

Standing Orders – Townsville City Council

April 2008

Standing Orders – Townsville City Council

1.0 Application

2.0 Procedures for Meetings of Council

- 2.1 Commencement of business
- 2.2 Quorum
- 2.3 Lack of quorum
- 2.4 Lapse of a quorum
- 2.5 Leaving Meetings
- 2.6 Business of Meeting
- 2.7 Notice and Agenda
- 2.8 Minutes
- 2.9 Committee Minutes
- 2.10 Chairperson's Minute
- 2.11 Petitions
- 2.12 Deputations
- 2.13 Correspondence
- 2.14 Questions
- 2.15 Notices of Motion
- 2.16 Committee Reports
- 2.17 Motions and amendments
- 2.18 Permissible motions during debates
- 2.19 Method of taking vote
- 2.20 Motions put and lost
- 2.21 Points of Order
- 2.22 Conduct during Meetings
- 2.23 Personal explanation
- 2.24 Business of Objectable Nature
- 2.25 Procedure in committee
- 2.26 Absence from committee meetings
- 2.27 Reporting vacancies
- 2.28 Effect of vacancy
- 2.29 Attendance of Public at Council Meetings
- 2.30 Attendance by Media
- 2.31 Audio and video recording of Council meetings
- 2.32 Procedure not provided for

3.0 Post Election meeting agenda

4.0 Committees

- 4.1 Function of committees
- 4.2 Committees generally
- 4.3 Delegation of business
- 4.4 Committee membership
- 4.5 Reports by Committees

1.0 Application

These Standing Orders provide rules for the conduct of meetings of the Townsville City Council and its committees.

When applying these Standing Orders to Council committee meetings, references to “the Council” are to be taken to be references to “the Committee”.

These Standing Orders apply to the Post Election meeting of the Townsville City Council as far as practicable.

Any provision of these Standing Orders may be suspended by the Council at any one time during the course of the meeting by a resolution carried by the affirmative vote of at least two-thirds of the Councillors present. A separate resolution is required for any such suspension and the resolution must specify the purpose of the suspension.

The Chairperson has power to determine any issue that arises at a meeting that is not adequately covered by these Standing Orders.

2.0 Procedures for Meetings of Council

2.1 Commencement of business

2.1.1 The Council must commence its meeting as soon as a quorum is present after the time appointed for the holding of the meeting

2.1.2 A Councillor will not be regarded as present at a Council meeting unless the Councillor is within the room in which the meeting is being held

2.2 Quorum

2.2.1 The quorum for a meeting of Council is a majority of Councillors.

2.2.2 A majority of Councillors is—

(a) if the number of Councillors (including the Mayor) is an even number, half of that number; or

(b) if the number of Councillors (including the Mayor) is an odd number, then half of the next highest number.

2.2.3 The Chairperson is to be counted in the calculation of the quorum.

2.3 Lack of quorum

2.3.1 If a quorum is not present 15 minutes after any Council meeting is due to commence, the meeting will not take place.

2.3.2 If the meeting is an ordinary meeting, the meeting will stand adjourned until the next ordinary meeting of Council.

2.3.3 If the meeting is a special meeting, the meeting will stand adjourned until the Chief Executive Officer fixes the date and time of the next special meeting.

2.4 *Lapse of a quorum*

- 2.4.1 If the Chairperson becomes aware during a meeting that a quorum is no longer present, then the Chairperson must immediately suspend the meeting for a period of five (5) minutes.
- 2.4.2 If a quorum is still not present after that time, the meeting will not proceed.
- 2.4.3 If the meeting is an ordinary meeting, the meeting will stand adjourned until the next ordinary meeting of Council.
- 2.4.4 If the meeting is a special meeting, the meeting will stand adjourned until the Chief Executive Officer fixes the date and time of the next special meeting.
- 2.4.5 When the conduct of a meeting is interrupted by reason of the loss of a quorum, the business of the resumed meeting must commence at the point in the meeting agenda at which the interruption occurred.

2.5 *Leaving Meetings*

- 2.5.1 After a Council meeting has commenced, a Councillor must not enter, leave or withdraw from the meeting without first notifying the Chairperson.

2.6 *Business of Meeting*

- 2.6.1 The business and order of business for meetings will be determined by resolution of Council from time to time.
- 2.6.2 The Council by resolution may alter the business and order of business for a particular meeting. The motion to do so may be moved without notice.
- 2.6.3 Unless otherwise altered, the business and order of business will be:
 - a) Opening of Meeting
 - b) Apologies and Leave of Absence
 - c) Confirmation of Minutes
 - d) Declarations of Material Personal Interests and Conflicts of Interests
 - e) Petitions
 - f) Deputations
 - g) Correspondence
 - h) Consideration of Committee Reports and Recommendations
 - i) Consideration of Business Notified by a Councillor
 - j) Consideration of Notified Motions
 - k) Officers' Reports
 - l) Questions

