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LOCAL GOVERNMENT ACT 1995

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**SHIRE OF CUE  
LOCAL LAW RELATING TO  
STANDING ORDERS**



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## SHIRE OF CUE

**LOCAL LAW RELATING TO STANDING ORDERS****No. 1 of 1997**

In pursuance of the powers conferred upon it by the Local Government Act 1995 and of all other powers enabling it, the Council of the Municipality of the Shire of Cue hereby records having resolved on 16 October 1997 to make the following Local Law:—

**Short Title**

1. This Local Law may be cited as *Standing Orders Local Law 1997*.

**Commencement**

2. This Local Law comes into operation fourteen (14) days after the date of its publication in the *Government Gazette*.

**Content and Intent**

3. This Local Law provides the rules and guidelines which apply to the conduct of meetings of Council, meetings of Committees of Council and meetings of Electors.
4. This Local Law is intended to result in:
  - (a) better decision making by Council;
  - (b) the orderly conduct of meetings dealing with Council business;
  - (c) the community understanding the process of conducting meetings dealing with Council business; and
  - (c) the more efficient and effective use of time at meetings.

**Previous By-laws**

5. The By-laws published in the Government Gazette and all other By-laws relating to Standing Orders to be followed at meetings of the Council and at Committee Meetings of the Council are hereby repealed.

**Standing Orders**

6. The proceedings and business of the Council shall be conducted according to this Local Law, the Clauses of which shall be referred to as "the Standing Orders".

**Interpretation**

7. In this Local Law, unless the context otherwise requires:—

"Act" means the Local Government Act 1995;

"Additional Ordinary Meeting" means a meeting of Council which is held in addition to the Ordinary Monthly Meeting for the purpose of considering and dealing with the ordinary business of Council subject to Clause 19;

"Clause" means a clause of this Local Law;

"CEO" means the Chief Executive Officer for the time being of the Council and includes in the absence of the Chief Executive Officer the Acting Chief Executive Officer of the Council;

"Committee" means a Committee established by the Local Government under the Local Government Act 1995, Sections 5.8 and 5.9(2)(a) to (d);

"Council" means the Council of the Shire of Cue;

"Shire President" includes in the absence of the Shire President, the Deputy Shire President and in his absence, includes the Councillor chosen to preside at any meeting of the Council;

"Member" means the Shire President or a Councillor of the Shire of Cue;

"Ordinary Monthly Meeting" means a meeting of Council, held on a monthly basis, for the purpose of considering and dealing with the ordinary business of Council subject to Clause 19;

"Regulation" means the Local Government (Administration) Regulations 1996; and

"Special Meeting" means a meeting of Council which is held for the purpose of considering and dealing with Council business which is urgent, complex in nature or confidential. A Special Meeting may only consider such business as is specified in the Notice for the meeting.

**Shire President to Preside**

8. The Shire President, if present, shall preside at all meetings of the Council and in his absence, or if, after being present, he retires, the Deputy Shire President shall preside, but if he is not present, or after being present retires, then one of the Councillors chosen by the Councillors then present shall preside.

**Quorum**

9. (a) At any meeting of the Council a quorum shall be at least 50% of the number of the offices (whether vacant or not) of Members of the Council;
- (b) Subject of Clause 10, every meeting shall proceed to business as soon after the time stated in the Notice calling the meeting as a quorum is constituted.

**Absence of Quorum**

10. If at the expiration of half an hour from the time fixed for the commencement of a meeting of the Council a quorum is not present, the Shire President, or in his absence, the Deputy President in his absence, the majority of the Councillors present, or any Councillor present alone, if only one be present, or if no Councillor is present, the CEO or person authorised by the CEO may adjourn the meeting.

11. If at any time during any meeting of the Council a quorum is not present, the Shire President shall thereupon suspend the proceedings of the meeting for a period of two minutes, and if a quorum be not present at the expiration of that period, the Shire President shall adjourn the meeting to some future date.

12. At any meeting which is adjourned for want of a quorum, the names of the members then present shall be recorded in the Minute Book.

