperson to preside at the meeting, or
  - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the Council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).

### Mayoral minutes

- 9.6 Subject to clause 9.9, if the Mayor is the Chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.
- 9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.

- 9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.10 A Mayoral minute may only propose the expenditure of funds on works and/or services already provided for in Council's current adopted operational plan. If the Mayoral minute does not identify such funding source, any resolution must include direction for the General Manager to prepare a report on the availability of funds for implementing the recommendation of the minute if adopted for inclusion in the business papers of a future meeting.

#### Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

#### Reports of committees of Council

- 9.12 The recommendations of a committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.13 If in a report of a committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

#### Questions

- 9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.15 A councillor may, through the Chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 9.17 A councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or Council employee.

## 10 RULES OF DEBATE

### Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the Council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the Council:
- (a) any other councillor may, with the leave of the Chairperson, move the motion at the meeting, or
  - (b) the Chairperson may defer consideration of the motion until the next meeting of the Council.

### Chairperson's duties with respect to motions

- 10.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The Chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been lost.

### Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion may only propose the expenditure of funds on works and/or services already provided for in the Council's current adopted operational plan. If the motion does not identify such funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the Chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of

general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the Chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The Chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the Chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.



## 11 VOTING

### Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

- 11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at Council meetings

- 11.4 A councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.5 If a councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the councillor's dissenting vote is recorded in Council's minutes.

- 11.6 The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

- 11.7 When a division on a motion is called, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in Council's minutes for the meeting.

- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by councillors for Mayor or deputy Mayor is to be by secret ballot.

### Voting on planning decisions

- 11.10 The General Manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.

**Note: Clauses 11.10–11.13 reflect section 375A of the Act.**

**Note: The requirements of clause 11.10 may be satisfied by maintaining a register of the minutes of each planning decision.**

## 12 COMMITTEE OF THE WHOLE

- 12.1 The Council may resolve itself into a committee to consider any matter before the Council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

- 12.3 The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in Council's minutes. However, Council is not taken to have adopted the report until a motion for adoption has been made and passed.

### 13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of Council's code of conduct.

## 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

### Grounds on which meetings can be closed to the public

14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the Council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of Council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

14.2 The Council or a committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
  - (b) the discussion of the matter may:
    - (i) cause embarrassment to the Council or committee concerned, or to councillors or to employees of the Council, or
    - (ii) cause a loss of confidence in the Council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
  - (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**



Representations by members of the public

- 14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received no later than five (5) minutes prior to the scheduled commencement time of the meeting at which the matter is to be considered.
- 14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to the Council.
- 14.15 The General Manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than two (2) speakers to make representations in such order as determined by the Chairperson.
- 14.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.20 reflects section 10D of the Act.**

Resolutions passed at closed meetings to be made public

- 14.21 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 14.21 during a part of the meeting that is webcast.

## 15 KEEPING ORDER AT MEETINGS

### Points of order

- 15.1 A councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

### Questions of order

- 15.4 The Chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

### Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

### Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the Council or a committee of the Council:
  - (a) contravenes the Act or any regulation in force under the Act or this code, or

- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other Council official, or alleges a breach of Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

15.12 The Chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

#### How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### Expulsion from meetings

15.14 All chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person, including any councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 Clause 15.14, does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.

15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

## 16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.



## 17 DECISIONS OF THE COUNCIL

### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

**Note: Clause 17.1 reflects section 371 of the Act.**

- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

### Rescinding or altering Council decisions

- 17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the General Manager no later than 5pm on the

Thursday following the meeting at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.

**Note: Clause 17.11 reflects section 372(6) of the Act.**

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three (3) councillors is submitted to the Chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

- 17.14 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or
- (b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

- 17.17 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.15.

- 17.20 A motion moved under clause 17.15 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

## 18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council and committees of the Council are to conclude no later than 10pm.
- 18.2 If the business of the meeting is unfinished at 10pm, the Council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at 11pm, and the Council does not resolve to extend the meeting, the Chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
  - (b) adjourn the meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council or a committee of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the General Manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
  - (b) publish the time, date and place at which the meeting will reconvene on Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 19 AFTER THE MEETING

### Minutes of meetings

- 19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

- 19.2 At a minimum, the General Manager must ensure that the following matters are recorded in Council's minutes:

- (a) details of each motion moved at a Council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

- 19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a Council meeting must be published on Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

- 19.12 The General Manager is to implement, without undue delay, lawful decisions of the Council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

## 20 COUNCIL COMMITTEES

### Application of this Part

- 20.1 This Part only applies to committees of the Council whose members are all councillors.

### Council committees whose members are all councillors

- 20.2 The Council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the Council is to consist of the Mayor and such other councillors as are elected by the councillors or appointed by the Council.
- 20.4 The quorum for a meeting of a committee of the Council is to be:
- (a) such number of members as the Council decides, or
  - (b) if the Council has not decided a number – a majority of the members of the committee.

### Functions of committees

- 20.5 The Council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

### Notice of committee meetings

- 20.6 The General Manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
  - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

### Attendance at committee meetings

- 20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
  - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.



Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.

Chairperson and deputy Chairperson of Council committees

- 20.11 The Chairperson of each committee of the Council must be:
- (a) the Mayor, or
  - (b) if the Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
  - (c) if the Council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The Council may elect a member of a committee of the Council as deputy Chairperson of the committee. If the Council does not elect a deputy Chairperson of such a committee, the committee may elect a deputy Chairperson.
- 20.13 If neither the Chairperson nor the deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.
- 20.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of

committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

- 20.19 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.19 during a part of the meeting that is webcast.

#### Disorder in committee meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

#### Minutes of Council committee meetings

- 20.22 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment was passed or lost, and
  - (d) such other matters specifically required under this code.
- 20.23 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.
- 20.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.27 The confirmed minutes of a meeting of a committee of the Council must be published on Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

## 21 IRREGULARITIES

21.1 Proceedings at a meeting of a Council or a Council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with Council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means Council's adopted code of meeting practice
committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two (2) councillors under clause 11.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June