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LOCAL GOVERNMENT ACT 1995

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**SHIRE OF KOORDA**

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**STANDING ORDERS LOCAL  
LAW 2017**



**LOCAL GOVERNMENT ACT 1995**

## SHIRE OF KOORDA

**STANDING ORDERS LOCAL LAW 2017**

## ARRANGEMENT

## Table of Contents

**PART 1—PRELIMINARY**

- 1.1 Citation
- 1.2 Commencement
- 1.3 Application
- 1.4 Interpretation
- 1.5 Repeal

**PART 2—CALLING AND CONVENING MEETINGS**

- 2.1 Ordinary and special Council meetings
- 2.2 Calling Council meetings
- 2.3 Convening Council meetings
- 2.4 Calling committee meetings
- 2.5 Public notice of meetings

**PART 3—PRESIDING MEMBER AND QUORUM***Division 1—Who presides*

- 3.1 Who presides
- 3.2 When the Deputy President can preside
- 3.3 Who presides if no President or Deputy President
- 3.4 Election of Presiding Members and Deputy Presiding Members of committees
- 3.5 Functions of Deputy Presiding Members
- 3.6 Who acts if no Presiding Member

*Division 2—Quorum*

- 3.7 Quorum for meetings
- 3.8 Quorum to be present
- 3.9 Procedure where no quorum to begin a meeting
- 3.10 Procedure where quorum not present during a meeting
- 3.11 Debate on motion to be resumed
- 3.12 Names to be recorded

**PART 4—BUSINESS OF A MEETING**

- 4.1 Business to be specified in agenda
- 4.2 Meeting to proceed to business
- 4.3 Order of business
- 4.4 Leave of absence
- 4.5 Petitions
- 4.6 Confirmation of minutes
- 4.7 Announcements by the President
- 4.8 Correspondence
- 4.9 Reports
- 4.10 Motions of which previous notice has been given
- 4.11 Representation on external bodies
- 4.12 Urgent business
- 4.13 Closure

**PART 5—PUBLIC PARTICIPATION**

- 5.1 Meetings generally open to the public
- 5.2 Meetings not open to the public
- 5.3 Question time for the public
- 5.4 Question time for the public at certain meetings
- 5.5 Minimum question time for the public
- 5.6 Procedures for question time for the public
- 5.7 Other procedures for question time for the public
- 5.8 Distinguished visitors
- 5.9 Deputations
- 5.10 Presentations
- 5.11 Attending Committee meetings as an observer
- 5.12 Public Inspection of agenda materials
- 5.13 Public access to unconfirmed minutes of meetings
- 5.14 Confidentiality of information withheld
- 5.15 Recording of proceedings
- 5.16 Prevention of disturbance

**PART 6—DISCLOSURE OF INTERESTS**

- 6.1 Disclosure of members' financial and proximity interests
- 6.2 Meeting to be informed of financial and proximity interests
- 6.3 Disclosing member not to participate
- 6.4 When disclosing members can participate
- 6.5 Invitation to return to provide information
- 6.6 Substitution of deputy at Committee meetings
- 6.7 Disclosure by members who are observers at Committee meetings
- 6.8 Disclosure of impartiality interests
- 6.9 On-going disclosure required
- 6.10 Approval by Minister to be recorded

**PART 7—CONDUCT OF MEMBERS**

- 7.1 Members to be in their proper places
- 7.2 Titles to be used
- 7.3 Respect to the Presiding Member
- 7.4 Members to indicate their intention to speak
- 7.5 Priority of speaking
- 7.6 Presiding Member may take part in debates
- 7.7 Relevance
- 7.8 Speaking twice
- 7.9 Duration of speeches
- 7.10 No speaking after conclusion of debate
- 7.11 No interruption
- 7.12 Personal explanations
- 7.13 No reopening of discussion
- 7.14 No adverse reflection on decision
- 7.15 Offensive Language
- 7.16 Withdrawal of offensive language

**PART 8—PRESERVING ORDER**

- 8.1 Presiding Member to preserve order
- 8.2 Points of order
- 8.3 Procedures on a point of order
- 8.4 Calling attention to breach
- 8.5 Ruling by the Presiding Member
- 8.6 Continued breach of order
- 8.7 Right of Presiding Member to adjourn

**PART 9—MOTIONS AND AMENDMENTS**

- 9.1 Recommendations in reports
- 9.2 Adoption of recommendations en bloc
- 9.3 Motions
- 9.4 Motions to be seconded
- 9.5 Unopposed motions
- 9.6 Withdrawing motions
- 9.7 One motion at a time
- 9.8 Permissible motions on recommendation from Committee
- 9.9 Amendments

**PART 10—DEBATE OF MOTIONS**

- 10.1 Order of call in debate
- 10.2 Limit of debate

- 10.3 Member may require motion to be read
- 10.4 Consent of seconder required for alteration
- 10.5 Order of amendments
- 10.6 Form of an amendment
- 10.7 Amendment must not negate original motion
- 10.8 Relevance of amendments
- 10.9 Mover of motion may speak on amendment
- 10.10 Effect of an amendment
- 10.11 Withdrawal of motion or amendment
- 10.12 Right of reply