**Open Doors Except as Provided**

13. (a) The business of the Council shall be conducted with open doors unless resolved by Council to proceed behind closed doors for consideration of those matters mentioned in Section 5.23 of the Act or prescribed by regulation.
- (b) Upon the carrying of such a resolution as is mentioned in sub-clause (a) of this clause, the Shire President shall direct all persons to leave the Council Chambers, other than Councillors, nominated Council employees and where applicable any deputation invited by Council under Clause 28(d) and every person shall forthwith comply with such direction.
- (c) Any person failing to comply with a direction given pursuant to sub-clause (b) of this clause, may, by order of the Shire President, be removed from the Council Chamber.
- (d) After the carrying of a resolution made under sub-clause (a) of this clause, the business at that meeting of the Council shall proceed behind closed doors until the Council, by resolution, decides to proceed with open doors, provided that no resolution other than one "that the Council now proceed with open doors", shall be carried whilst Council is proceeding behind closed doors.

**Distinguished Visitors**

14. If a distinguished visitor is present at a meeting of the Council, the Shire President may invite the visitor to sit beside the Shire President or at the Council table.

**Reporters**

15. At all meetings, news media reporters from time to time nominated by the Council shall be permitted to occupy such part of the Council Chambers as may be appropriated for their specified accommodation, but they shall withdraw during any period when the Council is sitting behind closed doors. Nothing in this clause shall be construed to affect the right of any other reporter to attend at a meeting of Council while the business of the Council is being conducted with open doors.

**Visitors Not to Disturb Meeting**

16. The admission of the public to the Council Chamber shall be under and subject to the condition that no expression of dissent or approval and no conversation shall take place and, in the event of any breach of this condition, the Shire President may, at his discretion and without vote of Council, require the person or persons so offending to withdraw from the Council Chamber.

**Disturbance by Strangers**

17. (a) A person, not being a Councillor, shall not at any meeting of the Council in any way interrupt the proceedings of the Council.
- (b) Any person interrupting the proceedings of the Council shall, when so directed by the Shire President, forthwith leave the Council Chamber.
- (c) Any person who, being ordered to leave the Council Chamber pursuant to any clause, fails to do so may, by order of the Shire President, be removed from the Council Chamber.

**Agenda Closing Times**

18. (a) Correspondence or other matters submitted for Council's consideration shall be referred in the first instance to the appropriate Standing Committee, if any, of the Council, unless the Council directs otherwise or there are exceptional or urgent circumstances.
- (b) Correspondence or other matters shall be included in the Agenda for a meeting of Council or a Committee of Council only if lodged with the CEO prior to 12.00 noon on the Thursday of the week immediately preceding the week in which the meeting is to be held.
- (c) Nothing in sub-clauses (a) or (b) above shall prevent the Council from time to time setting different closing times for agenda items for a particular matter or class of matter for Council or Committee Meetings.
- (d) Late correspondence for Council and Committee Meetings shall be entertained only if it is a matter of urgency or if it refers to a matter already included on the Agenda.
- (e) Nothing in sub-clauses (a), (b), (c) or (d) shall prevent a Councillor from submitting by Notice, in accordance with Clause 26, a matter for consideration by the Council without prior reference to a Committee.

**Order of Business at Ordinary Monthly Meeting**

19. The order of business at an Ordinary Monthly Meeting of the Council shall, unless for the greater convenience of the Council altered by resolution to that effect, be as nearly as practicable as follows, that is to say:—

- (a) Opening of Meeting
- (b) Recording of Attendance and Apologies
- (c) Declaration of Financial Interests
- (d) Deputations/Representations/Public Question Time
- (e) Confirmation of Minutes
- (f) Business Arising (pertaining) from Minutes of Previous Meeting
- (g) Reports:—
  - (i) Shire President
  - (ii) Councillors/Delegates
  - (iii) Works Supervisor
  - (iv) Environmental Health Officer/Building Surveyor
  - (v) Chief Executive Officer
  - (vi) Finance
  - (vii) Other Business
- (h) Business Deferred from Previous Meetings
  - (i) Notice of Motions
  - (j) Notice of Business
- (k) Correspondence:
  - (i) Tabled
  - (ii) Outward
  - (iii) Inward
  - (iv) Late
- (l) Matters Referred by WAMA and CSCA
- (m) Date of Next Meeting/Meetings
- (n) Closure

**Order of Business at Special Meeting**

20. The order of business at any Special Meeting of the Council shall be confined to and be the order in which that business stands in the Notice of Meeting. No other business is to be discussed.

