

# Guidelines for Council Meetings, Public Agenda Briefing Sessions and Council Workshops

19 March 2024

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# INTRODUCTION

The role of Council is to set policy and strategy, and provide goals and targets for the local government (the City). The employees, through the Chief Executive Officer, have the task of implementing the decisions of Council.

A well-structured decision-making process that has established protocols will provide the elected body with the opportunity to:

- have input into the future strategic direction set by Council
- seek points of clarification
- ask questions
- be given adequate time to research issues
- be given maximum time to debate matters before Council,

and ensures that the elected body is fully informed to make the best possible decisions for the City of Karratha community.

The City of Karratha values transparency of decision making and encourages community participation.

The City's meeting processes also provide opportunities for Council meetings to be open to the public. The public may contribute to matters before Council by providing deputations, presentations and/or questions.

# PUBLIC AGENDA BRIEFING SESSIONS

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## PURPOSE

The purpose of the Public Agenda Briefing Session is for Councillors to ask questions and obtain additional information relating to items presented on the Ordinary Council Meeting agenda.

Questions asked by Councillors are to be answered by the CEO or a person nominated by the CEO.

No decisions are made at Public Agenda Briefing Sessions.

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## MEETING

The Public Agenda Briefing is held at 6.00pm on the Monday prior to the Ordinary Council Meeting and is open to members of the public.

Members of the public in attendance may ask questions and make deputations or presentations on items of interest on the agenda.

When confidential information needs to be considered, parts of the meeting may be closed to the public.

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## PRESIDING MEMBER

The Mayor is to be the Presiding Member at Briefing Sessions. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside at the Briefing Session.

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## DELEGATED AUTHORITY

No decision making is permitted at the Public Agenda Briefing.

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## MEMBERSHIP

Involves Elected Members, employees as determined by the Chief Executive Officer, and external advisors (where appropriate).

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## PUBLIC PARTICIPATION

Members of the public may attend and may ask questions or make deputations or presentations on items on the agenda.

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## DISCLOSURES OF INTEREST

Disclosures of Interest are to be made in accordance with the provisions of the *Local Government Act 1995*.

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## GENERAL GUIDELINE FOR PUBLIC AGENDA BRIEFING SESSIONS

The following guideline will apply to Public Agenda Briefing Sessions:

### Notice of Meeting and Agenda

- 1 The Chief Executive Officer will ensure timely written notice and an agenda for each Public Agenda Briefing Session is provided to all Elected Members, members of the public and external advisors (where appropriate).
- 2 If there is an item of urgent business and it is not included on the agenda, it may either:
  - (a) (Preferred) Be foreshadowed on the agenda under Urgent Business Approved by the Person Presiding; or
  - (b) Be tabled directly at the Ordinary Council Meeting.
- 3 The CEO will distribute the urgent agenda paper as soon as possible before the Public Agenda Briefing Session or Ordinary Council Meeting (as appropriate):
  - (i) By email to Elected Members; and
  - (ii) By updating the agenda on the City's website, and providing a link to the earlier version(s) for comparison; and

### Meeting Procedures

- 4 There is to be no debate among Elected Members on any matters raised during the Public Agenda Briefing Session.
- 5 Elected Member questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee.
- 6 The Presiding Member shall decide to accept or reject any question and their decision is final.
- 7 The Presiding Member may direct the question to the CEO who will:
  - (a) respond to the question or
  - (b) redirect it to the relevant City employee to respond to the question; or
  - (c) take a question on notice. In this case a written response will be provided as soon as possible.
- 8 Relevant employees of the City will be available to make a presentation or respond to questions on matters listed on the agenda for the Public Agenda Briefing Session.
- 9 All Elected Members will be given a fair and equal opportunity to participate in the Public Agenda Briefing Session.
- 10 The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.

### Disclosing an Interest

- 11 Good governance principles recommend that Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Public Agenda Briefing Sessions. When disclosing an interest the following provisions apply:

- (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Model Code of Conduct) Regulations 2021* and the City's *Code of Conduct for Council Members, Committee Members and Candidates* and *Code of Conduct for Employees*.
- (b) Elected Members disclosing a financial interest or a proximity interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
- (c) The remaining Elected Members may agree that an Elected Member disclosing a financial or proximity interest may participate in discussion on the matter if the remaining Elected Members agree:
  - (i) is so trivial or insignificant as to be unlikely to influence the disclosing Elected Member's conduct in relation to the matter;
  - or
  - (ii) is common to a significant number of electors and ratepayers of the City, and a record of that agreement is to be made in the notes kept for the Public Agenda Briefing Session.
- (d) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.