#### **PART 11—PROCEDURAL MOTIONS**

- 11.1 Permissible procedural motions
- 11.2 No debate on procedural motions
- 11.3 Who may move
- 11.4 Procedural motions—right of reply on substantive motion
- 11.5 Meeting to proceed to the next business
- 11.6 Debate to be adjourned
- 11.7 Meeting now adjourn
- 11.8 Motion to be put
- 11.9 Member to be no longer heard
- 11.10 Ruling of the Presiding Member to be disagreed with
- 11.11 The motion be deferred—effect of motion

#### **PART 12—VOTING**

- 12.1 Motion—when put
- 12.2 Voting
- 12.3 Majorities required for decisions
- 12.4 Method of taking vote

#### **PART 13—REVOKING OR CHANGING DECISIONS**

- 13.1 Requirements to revoke or change decisions
- 13.2 Limitations on powers to revoke or change decisions
- 13.3 Implementing a decision

#### **PART 14—ESTABLISHMENT AND MEMBERSHIP OF COMMITTEES**

- 14.1 Establishment of committees
- 14.2 Types of committees
- 14.3 Delegation of some powers and duties to certain committees
- 14.4 Limits on delegation of powers and duties to certain committees
- 14.5 Appointment of committee members
- 14.6 Tenure of committee membership
- 14.7 Resignation of committee members
- 14.8 Register of delegations to committees
- 14.9 Committees to report

#### **PART 15—PROCEDURAL MATTERS**

- 15.1 Presiding Member to ensure compliance
- 15.2 Suspension of standing orders
- 15.3 Cases not provided for in standing orders
- 15.4 Electors' meetings
- 15.5 Electors' meetings—standing orders apply
- 15.6 Restriction on voting and speaking at electors' meetings
- 15.7 Penalty for contravention of this local law
- 15.8 Who can prosecute

#### **PART 16—COMMON SEAL**

- 16.1 Custody of the Common Seal
- 16.2 Use of Common Seal

### **SCHEDULE 1—PETITION TO THE SHIRE OF KOORDA**



## LOCAL GOVERNMENT ACT 1995

## SHIRE OF KOORDA

## STANDING ORDERS LOCAL LAW 2017

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the Council of the Shire of Koorda resolved on 20 December 2017 to make the following local law.

## PART 1—PRELIMINARY

**1.1 Citation**

This local law may be cited as the *Shire of Koorda Standing Orders Local Law 2017*.

**1.2 Commencement**

This local law come into operation 14 days after the date of its publication in the *Government Gazette*.

**1.3 Application**

All meetings of the Council, Committees and the electors are to be conducted in accordance with the Act, the Regulations and this local law.

**1.4 Interpretation**

(1) In this Local Law, unless the contrary otherwise requires—

***absolute majority*** has the meaning given to it in the Act;

***75% majority*** has the meaning given to it in the Act;

***Act*** means the *Local Government Act 1995*;

***CEO*** means the Chief Executive Officer of the Local Government;

***committee*** means a committee of the Council established under section 5.8 of the Act;

***committee meeting*** means a meeting of a committee;

***Common Seal*** means the Common Seal of the local government;

***Council*** means the Council of the local government;

***Councillor*** has the same meaning as is given to it in the Act;

***deputation*** means a verbal submission at a Council or Committee meeting on an agenda item made by a person who has a direct interest in the agenda item;

***Deputy President*** means the Deputy President of the local government;

***District*** means the Shire of Koorda;

***employee*** means an employee of the local government;

***external body*** includes—

a Regional Council;

an incorporated or unincorporated association;

a trust;

a tribunal;

a government agency, instrumentality, board or committee; and

any other external body,

to which the local government is entitled, or has been invited, to provide a representative;

***implement***, in relation to a decision, includes—

communicate notice of the decision to a person affected by, or with an interest in, the decision; and

take other action to give effect to the decision;

***local government*** means the Shire of Koorda;

***meeting*** means a meeting of the Council or a committee, as the context requires;

**member—**

in relation to the Council, means the President or a Councillor; and  
 in relation to a Committee, means a member of the Committee;

**Minister** means the Minister responsible for administering the Act;

**Officer** means an officer of the local government;

**President** means the President of the Local Government—

**Presiding Member** means—

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

**primary motion** means an original motion as amended, but does not include an amendment motion or a procedural motion;

**Regulations** means the *Local Government (Administration) Regulations 1996*;

**Rules of Conduct Regulations** means the *Local Government (Rules of Conduct) Regulations 2007*;

**revocation motion** means a motion to revoke or change a decision made at a Council or Committee meeting;

**Schedule** means a schedule of this local law.

**simple majority** means more than 50% of the members present and voting; and,

**standing orders** means the meeting procedures and/or rules on the conduct and behaviour of persons at a meeting of the Council, Committee or electors;

**substantive motion** means an original motion or an original motion as amended, but does not include an amendment or a procedural motion; and

**urgent business** means business dealt with in accordance with clause 4.12.

(2) Unless otherwise defined in these Local Laws, the terms and expressions used in these Local Laws are to have the meaning given to them in the Act and Regulations.

