



17.1 NOTICE OF MOTION RECEIVED FROM CR JOHN DAW

In accordance with Clause 4.18 of the *EMRC Standing Orders Local Law 2013*, Cr Daw has given notice of his intention to move the following motion at the Ordinary Meeting of Council to be held on 19 March 2020:

Motion

That Council:

1. *In accordance with s.5.21(4)(b) of the Local Government Act 1995, resolves to record the vote of all members present on all matters voted at a meeting of Council or committees of Council, unless the vote is carried unanimously or by secret ballot or otherwise prohibited by the Local Government Act 1995 and associated regulations.*
2. *Instructs the Presiding Member to cause the vote or votes to be recorded in the minutes.*

Rationale provided by Cr Daw

One of the roles of Councillors and Committee Members is to participate in decision making processes at meetings. An EMRC Councillor has both a duty to present the views of member Councils as well as to consider the good of the Region as a whole when making a decision. The community looks to Councillors and Committee Members to provide leadership and guidance.

As part of good governance and high ethical standards, a local government councillor is expected to promote and support open and transparent government. This also applies to being held accountable for how each Councillor votes. Decisions by Council are not made by individual members but by the whole Council. This democratic process means that a councillor must accept the majority decision when the council votes upon a motion. If the result of the vote is against the wishes of an individual councillor, he or she should accept that result.

Each council member also has the right to have the vote recorded in the minutes. The *Local Government Act 1995* allows for a member of Council or a Committee to request that there be recorded the votes of all members present on a matter voted on at a meeting of Council or a meeting of a Committee.

At present, the practice at the EMRC has been such that, a request must be made for there to be recorded the vote of all members present after each matter has been voted on.

For expediency and efficiency in the meeting process, and to prevent lapses in the opportunity to request for the vote to be recorded, a standing instruction should be that the vote on all matters voted on should be recorded. The exception to this are where:

- The vote is carried unanimously;
- The vote is by secret ballot; and
- The recording of the votes is prohibited by the *Local Government Act 1995* and regulations as amended from time to time.

This motion is seeking to set in place an automatic and efficient process for the recording of votes in the minutes, for what is already allowed under the *Local Government Act 1995*.

MOTION(S)

That Council:

1. *In accordance with s.5.21(4)(b) of the Local Government Act 1995, resolves to record the vote of all members present on all matters voted at a meeting of Council or committees of Council, unless the vote is carried unanimously or by secret ballot or otherwise prohibited by the Local Government Act 1995 and associated regulations.*
 2. *Instructs the Presiding Member to cause the vote or votes to be recorded in the minutes.*
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Item 17.1 continued

COUNCIL RESOLUTION(S)

MOVED CR DAW

SECONDED CR CONGERTON

THAT COUNCIL:

1. IN ACCORDANCE WITH S.5.21(4)(B) OF THE *LOCAL GOVERNMENT ACT 1995*, RESOLVES TO RECORD THE VOTE OF ALL MEMBERS PRESENT ON ALL MATTERS VOTED AT A MEETING OF COUNCIL OR COMMITTEES OF COUNCIL, UNLESS THE VOTE IS CARRIED UNANIMOUSLY OR BY SECRET BALLOT OR OTHERWISE PROHIBITED BY THE *LOCAL GOVERNMENT ACT 1995* AND ASSOCIATED REGULATIONS.
2. INSTRUCTS THE PRESIDING MEMBER TO CAUSE THE VOTE OR VOTES TO BE RECORDED IN THE MINUTES.

CARRIED UNANIMOUSLY