## **Record Keeping**

- 12 A record shall be kept of all Public Agenda Briefings. As no decisions are made at a Briefing Session, the record need only be a general record of the items covered but shall record attendance and any disclosure of interests as declared by individuals.
- 13 Where possible, questions and any responses will be summarised and included in the agenda of the Ordinary Council Meeting. Otherwise they will be included on the agenda of the next Public Agenda Briefing Session.

## **GUIDELINE FOR PUBLIC QUESTION TIME AT PUBLIC AGENDA BRIEFING SESSIONS**

### **Questions asked verbally**

- 1 Members of the public are invited to ask questions at Briefing Sessions.
- 2 Questions asked at a Briefing Session must relate to a report contained in the agenda.
- 3 A register will be provided for those persons wanting to ask questions to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 4 Public question time will be limited to two minutes per person, with a limit of two verbal questions per person.  
  
Statements are not to precede a question during public question time and questions must be succinct and to the point.
- 5 Members of the public are encouraged to keep their questions brief to enable everyone

who desires to ask a question to have the opportunity to do so.

- 6 Public question time will be allocated a maximum of 15-minutes. Public question time is declared closed following the expiration of the allocated 15-minute time period, or earlier if there are no further questions. The Presiding Member may extend public question time in intervals of 10 minutes, but the total time allocated for public question time is not to exceed 35 minutes in total.
- 7 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or to be defamatory on a particular Elected Member or City employee.
- 8 The Presiding Member shall decide to accept or reject any question and their decision is final.
- 9 The Presiding Member may direct the question to the CEO who will:
  - respond to the question; or
  - redirect it to the relevant City employee to respond to the question; or
  - take a question on notice. In this case a written response will be provided as soon as possible.
- 10 Where an Elected Member is of the opinion that a member of the public is:
  - asking a question at a Briefing Session that is not relevant to a report listed in the agenda;
  - or
  - making a statement during public question time,they may bring it to the attention of the Presiding Member who will make a ruling.
- 11 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

#### **Questions in Writing – (Residents and/or ratepayers of the City of Karratha only).**

- 1 Only City of Karratha **residents and/or ratepayers** may submit questions to the City in writing.
- 2 Questions **must** relate to a report contained in the agenda.
- 3 The City will accept a maximum of five written questions per City of Karratha resident/ratepayer. To ensure equity and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00am on the Friday immediately prior to the scheduled Public Agenda Briefing Session will be responded to, where possible, at the Public Agenda Briefing Session. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.

- 5 The Presiding Member shall decide to accept or reject any written question and their decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at the Public Agenda Briefing Session will be taken on notice. In this case, a written response will be provided as soon as possible and included in the agenda of the next Public Agenda Briefing Session.
- 8 A person who submits written questions may also ask verbal questions at a Public Agenda Briefing Session and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the agenda of the Ordinary Council Meeting.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

## DISCLAIMER

Responses to questions asked verbally are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

## GUIDELINE FOR DEPUTATIONS & PRESENTATIONS

- 1 Prior to the agenda of a Public Agenda Briefing Session being discussed by Elected Members, members of the public will be provided an opportunity to make a deputation or presentation.
- 2 Members of the public wishing to make a deputation or presentation at a Public Agenda Briefing Session will make a written request to the Chief Executive Officer by 5pm on the Friday immediately prior to the scheduled Public Agenda Briefing Session.
- 3 Deputation or presentation requests are to be approved by the Presiding Member and must relate to a report listed in the agenda of the Public Agenda Briefing Session. The City will confirm with the person if a deputation request is approved, including any limitations that apply.
- 4 Any visual presentation (such as a PowerPoint presentation) must be received by the CEO no later than 12.00 noon on the day of the Public Agenda Briefing Session. No other information or material will be distributed to Elected Members at the Public Agenda Briefing Session.



- 5 A deputation or presentation may consist of no more than five people, only two of which may address the Public Agenda Briefing Session. Other parties of the Deputation may be called on by the Elected Members to respond to questions should they so wish.
- 6 A maximum time of one hour will be set aside for all deputations or presentations at Public Agenda Briefing Sessions. Each deputation or presentation can address the Public Agenda Briefing Session for a maximum period of 5 minutes.
- 7 Statements made during a deputation or presentation are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employee.

### **RECORDING OF THE PROCEEDINGS OF THE PUBLIC AGENDA BRIEFING SESSION**

Proceedings of the Public Agenda Briefing Session may be electronically recorded and made available to the public on the City's website, except for matters of a confidential nature.

No electronic recordings will be allowed by members of the public or third parties unless permission is granted by the Presiding Member.

### **CONFIDENTIAL ITEMS**

The CEO will advise the matters of a confidential nature in accordance with the *Local Government Act 1995*. Members of the public will be asked to leave the Public Agenda Briefing Session for confidential items.