### 1.5 Repeal

The Shire of Koorda Local Law Relating to Standing Orders published in the *Government Gazette* on 25 September 1998 is repealed.

## PART 2—CALLING AND CONVENING MEETINGS

### 2.1 Ordinary and special Council meetings

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

### 2.2 Calling Council meetings

The calling of Council meetings is dealt with in the Act.

### 2.3 Convening Council meetings

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to subclause (3), the CEO is to give at least 72 hours notice, for the purposes of section 5.5, in convening a special meeting of the Council.
- (3) Where, in the opinion of the President or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

### 2.4 Calling committee meetings

The CEO is to call a meeting of any committee when requested by the President, the Presiding Member of a committee or any two members of that committee or by giving each member at least 72 hours' notice of the date, time, place and an agenda for the meeting.

### 2.5 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

## PART 3—PRESIDING MEMBER AND QUORUM

### *Division 1—Who presides*

#### 3.1 Who presides

Who presides at a Council meeting is dealt with in the Act.

#### 3.2 When the Deputy President can preside

When the Deputy President can preside is dealt with in the Act.



**3.3 Who presides if no President or Deputy President**

Who presides if there is no President or Deputy President is dealt with in the Act.

**3.4 Election of Presiding Members and Deputy Presiding Members of committees**

The election of Presiding Members and Deputy Presiding Members of committees is dealt with in the Act.

**3.5 Functions of Deputy Presiding Members**

The functions of Deputy Presiding Members are dealt with in the Act.

**3.6 Who acts if no Presiding Member**

Who acts if no Presiding Member is dealt with in the Act.

*Division 2—Quorum***3.7 Quorum for meetings**

The quorum for meetings is dealt with in the Act.

**3.8 Quorum to be present**

The Council or a Committee is not to transact business at a meeting unless a quorum is present.

**3.9 Procedure where no quorum to begin a meeting**

The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.

**3.10 Procedure where quorum not present during a meeting**

(1) If at any time during a meeting a quorum is not present, the Presiding Member upon becoming aware of that fact is to suspend the proceedings of the meeting for up to 15 minutes.

(2) If a quorum is not present at the expiry of the period in subclause (a), the Presiding Member may suspend the proceedings of the meeting for a further period of up to 15 minutes or adjourn the meeting to a future time and date.

(3) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment.

**3.11 Debate on motion to be resumed**

(1) Where the debate on any motion is interrupted at a Council or Committee meeting which is adjourned under clause 3.10, that debate is to be resumed at the next meeting at the point where it was so interrupted.

(2) Where the interruption in subclause (1) occurs at an ordinary meeting the resumption is to be at the next ordinary meeting unless a special meeting is called earlier for the purpose.

(3) Where the interruption in subclause (1) is at a special meeting, the resumption is to be at the next special meeting called to consider the same business.

**3.12 Names to be recorded**

At any meeting—

(a) at which there is not a quorum present; or

(b) which is adjourned under clause 3.10,

the names of the Members then present are to be recorded in the minutes.

**PART 4—BUSINESS OF A MEETING****4.1 Business to be specified in agenda**

(1) No business is to be transacted at any ordinary meeting of the Council or Committee other than that specified in the agenda without the approval of the Presiding Member or a decision of the Council or Committee, except matters which the Act or this local law permits to be dealt with without notice.

(2) No business is to be transacted at a special meeting of the Council or Committee other than that specified in the agenda, and to which notice as to the purpose of the meeting has been given.

(3) No business is to be transacted at an adjourned meeting of the Council or a Committee other than that—

(a) specified in the agenda of the meeting which had been adjourned; and

(b) which remains unresolved,

except in the case of an adjournment to the next ordinary meeting of the Council or the Committee, when the business unresolved at the adjourned meeting is to be the first business to be considered at that ordinary meeting.

(4) Despite subclauses (1) to (3), the CEO may include on the agenda of a Council or Committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.

**4.2 Meeting to proceed to business**

A meeting is to proceed to business as soon after the time stated in the notice as a quorum is constituted.

#### 4.3 Order of business

(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows—

1. Declaration of Opening/Announcement of Visitors
2. Announcement of Visitors
3. Record of Attendance
  - 3.1 Record of Attendance
  - 3.2 Apologies
  - 3.3 Approved leave of absence
4. Public Question Time
  - 4.1 Response to previous public questions taken on notice
  - 4.2 Public question time
5. Applications for Leave of Absence
6. Declarations of interest
7. Petitions/deputations/presentations/delegates' reports
8. Confirmation of minutes
9. Announcements from the Presiding Member
10. Reports of Committees
11. Chief Executive Officers Report
  - 11.1 Governance and Administration
  - 11.2 Finance
  - 11.3 Law, Order and Public Safety
  - 11.4 Health and Building
  - 11.5 Education and Welfare
  - 11.6 Housing
  - 11.7 Community Amenities
  - 11.8 Recreation and Culture
  - 11.9 Transport
  - 11.10 Economic Services
  - 11.11 Other Property and Services
  - 11.12 Reserves
12. Elected member motions of which previous notice has been given
13. New business of an urgent nature introduced by decision of the meeting
14. Meeting closed to public
15. Date of next meeting
16. Closure

(2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or a committee meeting is to be the order in which that business stands in the agenda of the meeting.