2.7 *Notice and Agenda*

- 2.7.1 The Chief Executive Officer must give Notice of the meeting, including giving an agenda, at least two days prior to each meeting.
- 2.7.2 Any notice of meeting or agenda may be given to a Councillor personally, by post, by facsimile machine or by electronic mail.
- 2.7.3 Business not on the agenda or arising from the agenda must not be considered at the meeting unless the Council resolves that it is a matter of an urgent nature that requires consideration at the meeting. If a Councillor wishes to request that such a resolution be made, the Councillor must raise the matter with the Chairperson immediately before Consideration of Committee Reports.
- 2.7.4 A Councillor wishing to give notice of any matter, must give notice in writing to the Chief Executive Officer at least two business days before the issue of the notice of the meeting at which the business is to be discussed.

2.8 *Minutes*

- 2.8.1 A copy of the minutes of every meeting must be given to each Councillor.
- 2.8.2 The minutes of a meeting not previously confirmed, whether of an ordinary or a special meeting, will be taken as read and must be the first item of business at the next ordinary meeting of the Council, in order to confirm their accuracy as a true record of proceedings.
- 2.8.3 A motion or discussion not related to the accuracy of the minutes will not be permitted.
- 2.8.4 Any objection to the minutes on the ground of inaccuracy must be made by resolution prior to confirmation of the minutes.
- 2.8.5 When confirmed the minutes must be signed by the Chairperson.
- 2.8.6 Minutes may be confirmed at a special meeting.

2.9 *Committee Minutes*

- 2.9.1 If in the minutes of a committee separate recommendations are made, the decision of the Council may be taken separately on each recommendation.
- 2.9.2 Council may adopt an alternative resolution to that proposed by the committee or may refer the recommendation back to the committee for further consideration.
- 2.9.3 If adopted by the Council the recommendations of a committee become resolutions of the Council.

2.10 *Chairperson's Minute*

- 2.10.1 At a committee meeting the Chairperson may direct the attention of the committee to a matter or subject within the powers of the committee by a minute signed by the Chairperson. The recommendations made in

the Chairperson's minute, so far as adopted by the Committee, will be submitted as a recommendation to the Council.

2.11 *Petitions*

2.11.1 Any petition presented to a meeting of Council must be—

- legibly written or typewritten;
- written in acceptable terms; and
- contain the names and addresses of the individual signatories.

2.11.2 The Councillor who presents a petition to a meeting of the Council must state the nature of the petition.

2.11.3 On presentation of a petition to the Council, the petition shall be read. The only questions to be considered by the Council shall be:

- that the petition not be further considered; or
- that the petition be considered at that meeting or some future meeting; or
- that the petition be referred to a committee or officer for consideration and report.

2.12 *Deputations*

2.12.1 A person or group wishing to be received as a deputation by the Council must make written request to the Chief Executive Officer setting out the matter to be raised by the deputation and specifying the name and address of the person authorised to receive notices on behalf of the deputation.

2.12.2 Unless the Council otherwise resolves in the particular case, the written request must be given to the Chief Executive Officer at least seven (7) days before the meeting at which the deputation wishes to be heard.

2.12.3 The Chief Executive Officer must inform the Chairperson of the receipt of the request.

2.12.4 Unless otherwise directed by the Chairperson, the Chief Executive Officer must list the hearing of the deputation on the next ordinary meeting agenda and give to the person specified in the request notice of the time and date when the deputation will be heard.

2.12.5 The Chairperson will determine the number of people in the deputation who will be permitted to address Council or respond to questions.

2.12.6 The appointed speakers must restrict their addresses to not more than five minutes unless otherwise approved.

2.12.7 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may warn the deputation that a repetition may result in the deputation not being further heard.

2.12.8 If there is further interjection after the Chairperson has given the warning the Chairperson may call on the next item of business.

2.12.9 Unless the Council otherwise resolves, the effect of calling on the next business is that the deputation will not be heard further at that meeting and, if the deputation wishes to be heard at a subsequent meeting, a fresh request must be given to the Chief Executive Officer.

2.13 *Correspondence*

2.13.1 The Chief Executive Officer may deal with correspondence or refer it directly to the relevant committee without placing it before the Council.

2.13.2 The Chief Executive Officer will determine what correspondence will be placed before the Council for consideration.

2.13.3 The Council or the Chairperson may require the Chief Executive Officer to place all correspondence of a particular class or with a particular person before the Council, and a Councillor may require the Chief Executive Officer to place a particular item or correspondence before the Council.

2.13.4 The Chairperson may direct what correspondence shall be read at a Council meeting.

2.13.5 A letter addressed to a Councillor must not be presented nor read by a Councillor without the permission of the Chairperson.

2.13.6 Correspondence at a Council meeting must not be discussed until a motion dealing with the subject matter has been moved.