# COUNCIL MEETINGS

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## PURPOSE

The purpose of Ordinary Council Meeting is to conduct the business of Council, to debate matters and make decisions, as set out in the Local Government Act, subsidiary legislation and City of Karratha policies and local laws.

A Special Council Meeting is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, or confidential.

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## MEETING

The Ordinary Council Meeting is usually held at 6.00pm on the fourth Monday of the month and is open to members of the public.

Meetings are called and convened in accordance with the City's Standing Orders Local Law (the Standing Orders). Meetings will be conducted in accordance with the Act, subsidiary legislation and the Standing Orders.

A Notice of Meeting, including an agenda, will be circulated to the Elected Members a minimum of 72 hours prior to the meeting.

The draft minutes will be distributed within seven (7) days of the meeting and presented to Council for confirmation at the following Ordinary Council Meeting.

Agendas and Minutes are circulated via the Councillor Portal to all Elected Members. Independent Members receive meeting papers by Email.

When confidential information needs to be considered, parts of the meeting may be closed to the public.

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## PRESIDING MEMBER

The Mayor is to be the Presiding Member at the Ordinary Council Meeting or Special Council Meeting. If the Mayor is unable or unwilling to assume the role of Presiding Member, then the Deputy Mayor may preside.

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## DELEGATED AUTHORITY

Council makes decisions, or pass resolutions, in an Ordinary Council Meeting or Special Council Meeting.

Individual Elected Members have no decision-making authority.

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## MEMBERSHIP

Involves Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate).

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## PUBLIC PARTICIPATION

Members of the public may attend and may ask questions on items on the agenda, or items that affect the City of Karratha. The public may also request to provide a deputation or presentation at an Ordinary Council Meeting or Special Council Meeting.

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## DISCLOSURES OF INTEREST

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Disclosures of Interest are to be made in accordance with the provisions of the *Local Government Act 1995*.

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### GUIDELINE FOR PUBLIC QUESTION TIME

#### Questions asked verbally

- 1 Members of the public are invited to ask questions at Ordinary Council Meetings and Special Council Meetings.
- 2 Questions asked at Ordinary Council Meetings can be broader in scope than other meetings. They may relate to a matter on the agenda, or any matter that affects the City of Karratha.
- 3 Questions asked at a Special Council Meeting must relate to the purpose for which the meeting has been called.
- 4 A register will be provided for those persons wanting to ask questions to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting on the widest range of matters that are listed in the agenda. Persons that come forward are to state their name and full address.
- 5 Public question time will be limited to two minutes per person, with a limit of two verbal questions per person.
- 6 Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.
- 7 Public question time will be allocated a maximum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of Council. Public question time is declared closed following the expiration of the allocated time, or an earlier time where there are no further questions.
- 8 The Presiding Member shall decide to accept or reject any question and their decision is final.
- 9 The Presiding Member may direct the question to the CEO who will:
  - (a) respond to the question or
  - (b) redirect it to the relevant City employee to respond to the question; or
  - (c) take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.
- 10 Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or City employees.
- 11 Where an Elected Member is of the opinion that a member of the public is:
  - asking a question at a Council meeting, that does not relate to a matter affecting the City;
  - or

- making a statement during public question time,  
they may bring it to the attention of the Presiding Member who will make a ruling.
- 12 Questions and any response will be summarised and included in the minutes of the Council meeting.
  - 13 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

**Questions in Writing – (Residents and/or ratepayers of the City of Karratha only)**

- 1 Only City of Karratha **residents and/or ratepayers** may submit questions to the City in writing.
- 2 Questions asked at an Ordinary Council meeting must relate to a matter that affects the City of Karratha. Questions asked at a Special meeting of Council must relate to the purpose for which the meeting has been called.
- 3 The City will accept a maximum of five (5) written questions per City of Karratha resident/ratepayer. To ensure equity and consistency, each part of a multi-part question will be treated as a question in its own right.
- 4 Questions lodged by 9.00am on the Friday immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
- 5 The Presiding Member shall decide to accept or reject any written question and their decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.
- 6 The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.
- 7 Written questions unable to be responded to at a Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and will be included on the agenda of a future Council meeting.

- 8 A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.
- 9 Questions and any response will be summarised and included in the minutes of the Council meeting.
- 10 It is not intended that question time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). Where the response to a question(s) would require a substantial commitment of the City's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the City and may refuse to provide it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

### DEPUTATIONS OR PRESENTATIONS

Ideally deputations or presentations should be conducted at the Public Agenda Briefing Session. This allows Elected Members the opportunity to ask questions of the persons involved.

The Presiding Member may agree to a deputation or presentation at the Ordinary Council Meeting if it is considered necessary.