(3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

#### 4.4 Leave of absence

The grant of leave of absence is dealt with in the Act.

#### 4.5 Petitions

(1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting.

(2) A petition to the Council is—

- (a) as far as practicable to be prepared in the form prescribed in the Schedule;
- (b) be addressed to the President and forwarded to a member or the CEO;
- (c) state the request on each page of the petition;
- (d) contain a summary of the reasons for the request; and
- (e) contain the name, address and signature of each elector making the request, and the date each elector signed;
- (f) to be respectful and temperate in its language.

(3) The presentation of a petition is to be confined to the reading of the petition.

(4) The only motions in respect of a petition that are in order are that—

- (a) the petition be received;
- (b) a report on the petition be prepared; or
- (c) the petition be referred to a Committee.

**4.6 Confirmation of minutes**

- (1) Confirmation of minutes is dealt with in the Act.
- (2) When minutes are being confirmed, discussion is not to be permitted other than discussion as to their accuracy as a record of the proceedings.

**4.7 Announcements by the President**

At any meeting of the Council the President may announce or raise any matter of interest or relevance to the business of the Council.

**4.8 Correspondence**

- (1) Correspondence placed before a meeting of the Council or a Committee must relate to a matter on the agenda of the meeting.
- (2) Correspondence may be placed before the Council or a Committee in the form of a summary that contains all relevant and material facts.
- (3) Where correspondence contains a matter to be decided by the Council or the Committee, the CEO is, if the circumstances permit, to recommend a course of action to the Council or the Committee, or state the alternative.
- (4) Correspondence placed before a meeting of the Council or a Committee is not to be the subject of discussion or questions from members.

**4.9 Reports**

- (1) The functions of the CEO, including to advise the Council and Committees and implementing decisions, are dealt with in the Act.
- (2) The CEO may prepare or cause to be prepared a report on an item that in the CEO's opinion requires consideration by the Council or the Committee, including any report of a late or urgent nature.
- (3) Where a report has been prepared in accordance with subclause (2), the CEO is to deliver the report to members of the Council or the Committee (as the case may be) or, in the case of urgency or other special circumstances, table the report at the meeting.
- (4) The CEO may, with the consent of the Presiding Member, withdraw an item or report listed in the agenda.

**4.10 Motions of which previous notice has been given**

- (1) Unless the Act, Regulations or this local law otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 7 clear working days before the meeting at which the motion is to be moved.
- (3) A notice of motion must relate to a matter for which the Council is responsible unless, in the opinion of the Presiding Member, the matter is one of significant public interest or importance.
- (4) The CEO—
  - (a) may with the concurrence of the Presiding Member, exclude from the agenda any notice of motion that they consider to be out of order; or
  - (b) may after consultation with the member who gave notice of the motion, make such amendments to the form but not the substance to bring the notice of motion into due form; and
  - (c) must provide relevant and material facts and circumstances pertaining to the notice of motion on matters such as policy, financial and legal implications.
- (5) If a notice of motion is excluded under subclause (4)(a), the CEO is to provide the reason for its exclusion to all members as soon as practicable.
- (6) A notice of motion is not to be out of order merely because the proposal involved is considered to be objectionable by a member of Council.
- (7) A motion of which notice has been given is to lapse unless—
  - (a) the member who gave notice, or another member authorised by him or her in writing, moves the motion when called on; or
  - (b) the Council or Committee on a motion agrees to defer consideration of the motion to a later stage or date.
- (8) If a notice of motion is given and lapses, a notice of motion in the same terms or to the same effect may be given for consideration at a subsequent meeting of the Council or Committee, but if the motion again lapses, the Council or Committee is not to consider a motion in the same terms or to the same effect at a subsequent meeting until at least 3 months have elapsed from the date of the meeting at which the motion last lapsed.
- (9) For the purposes of clarification, where a notice of motion is moved and seconded at a meeting of the Council or Committee, it is to be treated as a primary motion.

**4.11 Representation on external bodies**

- (1) Correspondence inviting the Council to submit a nomination for appointment to an external body is to be referred by the CEO to the Council or an appropriate Committee.

(2) When speaking or voting on any item or business at a meeting of an external body, a member appointed to that body is to have regard to the decisions, policies and practices of the local government.