2.14 *Questions*

2.14.1 During the part of the meeting set aside for question time, questions may be put to another Councillor or the Chief Executive Officer regarding any matter under consideration at the meeting. The Chairperson may disallow a question which the Chairperson considers is inconsistent with good order.

2.14.2 A Councillor who wishes to put a question to the Chairperson, or another Councillor, or an officer at the meeting of the Council as to the general work or procedure of the Council, or a matter under the jurisdiction or official knowledge of the Council, must give notice to the Chief Executive Officer at least two business days before the day of the meeting.

2.14.3 A Councillor may, with the consent of the Chairperson being received before the commencement of the meeting, put a question on a matter without notice.

2.14.4 A question must —

- be confined to 1 issue; and
- be asked as succinctly as possible; and
- be asked without argument or discussion; and
- occupy less than 2 minutes.

- 2.14.5 If a question is too long or of a complicated nature, the Chairperson may direct the person asking the question to submit the question in writing.
- 2.14.6 In answering a question the following general rules apply—
- the subject of the question must not be debated;
 - the answer must be relevant and succinct;
 - the answer must not occupy more than 5 minutes.
- 2.14.7 If an answer is too long or of a complicated nature, the Chairperson may direct that the answer be submitted in writing for inclusion in the official minutes of that meeting.
- 2.14.8 Any person who is asked a question without notice may elect to provide the answer either verbally or in writing before the commencement of Question Time at the next Council meeting.
- 2.14.9 If a question cannot be answered immediately, then a response must be provided at the next Council meeting. The Chairperson may extend the period for reply.
- 2.14.10 Questions on notice must be provided in writing to the Chief Executive Officer at least 4 days prior to the giving of notice for the meeting at which it is to be answered.
- 2.14.11 Questions on notice will be formally incorporated into the agenda and minutes of a Council meeting.
- 2.14.12 Answers will be incorporated into the agenda of the next meeting of Council.
- 2.14.13 Nothing in this clause restricts the right of a Councillor to ask for information or the production of documents of the Council in the course of debate.

2.15 *Notices of Motion*

- 2.15.1 A Councillor may raise at a meeting such business the Councillor considers advisable, in the form of a motion, of which notice has been given in writing to the Chief Executive Officer, either at the previous meeting thereafter but not less than seven (7) clear days before the meeting at which it is to be considered.
- 2.15.2 A notice of motion must relate to a matter within the jurisdiction of the Council. The Chairperson may rule out of order a motion which does not comply with this requirement.
- 2.15.3 The Chief Executive Officer must, immediately upon the receipt of a notice of motion, enter it in a register kept for that purpose. The register is open to the inspection of any Councillor.
- 2.15.4 The Chief Executive Officer must mark in the register the date of receipt of the notice of motion.
- 2.15.5 A Councillor may not have more than two notices of motion on the agenda at any one time.
- 2.15.6 The motion lapses if the Councillor who gave notice, or some other Councillor authorised in writing, is not present to move the motion when called on, or it is not moved by another Councillor pursuant to clause 2.15.8. The motion must not be introduced again without a fresh notice of motion given in accordance with these Standing Orders.
- 2.15.7 The Council may resolve to defer consideration of the motion.
- 2.15.8 If a Councillor who has given the notice of motion (or another Councillor authorised by the Councillor in writing) does not move the motion when the matter is called by the Chairperson, another Councillor may move the motion immediately, even though the Councillor who gave the notice of motion is present at the meeting.

2.16 *Committee Reports*

- 2.16.1 When a Committee Report is presented, a motion for the adoption of the report may be moved only by the Chairperson of the committee or another member of the Committee.
- 2.16.2 The mover of the motion may speak to matters within the responsibilities of that committee after the adoption motion has been moved.
- 2.16.3 The Chairperson of Council must call for debate on the motion to adopt the report.
- 2.16.4 During debate on the motion, the Chairperson may rule out of order any aspects of the debate which do not relate to the specific subject matter under debate and may direct that the issue may be raised during general business.
- 2.16.5 Any Councillor may move that a clause of the report be withdrawn.
- 2.16.6 A Councillor requesting withdrawal pursuant to subsection 2.16.5 must provide a reason for the withdrawal.
- 2.16.7 Debate on the motion to adopt the report must be suspended while the motion to withdraw is debated.
- 2.16.8 Once the motion to withdraw has been decided, debate on the motion to adopt the report may re-commence.
- 2.16.9 At the conclusion of debate, a motion to adopt the report must be put to the vote.

2.17 *Motions and amendments*

- 2.17.1 In this section 2.17 *motion* where the context permits includes an *amendment to a motion*.
- 2.17.2 An amendment to a motion must not change the original motion so substantially as to defeat its purpose.

