

Council Policy

1.13 Recording of the Vote of All Members Present

Introduction

The Local Government Act 1995 (As amended) section 5.21 (4) provides elected members the opportunity to ask the Presiding member to record their vote or the vote of all members present at Council or committee meetings. Such a request cannot be denied.

This Policy is to embed this requirement into the Shire of Capel agenda template so that this request is dealt with at the commencement of all meetings of Council, including Committees. The vote of all members present will then be recorded in the minutes after each vote is finalized, saving members the need to remember to make this request each time.

Note, the policy does not apply to electors meetings as they are recognised as electors meetings, not meetings of Council. For clarification this is included in the policy.

Purpose

To embed in the agenda for all meetings of Council including Committee meetings that the vote of all members present is recorded in the minutes of each meeting.

Policy statement

Council requires that the Chief Executive Officer include in the Shire of Capel agenda for all meetings of Council, including Committee meetings, the following motion, to be inserted after Public Question Time and before Applications for a Leave of Absence: -

RECORDING OF THE VOTE OF ALL MEMBERS PRESENT

Moved **Seconded**

That in accordance with the Local Government Act 1995 (as amended) section 5.21 (4), the vote of all members present be recorded following each vote at this meeting of Council.

Note: this policy does not apply to Electors Meetings.

Application

The motion to have affect is to be voted on at each meeting. The relevant section of the Local Government Act 1995 s5.21 is as follows:

- 4) If a member of a council or a committee specifically requests that there be recorded –
 - a) his or her vote; or
 - b) the vote of all members present,

on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

Procedure

Department:	CEO's Division	Next review:	December 2022
Reviewer:	CEO	Legislation:	Local Government Act 1995
Adopted:	Minute OC133/2020, 26.08.20	Delegation:	
Amended:		Risk:	
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