**Tape Recorder and Mobile Telephones**

21. (a) A person, unless an authorised staff member, shall not use any tape recorder or device or machine designed to record or capable of recording sound at any meeting of the Council or any meeting of a Committee of the Council.
- (b) Mobile telephones and audible pagers are not to be switched on nor used in the Council Chamber.

**Confirmation of Minutes**

22. (a) The pasting of the leaves or otherwise permanently affixing the Minutes in a book is a sufficient recording of the Minutes in the book.
- (b) The reading at the next Ordinary Meeting of the Council of the Minutes of the Previous Meeting may be dispensed with when members have been supplied with copies thereto of at least three days before the holding of that next Ordinary Meeting.
- (c) A copy of the unconfirmed Minutes of Council and Committee Meetings shall be placed in Council's Library and shall be made available to members of the public to examine and copy during the hours in which the Office is open to the public:—
  - (i) in the case of a Council Meeting, within ten (10) business days after the meeting; and
  - (ii) in the case of a Committee Meeting, within five (5) business days after the meeting.

**Questions**

23. The Shire President or any Councillor may without notice during the course of a debate, or at appropriate times during a meeting, ask any question relevant to that debate or to the subject under discussion or to the ordinary business of the Council. The person to whom the question is addressed shall answer to the best of his/her knowledge and ability. In answering any question, a person may qualify his/her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend his/her answer.

24. Every question and answer shall be submitted as briefly and concisely as possible and no discussion shall be allowed thereon.

**Notice of Business**

25. A Member shall give notice of business to consider a substantive matter other than through a relevant Committee of Council by giving notice in writing to the CEO in sufficient time for the requirements of the Act regarding notice to members to be met and for the item to be included on the Agenda for the proposed meeting.

**Notice of Motion**

26. A Member shall give notice of motion to revoke or change a previous resolution of the Council, or as otherwise required by Section 525 (e) of the Act, by giving notice in writing to the CEO in sufficient time for the requirements of the Act regarding notice to members to be met.

27. Every such motion as is mentioned in Clause 26 shall lapse unless:—

- (a) the Member who gave notice thereof, or some other Member authorised by him/her in writing, is present to move the motion when called on; or
- (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

**Deputations/Representations**

28. (a) Any person or persons wishing to be received as a deputation by the Council shall, in the first instance, send to the CEO a memorial, setting out in concise terms the subject matter to be raised by the deputation.

(b) Where the CEO receives a memorial in terms of this clause, he shall lay the memorial:—

- (i) before the Committee concerned; or
- (ii) where there is no Committee concerned, before the Shire President.

(c) A Committee or the Shire President receiving a memorial in terms of this clause may either receive the deputation or lay the memorial before the Council.

(d) Where a memorial is laid before the Council under sub-clause (c) of this clause, the Council may resolve to receive the deputation whilst sitting with either open or closed doors.

29. A deputation shall not exceed three in number and only two members thereof shall be at liberty to address the Council or a Committee of the Council, except in reply to questions from members of the Council or Committee.

**Councillors to Address the Shire President**

30. Any Councillor moving a motion or amendment, or taking part in the discussion thereon, shall rise and address the Shire President, unless prevented from doing so by sickness or infirmity.

**Point of Order**

31. (a) A Councillor who is addressing the Shire President shall not be interrupted except upon a point of order, in which event he/she shall resume his/her seat until the Councillor raising the point of order has been heard thereon and the question of order has been disposed of, whereupon the Councillor so interrupted may, if permitted, proceed.

(b) A Councillor rising to express a difference of opinion with, or to contradict, a speaker shall not be recognised as raising a point of order.

(c) A violation of any provision of this clause is a breach of the point of order.

**Substance of Motion to be Stated**

32. Any Councillor desirous of proposing an original motion or amendment shall state its substance, purpose and effect before he/she addresses the Council thereon and, if so required by the Shire President, shall put the motion or amendment in writing.