- 2.17.3 Procedural motions and motions adopting reports need not be in writing.
- 2.17.4 All motions and amendments to motions will be put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full before permitting it to be received.
- 2.17.5 The Chairperson must call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.
- 2.17.6 The mover of a motion must read it and state that he or she moves it but may not speak to it at that stage.
- 2.17.7 A motion may not be debated until it has been seconded.
- 2.17.8 A Councillor may request the Chairperson for further information before or after the motion is seconded.
- 2.17.9 After a motion or amendment is seconded the mover may address the Council.
- 2.17.10 The order of debate following the seconding of a motion shall alternate between those for and against the motion.
- 2.17.11 Notice need not be given of an amendment.
- 2.17.12 If a majority of Councillors vote against an amendment to a motion, the amendment is lost.
- 2.17.13 A further amendment may then be moved to that motion. Only one motion and one proposed amendment may be before the Council at any one time.
- 2.17.14 A Councillor must not move more than two motions on the same matter in succession without the Chairperson's permission.
- 2.17.15 A motion may be withdrawn by the mover only with the consent of the Council, which request must be voted upon without debate. A Councillor must not speak on a motion after the mover has been granted permission by the Council for its withdrawal.
- 2.17.16 The mover of a motion has a right of reply. The mover of an amendment has no right of reply. Except when exercising his/her right of reply, a Councillor may not speak more than once to the same motion.
- 2.17.17 A Councillor who has spoken to a motion may speak to an amendment of the motion.
- 2.17.18 The mover of a motion must restrict his/her address to not more than ten minutes and all other speakers to not more than five minutes.
- 2.17.19 The Chairperson may allow a speaker additional time.

2.18 *Permissible motions during debates*

2.18.1 A Councillor may, during the debate on a matter at a Council meeting, move any of the following Procedural Motions—

2.18.2 *That the debate be adjourned*

2.18.2.1 A Councillor may, at the conclusion of the speech of another Councillor, move, without notice, that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council. Debate on the subject motion may not be adjourned for a period of more than 2 months.

2.18.2.2 On a motion that the debate be adjourned the seconder may not speak other than formally to second, the mover may speak for not more than five minutes, and no other debate will be allowed. If the matter then before the Council is a recommendation from a committee, the Chairperson of the committee or, in his/her absence, a Councillor of the committee, may speak for not more than five minutes.

2.18.2.3 A Councillor must not, at the same sitting of the Council, move or second more than one motion for the adjournment of the same debate.

2.18.2.4 If a debate is adjourned (whether by motion or because of the lack of a quorum), the Councillor speaking to the motion or amendment at the time of the adjournment has the right to resume the debate if the Councillor is present when the Chairperson again calls it on.

2.18.3 *That the Council adjourn*

2.18.3.1 A Councillor may, at the conclusion of the speech of another Councillor or on the conclusion of business, move, without notice, that the Council now adjourn. That motion must state the time and date to which the adjournment is to be made.

2.18.3.2 On a motion to adjourn, the seconder may not speak other than formally to second, and the mover may speak for not more than five minutes, and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but other debate will not be allowed.

2.18.3.3 Where a motion for the adjournment of the Council is put and lost, a further motion for adjournment must not be moved until after the matter then under discussion or next on the agenda or another which may be allowed precedence, has been dealt with.

2.18.3.4 A Councillor must not, at the same sitting of the Council, move nor second more than one motion for the adjournment of the Council.

2.18.3.5 On a motion for the adjournment of the Council being carried, the debate on the question (if any) under debate when that notice was moved will be resumed immediately upon the Council resuming after the adjournment.

- 2.18.3.6 The Chairperson must adjourn the Council to such time and date as the motion specifies, or where no time and date is specified, to such time and date as he/she declares.

2.18.4 *That the matter be put to a vote*

- 2.18.4.1 A Councillor may, at the conclusion of the speech of another Councillor, move, without notice and without comment, that the matter under consideration be put to a vote, and upon that motion being formally seconded and carried with the consent of two-thirds of the Councillors then present, the matter must immediately be put to a vote without debate.
- 2.18.4.2 A motion that the matter under consideration be put to a vote may not be moved by a Councillor who has already spoken on the matter.
- 2.18.4.3 When it is decided by the Council that the matter under consideration be put to a vote, the mover of the matter under consideration must, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply for not more than five minutes before the matter. At the conclusion of the reply the matter must be put to a vote immediately.

2.18.5 *That a Councillor not be further heard*

- 2.18.5.1 A Councillor may at any time during the progress of a debate move that a Councillor who is speaking not be further heard.
- 2.18.5.2 Upon a motion that a Councillor not be further heard being formally seconded, it must be immediately put by the Chairperson without debate. If the motion is carried the subject Councillor must cease speaking and resume his or her seat.
- 2.18.5.3 A second motion that a Councillor not be further heard must not be made during the course of debate on the same matter unless in the opinion of the Chairperson the character of the speech has materially altered.

