

8.1 AMENDMENTS TO COUNCIL MEETING SCHEDULE

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEBRA JUST – CHIEF EXECUTIVE OFFICER
AUTHOR:	LAURA KENDALL – CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	2 AUGUST 2021

1. PURPOSE OF REPORT

To propose amendments to Council’s meeting schedule to address the most recent change to the date for local council elections in NSW in 2021.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Resolve the next four ordinary Council meetings be held at 7pm on the following dates:**
 - **Monday 13 September 2021**
 - **Monday 18 October 2021**
 - **Wednesday 3 November 2021**
 - **Monday 31 January 2022.**
- 2. Note the Chief Executive Officer is responsible for arranging community information seminars as required, and for arranging Councillor briefing sessions, in accordance with the *Willoughby City Council Code of Meeting Practice 2020*, and that Councillor briefing sessions will typically continue to be held on the first and third Monday of each month, with adjustments as required to accommodate Council’s meeting schedule.**

3. BACKGROUND

Council adopted the *Willoughby City Council Code of Meeting Practice 2020* (the Code) on 14 December 2020. Clause 3.1 of the Code states Council meetings are to be held on the second Monday in the month, except when Council is in recess or as otherwise resolved.

On 12 April 2021, in response to the release of the NSW Electoral Commissioner’s timetable for the local government elections, Council resolved to hold the first ordinary meeting following the election on Monday, 27 September 2021 (fourth Monday) and the October 2021 ordinary Council meeting on 18 October (third Monday).

On 24 July 2021, the Minister for Local Government ordered the next elections for all local councils in NSW be postponed from 4 September until 4 December 2021. On 26 July 2021, the NSW Electoral Commission (NSWEC) advised that it does not expect to declare the results of the council elections before 21 December, and may not declare the results of some council elections before 6pm on 23 December 2021.

This report seeks Council's endorsement to amend its meeting schedule to align with amended local council election timeframes.

4. DISCUSSION

Following deferral of NSW local council elections from September to December 2021, there is no longer a need for Willoughby City Council to hold an ordinary meeting on 27 September 2021. The September meeting can be held on Monday 13 September, in accordance with Council's usual cycle of meetings on the second Monday of the month.

Council's decision to hold its October 2021 meeting on 18 October followed a report to Council on 12 April 2021, which explained 18 October is preferable due to timing issues regarding Council's Financial Statements for 2020/21. Specifically, an ordinary meeting on 18 October will support Council to adhere to the Audit Office of NSW's engagement timetable, and to meet Council's obligations for public notice of presentation of its 2020/21 Financial Statements. These considerations are still relevant, and it is recommended that Council hold its October ordinary meeting on 18 October.

Council can avoid holding an ordinary meeting during the caretaker period prior to the 2021 NSW local council elections by holding its November meeting prior to 5 November. However, Monday 1 November is not recommended, as it would not allow Council staff sufficient time to include meaningful information for the month of October in the reports Council receives each month, namely the investment report, open and confidential legal reports, and open and confidential property leasing reports. Wednesday 3 November is recommended as a suitable date for Council's November 2021 meeting.

It is proposed that Council not hold an ordinary meeting in December 2021, and instead hold its first meeting after the December 2021 election in January 2022. The NSWEC has advised that one of its measures to promote COVID-safety and voter participation in local council elections will be an extended timeframe for return of postal votes. As a result, the NSWEC may not declare the results of some polls before 6pm on 23 December 2021. Considering the potential for competing demands on Councillors time over the Christmas and New Year period, and to allow time for familiarisation of new councillors with fundamental elements of their roles, it is recommended Council's first meeting after the election be held on Monday, 31 January 2022.

This will not compromise Council's compliance with the requirement to meet a minimum of 10 times in 2021, each time in a different month, in accordance with the *Local Government Act 1993*. It will also allow for timely completion of essential business at the first meeting of the next term of Council. This business includes the taking of oaths or making affirmations of office by Councillors, election the Deputy Mayor, and consideration of whether a casual vacancy in the first 18 months of the Council term is to be filled by a countback of votes cast at the December 2021 election.

The Chief Executive Officer currently arranges Councillor briefings on the first and third Monday of each month that Council is not in recess. This is intended to continue, with amendments as required for months in which a Council meeting is not scheduled for the second Monday of the month.

Additionally, it is anticipated that the fourth Monday in the month will have a flexible program, allowing fourth Mondays to be used for community information seminars, Councillor briefings, or other activities that address community or Council priorities. Experience over the last 12 months shows it would be advantageous to create flexibility in this timeslot, as this would enable the time to be used in a manner most suitable to community or Council needs at the time. Flexibility and the ability to pivot to meet the needs of the changing environment are important in our current operating environment.

5. CONCLUSION

It is recommended that Council endorse the proposed changes to its meeting cycle, as the changes support effective decision-making by Council, and support Councillors in their roles as members of the governing body.

The Chief Executive Officer will continue to arrange community information seminars as required, and Councillor briefing sessions to brief Councillors on business to be considered at Council meetings or any other matter, in accordance with the *Willoughby City Council Code of Meeting Practice 2020*.

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	One of the responsibilities of the Chief Executive Officer and Customer and Corporate directorate is to support Council Meetings and Councillor briefings.
Policy	This report's recommendation is consistent with the <i>Willoughby City Council Code of Meeting Practice 2020</i> .
Consultation	There are no consultation requirements applicable to this report.
Resource	This report's recommendation was developed and can be implemented using existing allocations of resources.
Risk	The recommended changes to meeting dates in 2021 mitigate the risk that Councillors would not have access to high-quality information to support Council's decision making at ordinary meetings. Scheduling the first ordinary Council meeting after the election on 31 January 2022, mitigates the risk that newly elected councillors will not have an opportunity to be effectively briefed on meeting procedure prior to the first meeting.
Legal	There are no legal implications arising from the recommendation.
Legislation	The proposed meeting arrangements are consistent with the requirements of the <i>Local Government Act 1993</i> and <i>Local Government (General) Regulation 2005</i> .
Budget/Financial	The costs associated with Council meetings and Councillor briefings are incorporated in the 2021/22 budget.