#### **4.12 Urgent business**

(1) A member, at an ordinary meeting of the Council, may move a motion involving business that is not included in the agenda for that meeting if the Presiding Member has first consented to the business being raised because the Presiding Member considers that either—

- (a) the nature of the business is such that the business cannot await inclusion in the agenda for the next meeting; or
- (b) the delay in referring the business to the next meeting could have adverse legal or financial implications for the local government.

(2) If a member objects to a motion moved under subclause (1), the motion is to be of no effect unless it is agreed to by an absolute majority.

(3) Subclauses (1) and (2) do not apply to a revocation motion being considered as urgent business in accordance with clause 13.3.

#### **4.13 Closure**

At the conclusion of all business or when otherwise determined by the meeting, the Presiding Member is to declare the meeting closed and the closing time is to be recorded in the minutes of the meeting.

### **PART 5—PUBLIC PARTICIPATION**

#### **5.1 Meetings generally open to the public**

Meetings being generally open to the public is dealt with in the Act.

#### **5.2 Meetings not open to the public**

(1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.

(2) The Council or a Committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.

(3) If a resolution under subclause (2) is carried—

- (a) the Presiding Member is to direct everyone to leave the meeting except—
  - (i) the members;
  - (ii) the CEO; and
  - (iii) any officer specified by the Presiding Member; and
- (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the Committee, by resolution, decides otherwise.

(4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the Presiding Member, be removed from the meeting.

(5) A resolution under this clause may be made without notice.

(6) Unless the Council or Committee resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council or Committee made while the meeting was closed is to be read out including the details of any voting recorded.

#### **5.3 Question time for the public**

Question time for the public is dealt with in the Act.

#### **5.4 Question time for the public at certain meetings**

Question time for the public at certain meetings is dealt with in the Regulations.

#### **5.5 Minimum question time for the public**

Minimum question time for the public is dealt with in the Regulations.

#### **5.6 Procedures for question time for the public**

Procedures for question time for the public are dealt with in the Regulations.

#### **5.7 Other procedures for question time for the public**

(1) Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion.

(2) Unless determined otherwise under the Regulations, the procedure for the asking of and responding to questions raised by members of the public at a meeting shall be as follows—

- (a) a member of the public who raises a question during question time is to state their name and address;
- (b) it is preferred that questions be submitted in writing in which case they will be read out by the CEO but questions may be asked orally;
- (c) questions are to be answered by the Presiding Member or employee nominated by the Presiding Member;

- (d) questions may be taken on notice, at the determination of the Presiding Member, and the Presiding Member may determine that any complex question requiring research be answered only in writing;
  - (e) no discussion of a question or answer is to take place by Council unless the Presiding Member has given permission to do so; and
  - (f) when a question is taken on notice under subclause (d), a response is to be given to the member of the public in writing, and a copy is to be included in the agenda of the next meeting of the Council or Committee as the case requires.
- (3) The Presiding Member may reject any question that may be deemed offensive towards, or reflect adversely upon, the character of any member of the Council or employee of the local government.
- (4) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes of the meeting.
- (5) There is to be no public question time in meetings of Committees other than a Committee to which the Council has delegated a power or duty, or which is open to the public.
- (6) A member of the public shall have two minutes to submit a question.
- (7) The Council, by resolution, may agree to extend public question time.

### 5.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council or a Committee, the Presiding Member may—

- (a) invite the person to sit beside the Presiding Member or at the meeting table;
- (b) acknowledge the presence of the distinguished visitor at an appropriate time during the meeting; and
- (c) direct that the presence of the distinguished visitor be recorded in the minutes.

### 5.9 Deputations

- (1) A deputation wishing to be received by the Council or a Committee must apply in writing to the CEO who is to forward the written request to the Presiding Member of the Council or relevant Committee.
- (2) The Presiding Member may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the Council or relevant Committee, or may instruct the CEO to refer the request to the Council or the Committee to decide whether or not to receive the deputation.
- (3) Unless the council resolves otherwise, a deputation invited to attend a Council meeting—
- (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from members;
  - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and
  - (c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.
- (4) For the purpose of determining who may address the Council or relevant Committee on an issue, all those people either in favour of or opposed to an item are deemed to comprise a single deputation.
- (5) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

### 5.10 Presentations

- (1) In this clause, a **presentation** means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

### 5.11 Attending Committee meetings as an observer

- (1) The President or a Councillor may attend any meeting of a Committee as an observer, even if the President or Councillor is not a member of that Committee.
- (2) A deputy to a member of a Committee appointed under clause 14.5 may attend a meeting of that Committee as an observer, even if the deputy is not acting in the capacity of the member.
- (3) The President or Councillor in the case of subclause (1), or deputy to a member attending a Committee meeting as an observer in the case of subclause (2)—
- (a) may, with the consent of the Presiding Member, speak, but cannot vote, on any motion before the Committee; and
  - (b) must sit in the area set aside for observers separated from the Committee members.

### 5.12 Public Inspection of agenda materials

Public inspection of agenda materials is dealt with in the Regulations.

### 5.13 Public access to unconfirmed minutes of meetings

Public access to unconfirmed minutes of Council and Committee meetings is dealt with in the Regulations.