2.18.6 *That the Meeting be Closed to the Public*

- 2.18.6.1 The Council has limited powers under the *Local Government Act 1993* to close Council meetings to the public. All Council meetings are open to the public except when, acting under those powers, the Council resolves to close the meeting to the public.
- 2.18.6.2 When the Council resolves to close the meeting to the public, the Chairperson may direct all persons other than Councillors and the Chief Executive Officer to leave the Council Chambers. The Chairperson may allow additional officers of the Council, legal and technical advisers, and

such other persons as the Chairperson decides, to remain in the meeting. All other persons must immediately leave the Council Chambers.

- 2.18.6.3 A person failing to comply with a direction to leave the Council Chambers may be removed from the Council Chambers using such force as is reasonably necessary. For the purpose of enforcing such removal the Chairperson may call upon the assistance of a member of the Police Force.
- 2.18.6.4 A motion that the Council meeting be closed to the public or resume its open meeting lapses unless seconded.
- 2.18.6.5 The Councillor moving that the Council close its meeting to the public or resume its open meeting, may speak in support of the motion for not more than five minutes but the seconder is not permitted to speak beyond formally seconding it.
- 2.18.6.6 Upon a motion being made that the Council close its meeting to the public, the mover of the matter under debate, if any, must be heard in reply on the question of resolving to close the meeting to the public, for five minutes, after which the question must be put at once without debate. If the motion to close the meeting is lost the mover of the matter under debate retains the right of reply.
- 2.18.6.7 All reports of proceedings in a closed Council meeting must be recorded in the minutes. It is sufficient to state the general effect of those proceedings.
- 2.18.6.8 These Standing Orders, unless directed otherwise by the Chairperson, govern all proceedings in a closed meeting of the Council.
- 2.18.6.9 Unless the Council, upon the resumption of its open meeting, resolves to the contrary, all matters discussed in a closed meeting must be kept confidential.

2.18.7 *That the Council proceed to the next item of business*

- 2.18.7.1 A Councillor may at the conclusion of the speech of another Councillor move, without notice, that the Council proceed to the next item of business, and upon that motion being formally seconded, it must be immediately put without debate.
- 2.18.7.2 If the motion to proceed with the next item of business is lost, a further motion that the Council proceed to the next item of business must not, during debate on the same matter, be moved within one hour after the previous motion has been put and lost.
- 2.18.7.3 If the motion to proceed with the next item of business is carried, the business in respect of which the motion was made is deemed to have been completed.

2.18.8 *That the meeting be closed*

- 2.18.8.1 A Councillor may, at the conclusion of the speech of another Councillor or on the conclusion of business move, without notice, that the meeting of the Council be closed.
- 2.18.8.2 On a motion that the meeting be closed, the mover may speak for not more than five minutes and the seconder must not speak other than formally to second the motion. The mover of the motion (if any) under debate at that time may speak for not more than five minutes, but other debate will not be allowed.
- 2.18.8.3 If a motion that the meeting of the Council be closed is put and lost, a similar motion must not be moved until after the matter then under discussion, or the next matter on the agenda or another matter which may be allowed precedence, has been disposed of.
- 2.18.8.4 A Councillor who has spoken on the matter then before the Council shall not move that the meeting be closed.
- 2.18.8.5 A Councillor must not at the same meeting of the Council, move or second more than one motion that the meeting be closed.
- 2.18.8.6 If a motion that the meeting be closed is carried, the debate on the question (if any) under debate when the motion was moved shall stand adjourned to its place on the agenda for the next meeting of the Council.

2.18.9 *That the meeting dissent from a ruling on a point of order*

- 2.18.9.1 A Councillor may, move a motion that the meeting dissent from a ruling on a point of order in relation to a ruling of the Chairperson on a point of order;
- 2.18.9.2 if a motion of dissent is moved, further consideration of any matter must be suspended until after the motion is resolved;
- 2.18.9.3 Only the mover of the motion of dissent and the Chairperson may speak to the motion. Each may speak only once, with the mover speaking first and the Chairperson second.
- 2.18.9.4 if a motion of dissent is carried, the matter about which the ruling of the Chairperson was made may proceed as though that ruling had not been made. (Where as a result of that ruling the matter was discharged as out of order, it must be restored to the agenda and be dealt with in the normal course of business).

2.18.10 *That the meeting conclude*

- 2.18.10.1 A Councillor may move a motion that the meeting conclude only after reasonable discussion has occurred about all items on the agenda.

2.18.11 *That the operation of these Standing Orders [or any part of them] be suspended*

- 2.18.11.1 A Councillor may move a motion that the Standing Orders be suspended in order to permit some action that otherwise would be prevented by a procedural rule. The motion must specify the purpose of the suspension.

2.18.12 *That the motion be withdrawn*

- 2.18.12.1 The Councillor who moved a motion may move that it be withdrawn. The Councillor must provide an explanation for the withdrawal.