**Motions and Amendments to be Seconded**

33. A motion or amendment shall not be discussed or put to the vote of the Council unless seconded.

**Unopposed Business**

34. (a) Upon a motion being moved and seconded, the Shire President shall enquire if any Councillor opposes that motion. If no one indicates an intention to oppose the motion, the Shire President may proceed to put the motion to the vote without debate.

(b) If a Councillor signifies opposition to a motion, the motion shall be dealt with according to the Standing Orders generally.

**Titles to be Used**

35. A speaker, in referring to any other present shall designate him/her by the title Shire President or Councillor, as the case may be.

**Priority of Speaking**

36. Where two or more Councillors rise to speak at the same time, the Shire President shall decide who of them is entitled to priority.

**Shire President to be Heard**

37. Whenever the Shire President rises during a debate any Councillor then speaking or offering to speak shall sit down and the Councillor shall be silent so that the Shire President may be heard without interruption.

**Shire President to Take Part in Debate**

38. Subject to the provisions of the Standing Orders, it shall be competent for the Shire President to take a substantive part in a discussion or a debate upon any question before the Council, but he/she shall only be entitled to do so before the mover of a motion exercises his/her right of reply.

**Speaking Twice**

39. Subject to Clause 40, a Councillor shall not speak twice on the same question except:—

- (a) in reply, upon an original motion of which he/she was the mover;

- (b) in reply, upon an amendment last debated of which he/she was the mover; or
- (c) by way of personal explanation.

40. The Council may, by resolution moved without notice, suspend the operation of Clause 39 hereof and thereupon that clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

41. The Shire President shall forthwith call to order any Councillor committing a breach of Clause 39.

#### **Personal Explanation**

42. The Shire President may allow a Councillor to make a personal explanation if the Councillor claims that something he/she has said at a meeting has been misunderstood in a material respect. A Councillor making a personal explanation shall confine that explanation to a brief and concise explanation of that part of his/her statement which may have been misunderstood and he/she shall not advert to matters not strictly necessary for that purpose nor seek to strengthen any argument by new matter or by replying to any point raised by another Councillor.

#### **No Speech After Certain Events**

43. A Councillor shall not speak on any motion or amendment:—

- (a) after the mover has replied; or
- (b) after the question has been put.

#### **Mover and Seconder Have Not Spoken**

44. A Councillor moving or seconding a motion or amendment is deemed not to have spoken thereon.

#### **Limit of Speeches**

45. (a) A Councillor shall not speak upon any motion or amendment or in reply for a longer period than ten minutes without the consent of the Council, which shall be signified without debate.
- (b) An extension shall not be permitted under this clause so as to enable any Councillor to speak for more than a total period of fifteen minutes.

#### **Speaking in Reply**

46. A Councillor speaking in reply shall not introduce any new matter but shall strictly confine himself/herself to answering previous speakers.

#### **Division of Motions**

47. The Shire President may, at his/her discretion, or the Council may, by motion without debate, order a complicated motion to be divided and put in the form of two or more motions.

#### **Withdrawal of Motions**

48. A motion or amendment may be withdrawn by the mover, with the consent of the Council, which shall be signified without debate. A Councillor shall not speak upon a motion or amendment after the mover has asked permission for its withdrawal unless that permission is refused.

#### **Production of Documents**

49. (a) Any Councillor may require the production of any of the documents of the Council relating to a question or matter under discussion if that document is readily available and it is practical and convenient for that document to be produced.
- (b) On giving to the CEO not less than four hours notice, a Councillor shall be entitled to have laid on the Council table for the duration of a meeting, any document or record of the Council, and the CEO, on receiving that notice shall lay the document on the Council table at the commencement of the meeting with respect to which the production of that document or record has been requested.

#### **No Digression**

50. A Councillor shall not speak otherwise than upon, or digress from, the question then before the Council, except to make a personal explanation.

#### **No Adverse Reflection on Council**

51. A Councillor shall not reflect adversely upon a resolution of the Council, except on a motion that the resolution be rescinded.

