

GOV14	Circular resolution policy
Approval Date:	24/11/2022
Council Decision Reference:	046/2022
Policy Type:	Governance
Policy Custodian:	CEO
Review Date:	24/11/2025
Version (Revision Number):	1.0

**Purpose**

West Daly Regional Council Elected Members live in remote locations. On occasion the Chief Executive Officer (CEO) is presented with a matter of urgency requiring Council resolution that cannot wait for the next planned Ordinary Council Meeting (OCM).

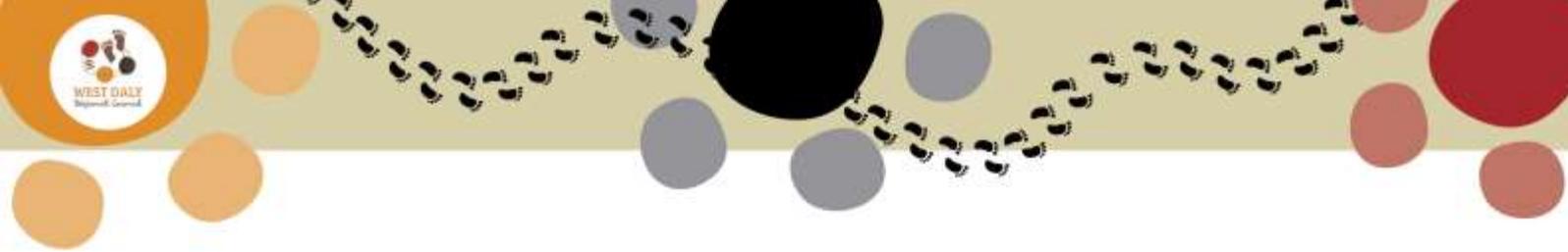
**Scope**

This policy applies to Elected Members of West Daly Regional Council, and to all staff with responsibility for implementing policy.

**Policy Statement**

**1. Policy Principles**

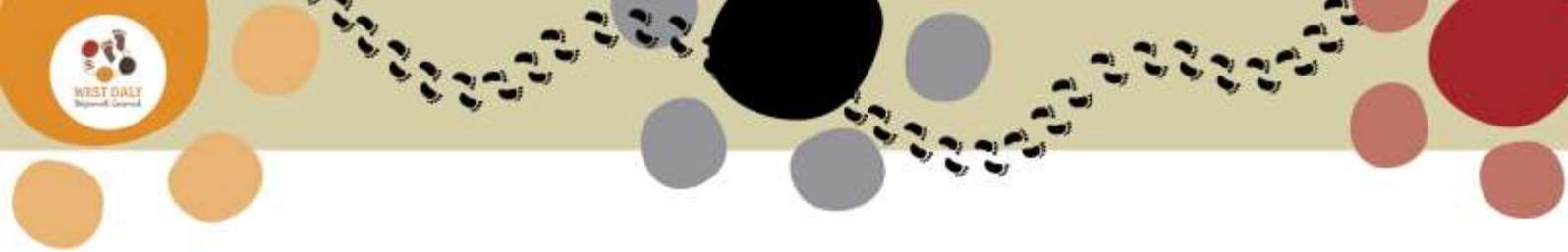
- 1.1 Decisions requiring a resolution of Council are considered by Elected Member at OCM scheduled every two (2) months.
- 1.2 If the CEO is presented with a matter of urgency requiring Council resolution that cannot wait for the next planned OCM the decision to consider a circular resolution can be made.
- 1.3 A circular resolution can be made via various communication mediums including emails, text messages, voting platforms or any other application for engagement that is deemed acceptable and usable by the CEO and Elected Members.
- 1.4 The motion to Council is to be supported with as much information as necessary so the Elected Members can make an informed decision. This may mean the CEO contacts each Elected Member to communicate the intent and what is required.
- 1.5 Depending on the balance of votes in response, the CEO is to act and proceed when a majority vote has been communicated. This communication is done in good faith as a method for the CEO to act on behalf of Elected Members of Council. The CEO will act accordingly and is not responsible for the device security of Elected Members when that action is done on reliance on the information provided as true and correct.



- 1.6 The CEO of West Daly Regional Council may, after discussion with the Mayor if possible, propose a motion for the circular resolution.
- 1.7 The proposed circular resolution must be circulated to all Elected Members of Council by email, text message or any other method of communication (voice)
- 1.8 As it cannot be guaranteed that any material submitted by any Elected Member would be considered by other Elected Members before they vote, no debate shall be entertained on any circular resolution.
- 1.9 No amendments can be proposed to a circular resolution.
- 1.10 Responses to a circular resolution must be made by email, by text message or confirmed verbally (noted date/time) and must, to avoid confusion, contain the text of the motion in question and the member's vote on that motion. A flexible approach is required due to the remoteness of the West Daly region and the areas in which Elected Members reside.
- 1.11 Circular resolutions must be passed by majority vote of acceptance.
- 1.12 The timeframe for Elected Members to respond must be reasonable, with regard to the decision sought, the context, and their availability. The Mayor will determine what a reasonable timeframe is at the time of the circular resolution.
- 1.13 If the majority of Elected Members oppose the circular resolution, the proposed circular resolution must be withdrawn. The proposed resolution may then only be considered at the next Ordinary Council meeting.
- 1.14 Once the CEO has been advised of the outcome of the circular resolution, it should be communicated to all Elected Members.

## **2. Chief Executive Officer responsibilities**

- 2.1 The CEO is responsible for:
  - 2.1.1 Determining whether a circular resolution is warranted and consistent with this policy;
  - 2.1.2 Attempt to seek agreement from the Mayor or Deputy Mayor that a circular resolution is warranted and consistent with this policy;
  - 2.1.3 Ensuring the circular resolution is properly drafted and circulated with any necessary supporting papers for Elected Members to review and provide an informed response;
  - 2.1.4 Circulating to Elected Members the outcomes of any circulating resolution;
  - 2.1.5 Ensuring all Elected Members have been given an appropriate opportunity to respond to the motion seeking approval;



2.1.6 Ensuring the details and outcome of the circular resolution is noted at the next council meeting.

**3. Elected Members responsibilities**

3.1 Elected members are responsible for:

3.1.1 Responding to circular resolution motions in good faith and in good time.

**4. Recommendations by circular resolution**

4.1 All recommendations of Elected Members using in a circular resolution are to be presented at the next Ordinary Council meeting for noting and ratification.

<b>Signature of Endorsement:</b>	
<b>Position:</b>	Chief Executive Officer