2.19 *Method of taking vote*

- 2.19.1 Before a matter is put to the vote, the Chairperson may direct the motion or amendment be read again.
- 2.19.2 Councillors must remain seated while a vote is being taken.
- 2.19.3 When taking the vote on a motion or amendment, the Chairperson must put the question first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to the majority vote.
- 2.19.4 The Council will vote by a show of hands, but a Councillor may call for a division on a question at any time.
- 2.19.5 When a division has been taken, the Chief Executive Officer must record the names of the Councillors voting in the affirmative, those voting in the negative, and those who did not record a vote by virtue of absence from the meeting or some other cause.
- 2.19.6 If a Councillor present fails to vote, the Councillor is taken to have voted in the affirmative.
- 2.19.7 The Chairperson must declare the result of a vote or a division as soon as it has been ascertained.
- 2.19.8 Except when a motion is made to rescind or alter a resolution, a resolution must not be further discussed after the vote upon it has been declared.

2.20 *Motions put and lost*

- 2.20.1 A motion to the same effect as a motion which has been put and lost at a meeting of the Council must not again be entered within a period of three months, except with the consent of an absolute majority of the Council.

2.21 Points of Order

- 2.21.1 A point of order is an objection that the matter objected to is :-
- in contravention of Standing Orders, Local Laws, Code of Conduct or the *Local Government Act 1993*; or
 - either defamatory, disloyal, irreverent, or obscene; or
 - beyond the powers of the Council.
- 2.21.2 A Councillor who expresses a difference of opinion with or contradicts a speaker, shall not be regarded as raising a point of order.
- 2.21.3 A Councillor must not be interrupted except by the Chairperson or upon a point of order, in which event the Councillor must remain silent until the Chairperson has ceased speaking or the point of order has been disposed of.
- 2.21.4 A point of order is raised by stating the matter complained of and the provision of these Standing Orders, Local Laws, Code of Conduct or the Local Government Act 1993 constituting the point of order.
- 2.21.5 When a point of order is raised, consideration of the matter to which the motion was moved must be suspended. The Chairperson must determine whether the point of order is upheld. Upon a question of order arising during the process of a debate, the Councillor against whom the point of order is raised must immediately cease speaking, and the Councillor raising the point of order may speak to it.
- 2.21.6 A question of order takes priority over all matters other than allegations of breaches of the Councillors' Code of Conduct, and until the point of order is decided, consideration and decision of every other motion or matter is suspended.

2.22 *Conduct during Meetings*

- 2.22.1 After a meeting of Council has been formally constituted and the business commenced, a Councillor must not enter or leave the meeting without first acknowledging the Chairperson.
- 2.22.2 A speaker, in referring to another person present, must refer to the person by that person's title, "Mayor" or "Councillor", and in speaking of or addressing officers must designate them by their respective official or department title, and must confine their remarks to the matter then under consideration.
- 2.22.3 Where two or more Councillors endeavour to speak at the same time, the Chairperson will decide who is entitled to priority.
- 2.22.4 Whenever the Chairperson speaks during a debate, the Councillor then speaking or offering to speak must cease immediately and the Councillors must be silent so that the Chairperson may be heard without interruption.
- 2.22.5 The Chairperson may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or a breach of order or decorum on the part of a Councillor, and may direct that the Councillor, if speaking, discontinue his or her speech, in which case the Councillor must cease speaking immediately.
- 2.22.6 When the Chairperson is putting a question to a vote, a Councillor must not walk out of or across the Chamber, and must not, while another Councillor is speaking, pass between the speaker and the Chairperson.
- 2.22.7 The Chairperson must maintain order, and may call a Councillor to order whenever in the Chairperson's opinion there is cause for so doing.
- 2.22.8 If at any meeting the Chairperson is of the opinion that by reason of disorder or otherwise, the business of the Council cannot be continued, the Chairperson may, as a matter of right, adjourn the meeting for a period of fifteen minutes. After the expiration of that period the Council must reassemble and decide whether business is to proceed, and that question must be decided immediately and without any debate.
- 2.22.9 If the meeting proceeds and the Chairperson again becomes of the opinion that the business of the Council cannot be continued the Chairperson may close the meeting or adjourn it to a later time.
- 2.22.10 A Councillor must not speak other than upon, nor digress from, the matter then before the Council, except to make a personal explanation.

2.23 *Personal explanation*

- 2.23.1 A Councillor may make a brief personal explanation at a Council meeting on a statement affecting him or her as a Councillor, whether that statement was made at a Council meeting or outside the Council.
- 2.23.2 A personal explanation must not be debated except upon a motion to censure the Councillor who has made it.
- 2.23.3 An officer has the same right to make a brief personal explanation as a Councillor.

2.24 *Business of Objectionable Nature*

- 2.24.1 If at a meeting of the Council, the Chairperson or a Councillor considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of the Council, the Chairperson may, on the Chairperson's own volition or at the request of another Councillor, declare that the matter not be considered further.