#### **No Adverse Reflection on Councillor**

52. A Councillor shall not reflect adversely upon the character or actions of another member nor impute any motive to a member, unless the Council resolves, without debate, that the question then before the Council cannot otherwise be adequately considered.

53. For the purposes of Clauses 51 and 52, any Councillor may require the CEO to take down any particular words used by a Councillor immediately upon their being used.

#### **Demand for Withdrawal**

54. If any Councillor commits a breach of Clause 51 or 52, the Shire President may require him/her unreservedly to withdraw any offending comment and to make a satisfactory apology. If the Councillor declines or neglects to do so, the Shire President may direct such Councillor to cease speaking and resume his/her seat and may call on the next speaker.

#### **Disturbance by Councillors**

55. A Councillor shall not make any noise or disturbance or converse aloud, except to raise a point of order, while any other person is addressing the Council.

**Continued Irrelevance**

56. The Shire President may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a Councillor and may direct that Councillor, if speaking, to discontinue his/her speech and thereupon the Councillor shall cease speaking and shall resume his/her seat.

57. When the Shire President is putting any question, a Councillor shall not walk out of or across the Chamber. A Councillor shall not, whilst any other Councillor is speaking, pass between the speaker and the chair.

58. The Shire President shall preserve order, and may call any Councillor to order, whenever, in his/her opinion, there is cause for so doing.

59. Every Councillor shall be entitled to direct the attention of the Shire President to any infraction of the Standing Orders by any other Councillor or to draw the attention of the Shire President to any matter of which the latter may take notice under Clause 56.

**Rulings by Shire President**

60. When the Shire President has given a decision on a point of order or practice, argument or comment shall not be permitted thereon and that decision shall be final, in that particular case, unless a majority of the Councillors then present shall, upon motion made forthwith and without discussion, dissent therefrom.

61. Whenever the Shire President has decided that any motion, amendment or other matter before the Council is out of order, it shall be rejected and whenever anything said or done in the Council, by any Councillor, is similarly decided to be out of order, that Councillor shall be called upon by the Shire President to make such explanation, retraction or apology, as the case may require.

**Continued Breach of Order**

62. Where a Councillor persists in any conduct which the Shire President decides is out of order or refuses to make any explanation, retraction or apology required by the Shire President under Clause 61, the Shire President shall direct that Councillor to refrain from taking any further part in the then meeting of the Council, other than by recording his/her vote and the Councillor shall comply with that direction.

**Serious Disorder**

63. (a) If at a meeting of the Council the Shire President is of the opinion that by reason of disorder or otherwise the business of the Council cannot be effectively continued, he may adjourn the meeting for a period of up to fifteen minutes. At the end of that period Council shall re-assemble and decide whether business is to be proceeded with and that question shall be decided forthwith and without debate.

(b) Where Council has decided to proceed under sub-clause (a) of this clause and the Shire President is again of opinion that the business of the Council cannot be effectively continued, the Shire President may close the meeting.

**All Members to Vote**

64. (a) At every meeting of the Council, save where the Act otherwise provides, every Member present shall vote, and if any Member who is entitled to vote fails to vote, the Shire President shall call upon him/her to vote.

(b) Where there is any equal division of votes upon any question, the Shire President has and may exercise a second vote.

**Permissible Motions During Debate**

65. (a) Subject to sub-clause (b) of this clause, when a motion is under debate, no further motion shall be moved except a motion:—

- (i) that the motion be amended;
- (ii) that the Council does adjourn;
- (iii) that the debate be adjourned;
- (iv) that the question be now put;
- (v) that the Council does sit behind closed doors;
- (vi) that the Council now proceed with open doors;
- (vii) that the question before Council be referred to a named Committee of Council for consideration and recommendation; or
- (viii) where the question before the Council is a recommendation from a Committee of the Council that the question be referred back to the Committee.

(b) Where the question before the Council is a recommendation from a Committee of the Council, a Councillor may, at the conclusion of the speech of any other Councillor, move without notice that the question be referred back to the Committee. On any such motion, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second the motion and the Chairman of the Committee concerned, or in his/her absence a member thereof, may speak for not more than five minutes to the motion, but no other debate shall be allowed.