#### 5.14 Confidentiality of information withheld

- (1) Information withheld by the CEO from the public under the Regulations is to be—
  - (a) identified in the agenda of a Council or Committee meeting under the item “Matters for which meeting may be closed”;
  - (b) marked “*Confidential*” in the agenda; and
  - (c) kept confidential by officers and members until the Council resolves otherwise.
- (2) A member or an employee who has—
  - (a) confidential information under subclause (1); or
  - (b) information that is provided or disclosed for the purposes of or during a meeting, or part of a meeting, that is closed to the public,

is not to disclose any of that information to any person other than another member or an employee to the extent necessary for the purpose of carrying out his or her duties.

- (3) Subclause (2) does not prevent a member or employee from disclosing information—
  - (a) at a closed meeting;
  - (b) to the extent specified by the Council and subject to such other conditions as the Council determines;
  - (c) that is already in the public domain;
  - (d) to an officer of the Department;
  - (e) to the Minister;
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

#### 5.15 Recording of proceedings

- (1) A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or Committee unless the Presiding Member or CEO has given permission to do so.
- (2) If the Presiding Member or CEO gives permission under subclause (1), he or she is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

#### 5.16 Prevention of disturbance

- (1) A reference in this clause to a “person” is to a person other than a member.
- (2) A person addressing the Council or a Committee must extend due courtesy and respect to the Council or Committee and the processes under which it operates and must comply with any direction by the Presiding Member.
- (3) A person must not interrupt or interfere with the proceedings or any meeting of the Council or Committee, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.
- (5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.
- (6) The Presiding Member may warn a person who fails to comply with this clause.
- (7) If—
  - (a) after being warned, the person again acts contrary to this clause, or to the direction; or
  - (b) a person refuses or fails to comply with a direction by the Presiding Member,

the Presiding Member may expel the person from the meeting by ordering him or her to leave the meeting room.

- (8) A person who is ordered to leave the meeting room and fails to do so may, by order of the Presiding Member be removed from the meeting room and, if the Presiding Member orders, from the premises.

### PART 6—DISCLOSURE OF INTERESTS

#### 6.1 Disclosure of members’ financial and proximity interests

The disclosure of direct and indirect financial interests and proximity interests by members and employees is dealt with in the Act.

#### 6.2 Meeting to be informed of financial and proximity interests

Procedures for informing the meeting of disclosures in clause 6.1 are dealt with in the Act.

#### 6.3 Disclosing member not to participate

The participation at meetings of a member that has disclosed an interest in clause 6.1 is dealt with in the Act.

#### 6.4 When disclosing members can participate

The procedures for allowing participation in meetings of members disclosing an interest in clause 6.1 are dealt with in the Act.

**6.5 Invitation to return to provide information**

(1) Where a member has disclosed an interest in clause 6.1, and has departed from the Council Chamber or meeting room, the meeting may invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter.

(2) A member invited to return under subclause (1) must withdraw after providing the information.

**6.6 Substitution of deputy at Committee meetings**

Where a member discloses an interest on an item under clause 6.1 and withdraws from a meeting of a Committee, the Presiding Member may invite the disclosing member's deputy, if present, to participate as a member of the Committee in place of the disclosing member during the consideration of that item only.

**6.7 Disclosure by members who are observers at Committee meetings**

The obligation to disclose an interest in clause 6.1 is to apply to all members present at Committee meetings including a member attending a Committee meeting in the capacity of an observer.

**6.8 Disclosure of impartiality interests**

The disclosure of impartiality interests at meetings by the President and Councillors is dealt with in the Rules of Conduct Regulations.

**6.9 On-going disclosure required**

The obligation to disclose an interest under this Part applies in regard to each meeting at which the matter the subject of the interest arises.

**6.10 Approval by Minister to be recorded**

If the Minister approves of the participation in a meeting of a disclosing member, the conditions of the approval are to be recorded in the minutes of the meeting and the register of financial interests.

**PART 7—CONDUCT OF MEMBERS****7.1 Members to be in their proper places**

(1) At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions.

(2) At meetings of the Council each member is to occupy the place assigned to that member within the Council Chamber.

**7.2 Titles to be used**

A speaker, when referring to the President, Deputy President or Presiding Member, or a Member or Officer, is to use the title of that person's office.

**7.3 Respect to the Presiding Member**

After the business of a Council has been commenced, a Member is not to enter or leave the meeting without first paying due respect to the Presiding Member.

**7.4 Members to indicate their intention to speak**

A Member of the Council who wishes to speak is to indicate his or her intention to speak by raising his or her hand or by another method agreed by the Council.

**7.5 Priority of speaking**

(1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.

(2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.

(3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

**7.6 Presiding Member may take part in debates**

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with this Local Law.

**7.7 Relevance**

(1) A Member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

(2) The Presiding Member, at any time, may—

(a) call the attention of the meeting to—

(i) any irrelevant, repetitious, offensive or insulting language by a Member; or

(ii) any breach of order by a Member; and

(b) direct that Member, if speaking, to discontinue his or her speech.