2.25 *Procedure in committee*

- 2.25.1 These Standing Orders apply to committee meetings, except that they may be varied by:-
 - 2.25.1.1 procedural directions given to the committee by resolution of the Council; or
 - 2.25.1.2 if there is no procedural direction governing a particular matter, the Chairperson's decision.
- 2.25.2 A Councillor is entitled to attend and be heard on any particular matter at a meeting of a standing committee but must not, unless as a Councillor on the committee, vote on a matter before the committee.

2.26 *Absence from Ordinary Meetings*

- 2.26.1 If a Councillor is absent from three consecutive ordinary meetings of Council that Councillor's seat becomes vacant.

2.27 *Reporting vacancies*

- 2.27.1 A vacancy in a committee must be reported by the Chief Executive Officer to the Council at its first meeting after that vacancy has arisen and the Council must proceed to appoint a Councillor to fill the vacancy.

2.28 *Effect of vacancy*

- 2.28.1 The existence of a vacancy or vacancies upon a committee does not affect the validity of any of the acts or proceedings of the committee.

2.29 *Attendance of Public at Council Meetings*

- 2.29.1 Every meeting of the Council or committee, other than a meeting of the Council or committee closed to the public in accordance with the provisions of the *Local Government Act 1993*, is open to the public.
- 2.29.2 An area must be made available at the place where any meeting of the Council is to take place for members of the public to attend the meeting and as many members of the public as reasonably can be accommodated in that area are permitted to attend the meeting.
- 2.29.3 At a meeting of the Council, members of the public must not express dissent or disapproval, converse or interrupt the proceedings of the meeting. Mobile telephones and audible pagers must be turned off in the meeting room and in the public gallery.
- 2.29.4 Public participation in Council meetings is on the basis that—
- written application is to be made for permission to address Council in accordance with clause (2.12) of these standing orders; or
 - the Chairperson invites a member of the public to address Council on a matter listed on the agenda for which they have an interest.

2.30 *Attendance by Media*

- 2.30.1 Reasonable accommodation and facilities to report proceedings will be provided within the meeting places for the Council or Committees for representatives of the press, radio and television.
- 2.30.2 A copy of the agenda shall be furnished to the press, radio and television representatives at or before the opening of the meeting.
- 2.30.3 Any press, radio or television representative who shall, in the opinion of the Council, be guilty of any abuse of privilege may be suspended from further enjoyment of such privilege, with or without limitations as the Council may determine.

2.31 *Audio and video recording of Council meetings*

- 2.31.1 Audio or video recording of a Council meeting must not be made unless the Council so resolves.
- 2.31.2 If the Council resolves to make an audio or video recording of a meeting for the purpose of verifying the accuracy of the minutes of the meeting, the recording may only be used for the purpose of verifying the accuracy of the minutes of the meeting and must be destroyed within 7 days after the minutes are subsequently confirmed.
- 2.31.3 The Chairperson may direct that Councillors and all other persons present, not possess, at a closed meeting of the Council, nor in a meeting of a standing or special committee, any equipment capable of recording and subsequently replaying any part of the proceedings of any the meeting.

2.32 *Procedure not provided for*

2.32.1 If an appropriate or adequate method of dealing with any matter is not provided for in the Local Law or Standing Orders, the method of dealing with the matter may be determined by ruling of the Chairperson or by resolution upon a motion which may be put without notice.

3.0 *Post Election meeting agenda*

- Declaration of Office – Mayor and Councillors;
- Councillors' and Mayors' Roles and Responsibilities;
- Address by the Mayor;
- Appointment of Deputy Mayor;
- Consideration and Composition of Standing Committees;
- Appointment of Committee Chairpersons;
- Appointment to Special Committees; Advisory Committees, Statutory Bodies and other organisations;
- Adoption of Code of Conduct
- Councillors responsibility to Declare Material Personal Interest;
- Roles and Responsibilities of Chief Executive Officer;
- Adoption of Councillors' Remuneration Policy;
- Notification of Insurance and Indemnity;
- Expenses Reimbursement Policy.
- such other business as the Mayor may direct.

3.1 The Chief Executive Officer is to conduct the Post Election meeting until the Chairperson is appointed.

4.0 Committees

Corporate Governance Committee

The Corporate Governance Committee will be charged with Council business connected with:-

- Corporate Governance
- Internal Audit
- Financial Services
- Corporate Information
- Corporate Support Services
- Legal Services
- Information and Communication Services
- Workplace Health and Safety
- Insurance Services
- Workforce Management
- Organisational Development
- Customer Services
- Corporate Communication, Marketing and Branding

such other matters as the Council may from time to time determine by resolution.”

Infrastructure Committee

The Infrastructure Committee will be charged with Council business connected with:-

- Asset Management and Maintenance
- Project Management
- Disaster Management
- Public Transport Infrastructure
- Stormwater
- Infrastructure Acquisitions and Development Supervision
- Infrastructure Construction and Maintenance
- Infrastructure Design and Survey
- Water
- Wastewater
- Street Lighting
- Parking Infrastructure
- Traffic Safety Management

such other matters as the Council may from time to time determine by resolution.”