**Amendment to Relate to Motion**

66. Every amendment shall be relevant to the motion on which it is moved.

67. Every amendment shall be read before being moved.



**One Amendment at a Time**

68. (a) Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote. When one amendment to a motion is carried, only one further amendment to the original motion, as amended and no more, may be moved.
- (b) In speaking to an amendment a Councillor may give notice of his/her intention to move a further amendment.
69. Where an amendment is carried, the original motion as amended shall, for all purposes of subsequent debate and subject only to Clause 68 be treated as an original motion.

**“That Council Adjourn”**

70. (a) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move without notice that the Council do now adjourn and that motion shall state the time and date to which the adjournment is to be made or that the adjournment is to be to a date and time to be fixed. Where a motion to adjourn does not specify the time and date to which the adjournment is to be made the Shire President shall, if the motion is carried, adjourn the Council to such time and date as the Shire President shall then declare.
- (b) On a motion to adjourn, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second the motion and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.
71. Where a motion for the adjournment of the Council is negatived, no similar motion shall be moved until after the question then under discussion (if any) or the next on the notice paper or any other which may be allowed precedence, as the case may be, shall have been disposed of.
72. (a) A Councillor who has spoken on the question then before the Council shall not move the adjournment of the Council.
- (b) A Councillor shall not, at the same sitting of the Council, be the mover or seconder of more than one motion for the adjournment of the Council.
73. On a motion for the adjournment of the Council being carried, the debate on the question (if any) under debate when the motion was moved shall be continued immediately upon the Council resuming after the adjournment.
74. On a motion for the adjournment of the Council being carried, a record shall be taken of all those who have spoken on the subject under consideration at the time of the adjournment and they shall not be permitted to speak on any subsequent consideration of the same subject, but this clause does not deprive a mover of the right of reply.

**“That Debate be Adjourned”**

75. (a) A Councillor may at the conclusion of the speech of any other 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.
- (b) On a motion that the debate be adjourned, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second the motion, and no other debate shall be allowed but if the question then before the Council is a recommendation from a Committee, the Chairman of the Committee concerned, or, in his/her absence, a member thereof may speak for not more than five minutes.
76. (a) A Councillor who has spoken on the question then under debate shall not move the adjournment of the debate.
- (b) A Councillor shall not, at the same sitting of the Council, be the mover or seconder of more than one motion for the adjournment of the same debate.
77. On resuming an adjourned debate, the Councillor who moved its adjournment shall be entitled to speak first.
78. On a motion for the adjournment of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this clause does not deprive the mover of the right of reply.
79. Where the debate on any motion, moved and seconded, is interrupted by the lack of a quorum, that debate may, on motion with notice, be resumed at the next meeting, at the point where it was so interrupted.

**“That the Question be now Put”**

80. (a) A Councillor may, at the conclusion of the speech of any other Councillor, move without notice and, provided the Shire President is of the view that there has been sufficient debate on the matter, upon that motion being formally seconded, that motion shall be immediately put, without debate.
- (b) If the Shire President is of the view that there has not been sufficient debate on the matter then he shall rule the motion to be out of order.
81. A motion that the question under consideration be put shall not be moved by a Councillor who has already spoken on the question.
82. When it is decided by the Council that the question under consideration be put, the mover of the question under consideration shall, 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 question is put, but subject thereto, the question shall at once be put.

83. Whenever it is decided by the Council that the question be put, any amendment to the question then being debated by the Council shall be put and then the main question shall be put.

**“Question Referred to Named Committee”**

84. (a) A Councillor may, at the conclusion of the speech of any Councillor, move without notice that the motion before Council be referred to a named Committee for consideration and recommendation.

(b) A motion that the question be referred to a Committee shall not be moved or seconded by a Councillor who has already spoken to the question.

**Confidential Business**

85. (a) Any report which is classified as “Confidential” by the CEO under Regulation (29) shall be treated as strictly confidential and shall not, without the authority of the Council, be disclosed to any person other than the Shire President, Councillors, CEO or other servants of the Council as authorised by the CEO.