(3) A Member is to comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

**7.8 Speaking twice**

A Member is not to address the Council more than once on any motion or amendment except—

- (a) as the mover of a substantive motion, to exercise a right of reply;
- (b) to raise a point of order; or
- (c) to make a personal explanation.

**7.9 Duration of speeches**

(1) A Member is not to speak on any matter for more than 5 minutes without the consent of the Council which, if given, is to be given without debate.

(2) An extension under this clause cannot be given to allow a Member's total speaking time to exceed 10 minutes.

**7.10 No speaking after conclusion of debate**

A Member is not to speak on any motion or amendment—

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

**7.11 No interruption**

A member must not interrupt another member who is speaking unless—

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 7.12; or
- (d) to move a procedural motion that the member be no longer heard (see clause 11(1)(e)).

**7.12 Personal explanations**

(1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member his or her intention to make a personal explanation.

(2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.

(3) A Member making a personal explanation is to confine his or her observations to a succinct statement relating to a specific part of the speech at which he or she may have been misunderstood.

**7.13 No reopening of discussion**

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed.

**7.14 No adverse reflection on decision**

(1) A member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed.

(2) A member is not—

- (a) to reflect adversely on the character or actions of another member or officer; or
- (b) to impute any motive to a member or officer,

unless the meeting resolves, without debate, that the motion then before the meeting cannot otherwise be adequately considered.

**7.15 Offensive Language**

(1) A member is not to use offensive or objectionable expressions in reference to any member, officer or other person.

(2) If a member specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the Presiding Member is to cause the words used to be taken down and read to the meeting for verification and then be recorded in the minutes.

**7.16 Withdrawal of offensive language**

(1) A member who, in the opinion of the Presiding Member and in the absence of a resolution under clause 7.14—

- (a) reflects adversely on the character or actions of another member or employee;
- (b) imputes any motive to a member or employee; or
- (c) uses an expression that is offensive or objectionable,

(2) If a Member fails to comply with a direction of the Presiding Member under subclause (1), the Presiding Member may refuse to hear the member further on the matter then under discussion and call on the next speaker.

**PART 8—PRESERVING ORDER****8.1 Presiding Member to preserve order**

(1) The Presiding Member is to preserve order, and, whenever he or she considers necessary, may call any member or other person to order.



(2) When the Presiding Member speaks during a debate, any member then speaking, or indicating that he or she wishes to speak, is immediately to sit down and every member present is to preserve strict silence so that the Presiding Member may be heard without interruption.

(3) Subclause (2) is not to be used by the Presiding Member to exercise the right provided in clause 7.6, but to preserve order.

### **8.2 Points of order**

(1) Without limitation, the following acts are to be taken as being out of order—

- (a) discussion of a matter not before the meeting;
- (b) the use of offensive or objectionable language; or
- (c) the violation of any written law, including this local law, provided that the member making the point of order states the written law believed to be breached.

(2) Despite anything in this local law to the contrary, a point of order—

- (a) takes precedence over any discussion; and
- (b) until determined, suspends the consideration or discussion of any other matter.

### **8.3 Procedures on a point of order**

(1) Upon a matter of order arising during the progress of a debate, any member may raise a point of order with the Presiding Member including interrupting the speaker.

(2) Any member who is speaking when a point of order is raised in subclause (1) is to immediately stop speaking while the Presiding Member listens to the point of order.

(3) A member raising a point of order is to specify one of the grounds of the breach of order before speaking further on the matter.

(4) A member who is expressing a difference of opinion or contradicting a speaker is not to be taken as raising a point of order.

### **8.4 Calling attention to breach**

A member may, at any time, draw the attention of the Presiding Member to any breach of this local law.

### **8.5 Ruling by the Presiding Member**

(1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.

(2) A ruling by the Presiding Member on a point of order—

- (a) is to be final unless the majority of members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.

(3) Subject to a motion of dissent being carried under subclause (2), if the Presiding Member rules that—

- (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
- (b) a statement made or act done by a member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

### **8.6 Continued breach of order**

If a member—

- (a) persists in any conduct that the Presiding Member had ruled is out of order; or
- (b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 8.5(3),

the Presiding Member may direct the Member to refrain from taking any further part in the matter under discussion, other than by voting, and the Member is to comply with that direction.

### **8.7 Right of Presiding Member to adjourn**

(1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.

(2) On resumption, the debate is to continue at the point at which the meeting was adjourned.

(3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

(4) If there is an adjournment under this clause, the names of the members who have spoken on the matter before the adjournment are to be recorded.

## **PART 9—MOTIONS AND AMENDMENTS**

### **9.1 Recommendations in reports**

(1) Where the Council or a Committee adopts a recommendation contained in a report, either with or without amendment, the recommendation so adopted is taken to be a decision of the Council or the Committee (as the case may be).

(2) Where a motion, if carried, would be significantly different from the relevant written recommendation of an employee or Committee, the reason for the decision is to be recorded in the minutes of the meeting in accordance with the Regulations.