### DISCLAIMER

Responses to questions asked verbally are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

# COUNCIL WORKSHOPS

The Department of Local Government, Sport and Cultural Industries provides the following in their Operational Guideline on Council Forums (Workshops):

*“Elected Members need opportunities to discuss issues outside of the formal ordinary meeting process. The department acknowledges this approach because those elected members that have the maximum opportunities for input will obtain the greatest satisfaction emanating from their time in local government. The opportunity for input can be best gained through forums or committees of the full council. Councils that wish to hold forums of either the concept or agenda type are encouraged to adopt rules and processes that are in line with these guidelines. This will assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government.”*

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## PURPOSE

Council Workshops provide the opportunity to exchange information and ideas for the development of the City of Karratha.

During Council Workshops:

- the Chief Executive Officer seeks input from Elected Members as Council reports are being developed. This provides input and oversight of the evolution of matters being considered.
- Elected Members are fully informed on matters to enable decisions to be made in the best interests of the City.
- Elected Members represent the views of the community in matters.

The input through open and free-flowing exchange of ideas and the willingness to contribute to the Workshops will provide invaluable direction to the Chief Executive Officer in managing the City's operations and developing agenda reports for future Council Meetings.

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## MEETING

The Council Workshop is held at 5.00pm on a Monday, as scheduled by the CEO.

The meeting (in its entirety) is Confidential.

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## PRESIDING MEMBER

The CEO is the Presiding Member.

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## DELEGATED AUTHORITY

Council makes no decisions at a Council Workshop.

The CEO may make decisions at or after a Council Workshop, within the CEO's delegated authority and in accordance with their statutory role in the Local Government Act.

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## MEMBERSHIP

Involves Elected Members, employees as determined by the Chief Executive Officer and external advisors (where appropriate).

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Members of the public may not attend.

## **PUBLIC PARTICIPATION**

## **DISCLOSURES OF INTEREST**

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Disclosures of Interest are to be made in accordance with the provisions of the *Local Government Act 1995*.

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## **GENERAL GUIDELINE FOR COUNCIL WORKSHOPS**

The following guideline will apply to Workshops that are conducted by the City.

- 1 Workshops will be closed to the public and all agendas and supporting material, including presentations will be deemed Confidential.
- 2 Where considered appropriate to ensure Elected Members are fully informed on a matter, the proponent for a proposal listed on the agenda may be invited by the Chief Executive Officer to attend a Council Workshop to provide a presentation, and will be present for so much of that session that applies to their proposal.
- 8 Any visual presentation (such as a PowerPoint presentation) must be received by the City no later than 12.00 noon on the day of the Council Workshop.
- 3 Where a proponent has provided a presentation to a Workshop, a report on the matter raised during the presentation will not be progressed to the next scheduled meeting of Council unless agreed to by the Chief Executive Officer.
- 4 Dates and times for Workshops will be set well in advance where practicable.
- 5 The Chief Executive Officer will ensure timely written notice and a confidential agenda for each Workshop will be provided to all Elected Members.
- 6 The CEO will facilitate the Workshop and shall ensure:
  - (a) that the relevant employee provides a detailed presentation on matters listed on the agenda for the session;
  - (b) all Elected Members present are encouraged to participate in the session and the sharing and gathering of information and ideas;
  - (c) all Elected Members have a fair and equal opportunity to participate in the session; and
  - (d) the time available for the session is liberal enough to allow for all matters of relevance to be identified.
- 7 Good governance principles recommend that Elected Members, employees and relevant consultants shall disclose their interests on any matter listed for the Workshops. When disclosing an interest the following provisions apply:
  - (a) Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Model Code of Conduct) Regulations 2021* and the City's *Code of Conduct for Council Members, Committee Members and Candidates* and *Code of Conduct for Employees*
  - (b) Elected Members disclosing a financial interest or a proximity interest will not participate in that part of the session relating to the matter to which their interest

applies and shall depart the room.

- (c) The remaining Elected Members may agree that an Elected Member disclosing a financial or proximity interest may participate in discussion on the matter if the remaining Elected Members agree it:

(i) is so trivial or insignificant as to be unlikely to influence the disclosing Elected Member's conduct in relation to the matter;

or

(ii) is common to a significant number of electors and ratepayers of the City, and a record of that agreement is to be made in the notes kept for the Workshop.

- (d) Employees with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.

- 8 Elected Members do not participate in any debate on any matters raised during the session.
- 9 A record shall be kept of all Workshops. As no decisions are made by Council at a Workshop, the record need only be a general record of the items covered but shall record any disclosure of interests as declared by individuals. A copy of the record is to be forwarded to all Elected Members.
- 10 Electronic, visual or audio recording of Workshops is not permitted unless prior approval has been given by the CEO.