(b) All discussions and proceedings and every matter dealt with by or brought before the Council sitting otherwise than with open doors, shall be treated as strictly confidential, and shall not, without the authority of the Council, be disclosed to any person other than the Shire President, Councillors, CEO or other servants of the Council as authorised by the CEO prior to discussion of that matter at a meeting of the council held with open doors.

(c) All discussions, proceedings and every matter dealt with by or brought or to be brought before any Committee of the Council sitting otherwise than with open doors shall be treated as strictly confidential and shall not without the authority of the Council or a Committee be disclosed to any person other than the Shire President, Councillors, CEO or other servants of the Council as authorised by the CEO.

(d) Sub-clause (b) of this clause shall not:—

(i) preclude a Councillor from making further enquiry and investigation of a matter dealt with by or brought or to be brought before a Committee provided that the report and any recommendation made by an officer and discussion by the Committee shall remain confidential;

(ii) preclude the Council dealing with any such discussion, resolution, proceeding or other matter at a meeting of the Council held with open doors;

(iii) preclude the disclosure of anything which is public to the extent that it is common knowledge;

(iv) preclude the disclosure by a person of anything known to that person from a source other than any such discussion, resolution, proceedings or other matter; or

(v) prevent any disclosure which is required to be made by law.

**Rescission of Resolution**

86. A resolution of any meeting of the Council shall not be revoked, rescinded, or altered at the same or any subsequent meeting, except in the manner provided by Regulation (10).

**Negated Motions**

87. A motion to the same effect as any motion which has been negated by the Council shall not again be entertained within a period of three months, except with the consent of an absolute majority of the Council.

**Suspension of Standing Orders**

88. In cases of urgent necessity, any Standing Order of the Council may be suspended on motion duly made and seconded and carried by a majority of Councillors present at the time.

89. Any Councillor moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place thereon.

**Method of Taking Vote**

90. The Shire President shall, in taking the vote on any motion or amendment, put the question first in the affirmative and then in the negative, and he may do so as often as is necessary to enable him/her to form and declare his/her opinion as to whether the affirmative or the negative has the majority by a show of hands or on the voices.

91. The Council shall vote on the count of raised hands but the result may be determined on the voices. Any Councillor may for any question taken on a vote by a show of hands or on the voices, request that his or her vote, or the vote of all members present, be recorded in the Minutes.

**Standing Committees**

92. (a) In addition to such other occasional Committees as may from time to time be appointed, there may be Standing Committees formed of the Council, namely for:—

(i) Technical Services;

(ii) Works;

(iii) Finance, Business and General Purposes; and

(iv) Chief Executive Officers Review.

(b) Each Standing Committee shall be comprised of one (1) Member from each of the two Country Wards and two (2) from the Cue Ward of the Council, and the Shire President where he indicates his intention to be a member in accordance with Section 5.10(4) of the Act.

- (c) Subject to sub-clause (d) of this clause, the members of each Standing Committee shall be appointed at the first meeting of the Council held after the ordinary biennial election by an absolute majority and shall hold office until the commencement of the first meeting after the ordinary biennial election then next ensuing.
  - (d) The Council may, subject to Section 5.11 of the Act, by an absolute majority, change the membership of any Committee.
  - (e) In the event of an equality of votes for two or more Councillors in an election for membership of a Committee, the Shire President may exercise a second vote in accordance with Clause 64(b).
  - (f) In addition to appointing one Member from each of the two Country Wards and two Members of the Cue Ward to each of the Standing Committees, the Council shall, at its first meeting after the ordinary biennial election, appoint Ward Members as first and second deputy members for that Ward's Member on the Committee.
93. (a) Subject to any resolution of the Council passed after the coming into operation of the Standing Orders, the duties of the Standing Committees shall be to consider and report to Council in the following matters:—
- Technical Services Committee:** Building standard, development control, town planning control and health.
  - Works Committee:** Works, transport, parks, reserves, street trees, maintenance and control of all Council-owned buildings.
  - Finance, Business and General Purposes Committee:** Finance, administration, treasury, business services, staff and all other matters of a general purpose nature, or which have not been assigned to either of the other two Standing Committees.
  - Chief Executive Officers Review Committee:** Matters of specific purpose and general purpose relevant to the CEO.
- (b) Standing Committees shall have no power to finalise any matter unless specifically authorised to do so by the Council.