Planning and Economic Development Committee

The Planning and Economic Development Committee will be charged with Council business connected with -

- Strategic Planning;
- Sustainable Development;
- Planning Assessment;
- Planning Regulations and Compliance
- Hydraulic Services, Certification and Compliance
- Council Strategic Projects
- Economic development;
- Fleet Services
- Facilities Management
- Building Certification, Regulation and Compliance
- Affordable housing

such other matters as the council may from time to time determine by resolution.

Lifestyle and Community Development Committee

The Lifestyle and Community Development Committee will be charged with Council business connected with:-

- Events Management
- Social Planning
- Library Services
- Grants Management
- Community Policy
- Cultural Development
- Youth Development
- Child Care
- Gallery Services
- Civic Theatres
- Riverway
- Venues & Facilities;
- Sport & Recreation;
- Community centres;
- Community Engagement
- Indigenous Services
- Aged Services
- Youth Services

- Family Services
- Disability Services
- Home Services
- Swimming Pools
- Neighbourhood Projects and Programs

such other matters as the council may from time to time determine by resolution.

Community Safety Committee

The Community Safety Committee will be charged with Council business connected with:-

- Health Planning and Preventative programs
- Operational Waste and Collection Services
- Regulatory Health Services and compliance
- Safe Communities (accident prevention)
- Crime Prevention
- Animal Management and compliance
- Healthy Cities Plan
- Graffiti and Street Art

such other matters as the council may from time to time determine by resolution.

Environment and Sustainable Development Committee

The Environment and Sustainable Development Committee will be charged with Council business connected with:-

- Integrated Sustainability Services
- Community Natural Resources Management
- Land and Catchment Services
- Biodiversity and Education
- Conservation and Land Management
- Water Management
- Cities for Climate Protection
- Climate Change
- Parks and Landscaping Services
- Housing Efficiency
- Energy Audits
- State of Environment
- Open Spaces and Facilities
- Greening
- Coastal Care

such other matters as the council may from time to time determine by resolution.

4.1 *Function of committees*

- 4.1.1 The function of a Committee is to consider, report upon and make recommendations to the Council in respect of matters comprised within or related to the business with which that Committee is charged by the Council.
- 4.1.2 The reports and recommendations of every Committee must, except where power has been delegated to the Committee to implement its decisions, be submitted to the Council for consideration.
- 4.1.3 This section does not limit the power of the Council itself to deal with any matter which has been referred to or delegated to a Committee.
- 4.1.4 Minutes of a Committee must include a copy of any report adopted at the meeting.

4.2 *Committees generally*

- 4.2.1 To avoid doubt, the Council's power to appoint Committees includes power to from time to time—
 - alter the designation, purpose and powers and authorities of a Committee;
 - alter the constitution of a Committee by removing, adding or substituting Members;
 - appoint, for a fixed or indefinite time, a Councillor or, in the case of an Advisory Committee, a person to act as temporary Member of a Committee in place of a regular Member of the Committee who is absent or unable to attend meetings of the Committee; and
 - abolish a Committee.

4.3 *Delegation of business*

- 4.3.1 The Council may, by resolution, from time to time change any business with which any Standing Committee is charged, transferring that business to another of the Standing Committees.
- 4.3.2 The Council may, from time to time, refer any matter to any of the Standing Committees or to any Special Advisory Committee constituted for the purpose; and may at any time withdraw, extend or modify any reference to a Committee or transfer any reference from one Standing Committee to another.

4.4 *Committee membership*

- 4.4.1 Subject to any resolution to the contrary, if a Committee is appointed for a particular purpose or for a limited time, the Committee is abolished and appointment of Members to the Committee is terminated upon the fulfilment of that purpose or the expiration of that time.
- 4.4.2 If any Member of a Committee is absent from 3 consecutive meetings without having obtained leave of absence from the Council or the

Committee, the Member's appointment to the Committee is terminated.

- 4.4.3 The appointment of a Member to any Committee of the Council terminates at the conclusion of each election of the whole number of its Members.
- 4.4.4 A Member of a Committee may resign by tendering a written resignation to the Chief Executive Officer.
- 4.4.5 The Council may fill a vacancy in a Committee at its first meeting after the vacancy has arisen.
- 4.4.6 Subject to any law prescribing a quorum, the existence of a vacancy or vacancies upon a Committee does not affect the validity of any of the acts or proceedings of the Committee.

4.5 *Reports by Committees*

- 4.5.1 In a report of a Committee or in any other matter before Council, a decision of the Council may be taken separately on a particular recommendation or part of a recommendation. A Councillor may request the Chairperson to have the distinct recommendations or parts of recommendations considered separately by the meeting.