# Consideration of Late Items by Council Policy

## 1. INTRODUCTION

The purpose of this policy is to provide guidance to Elected Members and Staff in ensuring good governance and consultation processes are followed in the raising of late items of business to be considered by Council.

## 2. LOCAL GOVERNMENT ACT & REGULATIONS REQUIREMENTS

The inclusion in a Council meeting of items of business not listed in the agenda papers (information on such a matter would not have been available to the public before the meeting) is contrary to the provisions of the Local Government Act, 1999 and the Guiding Principles of the Local Government (Meeting Procedure) Regulations 2000 and should be avoided except for matters of urgency. So, for instance, principles of good governance speak against a standing agenda item of 'Any Other Business'.

Regulation 16(2) provides that a Member may, with the leave of the meeting, raise a matter of urgency. In most circumstances, it would be the Principal Member who seeks leave to introduce an urgent matter to the meeting.

Late items that the meeting does not resolve to be a matter of urgency should be deferred to the next meeting or a special meeting to allow time for public notification of the matter for relevant input from officers and due reading time and consideration by Elected Members. The Act also provides for calling special meetings to deal with matters of urgency.

To reinforce the need for accountability and public notification of matters to be considered at meetings regulation 13(6) gives the Presiding Member the power to 'refuse to accept a motion without notice' if after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

## 3. POLICY STATEMENT

The raising of new urgent business by Members or Staff at meetings from the floor (without notice) limits the ability of the Community to participate in the affairs of the Council. Decisions may be without appropriate advice and reporting from administration. It is also considered that the Community is better informed and *more able to participate in Council affairs,* when matters are put 'on notice' or form part of the public agenda papers.

Should an Elected Member or Staff Member wish to raise an Urgent item of Late Business to be considered at the Council meeting, the pro forma, Appendix 1, must be used and lodged with the Mayor prior to the commencement of the meeting for his consideration of inclusion in the agenda papers.

Urgent Items of Late Business not considered appropriate for the meeting will be listed as a Notice of Motion at the next available meeting of Council.

Members are reminded of their ability to raise matters of concern via:

1. Ability to seek advice and raise questions via the CEO and relevant Managers on a day-to-day basis for direct and expedient advice and assistance – should issues arise with the process please feel free to contact the CEO at any time.

2. Ability for Elected Members to encourage constituents to formally raise matters with the Council by way of correspondence for action by the administration and reporting by the administration to Council where necessary.
3. The ability to place a Notice of Motion giving at least 7 clear days notice before the meeting to the CEO.
4. The ability to place a Question on Notice giving at least 7 clear days notice before the meeting to the CEO which will enable an answer to be placed on the agenda as well.
5. Ability to call for reports on particular items from the administration for reporting back to future meetings. This approach is welcomed as it allows the administration to properly research a matter and have the matter placed on the agenda. This then places the matter within the arena for Council consideration and community information.

'Urgent business' must be submitted to the Mayor in writing, for consideration, prior to the commencement of the meeting. The Mayor is then to make a ruling as to whether they accept the Urgent Business, or whatever is simply put on notice for the subsequent meeting. This decision rests solely with the Presiding Member.

## 4. REVIEW

This policy will be reviewed in 2026 or where there is a change of legislation or circumstances will be reviewed at an earlier date.

## 5. DOCUMENT AND ADMINISTRATION CONTROL

| COUNCIL POLICY | |
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