#### Occasional Committees

94. (a) The Council may appoint Occasional Committees in accordance with Section 5.9 of the Act, of three or more persons, to perform any duty which may be lawfully entrusted by the Council to a Committee.
- (b) A Standing Committee shall not interfere in any matter which has for the time being been entrusted to an Occasional Committee.
- (c) An Occasional Committee shall not be appointed except on a motion setting out:—
- (i) the duties proposed to be entrusted to such Committee; and
  - (ii) either:—
    - (A) the names of the Members, employees or other persons intended to constitute the Committee; or
    - (B) the number of Members, employees or other persons intended to constitute the Committee and a provision that they be elected by a separate motion; and
  - (iii) the first and second deputy members for each member of the Committee.
- (d) Where the members of an Occasional Committee are elected by a motion, then, in the event of an equality of votes, the President may exercise a second vote.

#### Calling Committee Meetings

95. The CEO shall call a meeting of any Committee when requested to do so by the Shire President or the Chairperson or any two members of that Committee.

#### Procedure at Committee Meetings

96. (a) The Standing Orders shall apply to and be observed at meetings of Committees except where inconsistent with the provisions of this clause and for that purpose a reference to:—
- (i) "Council" shall be a reference to "Committee";
  - (ii) "Council Chamber" shall be a reference to "Council Chamber or other meeting place of the Committee"; and
  - (iii) where the Chairperson of the Committee is other than the Shire President then:
    - (A) "Shire President" shall be a reference to "Chairperson of the Committee";
    - (B) "Deputy President" shall be a reference to "Chairperson of the Committee".
- (b) The following provisions shall apply to meetings of Standing Committees:—
- (i) the number of times a member of a Committee may speak shall not be limited;
  - (ii) the Chairperson of the Committee has a deliberative vote and in the case of equality of votes, may exercise a second vote;
  - (iii) Council shall from time to time, determine rules to be observed by members of the public at Committee Meetings and these shall be observed except where a Committee resolves by an absolute majority to suspend the operation of these rules for a specific meeting of that Committee;
  - (iv) the observance of any rules determined by the Council shall be a condition of the permission given to a member of the public to speak other than at public question time;

- (v) the continued failure by a member of the public to observe any rules determined by the Council shall be deemed to be an interruption of the proceedings of the Committee for the purpose of Clause (17); and
- (vi) although a Member may not be a member of a particular Committee, the Member may attend meetings of the Committee and participate in the discussion and debate of items before the Committee.

**Quorum of Committees**

97. (a) At any meeting of a Committee a quorum shall consist of at least 50% of the number of offices or members of the Committee in accordance with Section 5.19 of the Act.
- (b) Every meeting shall proceed to business so soon after the time stated in the summons as a quorum is constituted. If a quorum is lacking thirty minutes after the appointed time of the meeting, the meeting shall lapse.

**Minutes of Committees**

98. (a) The Chairperson of each Committee shall cause to be kept Minutes of all its proceedings.
- (b) Minutes of Committee Meetings shall be permanently affixed or pasted in the Council's Minute Book as part of the Minutes of the Council Meeting at which the recommendations contained therein are considered. The Minutes of each Committee Meeting shall be confirmed at the next meeting of the Committee and shall be signed by the Chairperson of the meeting which confirms the Minutes.

**Meetings of Electors**

99. (a) The Standing Orders apply, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this clause and the provisions of Regulation 15, 17 or 18 of the Act, the latter prevails.
- (b) A person who is not an elector is not entitled to vote at a meeting of electors and he/she may not take part in any discussions at that meeting, unless the meeting, by a motion, requests him/her to do so.

**Penalty**

100. Any person committing a breach of Standing Orders is liable to a penalty not exceeding one thousand dollars (\$1,000), Section 3.10 (1).

**Enforcement**

101. The Shire President shall enforce the provisions of the Standing Orders.

The Common Seal of the Shire of Cue was hereunto affixed in the presence of:—

IAN HAMILTON JP, Shire President.  
PHILIP FOSTER, Chief Executive Officer.