(3) A Committee may make a recommendation to the Council which—

- (a) is relevant to the purpose for which the Committee is established by the Council; and
- (b) the Committee considers requires consideration by the Council.

(4) Where a Committee makes a recommendation for consideration by the Council, the CEO must prepare or cause to be prepared a report to the Council with respect to the recommendation.

### **9.2 Adoption of recommendations en bloc**

A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—

- (a) which require adoption by an absolute or special majority vote;
- (b) in which an interest has been disclosed;
- (c) that has been subject of a petition or deputation;
- (d) which any member has indicated the wish to debate; and
- (e) in which any member has indicated the wish to ask a question or to raise a point of clarification,

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

### **9.3 Motions**

(1) A member who wishes to move a primary motion, or an amendment to a primary motion—

- (a) is to state the substance of the motion before speaking to it; and
- (b) is to put the motion or amendment in writing if—
  - (i) in the opinion of the Presiding Member, the motion or amendment is significantly different to the relevant written recommendation of a Committee or an employee (including a person who, under a contract for services with the local government, provides advice or a report on the matter); or
  - (ii) the member is otherwise required to do so by the Presiding Member.

(2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

(3) The Presiding Member may require that a complex primary motion, or a complex amendment to a primary motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.

### **9.4 Motions to be seconded**

(1) A motion, or an amendment to a motion, is not open to debate until it has been seconded.

(2) A motion to revoke or change a decision made at a Council or Committee meeting is not open to debate unless the motion has the support required under the Regulations.

(3) A member seconding a motion has the right to speak on the motion later in the debate.

(4) A motion is not to be amended by the mover without the consent of the seconder.

### **9.5 Unopposed motions**

(1) Immediately after a motion has been moved and seconded, the Presiding Member may ask the meeting if any member opposes it.

(2) If no member opposes the motion, the Presiding Member may declare it carried without

(3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or Committee.

(4) If a member opposes a motion, the motion is to be dealt with under this Part.

### **9.6 Withdrawing motions**

(1) A motion or amendment may be withdrawn by the mover, with the consent of the seconder, and no member is to speak on it after it has been withdrawn.

(2) If an amendment has been proposed to a primary motion, the primary motion cannot be withdrawn, except by consent of the majority of members, until the amendment proposed has been withdrawn or lost.

### **9.7 One motion at a time**

The Council or a Committee—

- (a) is not to accept a substantive motion while another substantive motion is being debated; and
- (b) is not to consider more than one substantive motion at any time.

### **9.8 Permissible motions on recommendation from Committee**

A recommendation made by a Committee may be—

- (a) adopted by the Council without amendment;
- (b) rejected by the Council and replaced by an alternative decision;

- (c) subject to clause 9.9(2), amended, and adopted as amended by the Council; or
- (d) referred back to the Committee for further consideration.

### **9.9 Amendments**

- (1) A member may move an amendment to a primary motion at any time during debate on the motion, except—
- (a) if the mover has been called by the Presiding Member to exercise the right of reply; or
  - (b) if the member has already spoken to the primary motion;
  - (c) if another amendment is being debated, or has not been withdrawn, carried or lost; or
  - (d) during debate on a procedural motion.
- (2) An amendment must be relevant to the primary motion to which it is moved and must not have the effect of negating the primary motion.
- (3) An amendment to a primary motion is to take only one of the following forms—
- (a) that certain words be omitted;
  - (b) that certain parts be omitted and others substituted or added; or
  - (c) that certain words be added.
- (4) Only one amendment is to be debated at a time, but as often as an amendment is withdrawn, carried or lost, another amendment may be moved before the primary motion is put to the vote.
- (5) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate, to be treated as a primary motion.
- (6) An amendment must be read by the mover before being seconded.

## **PART 10—DEBATE OF MOTIONS**

### **10.1 Order of call in debate**

The Presiding Member is to call speakers to a motion in the following order—

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) other speakers against and for the motion, alternating where possible; and
- (f) mover takes right of reply which closes debate.

### **10.2 Limit of debate**

The Presiding Member may offer the right of reply and put the motion to the vote if he or she believes that sufficient discussion has taken place even though all members may not have spoken.

### **10.3 Member may require motion to be read**

A member may require the motion under discussion to be read at any time during a debate, but not so as to interrupt any other member who is speaking.

### **10.4 Consent of seconder required for alteration**

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

### **10.5 Order of amendments**

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

### **10.6 Form of an amendment**

An amendment must add, delete, or substitute words to the substantive motion.

### **10.7 Amendment must not negate original motion**

An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.

### **10.8 Relevance of amendments**

Each amendment is to be relevant to the motion in respect of which it is moved.

### **10.9 Mover of motion may speak on amendment**

Any member may speak during debate on an amendment.

### **10.10 Effect of an amendment**

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any Member may speak and any further amendment may be moved.

### **10.11 Withdrawal of motion or amendment**

- (1) Subject to subclause (2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.

(2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

#### **10.12 Right of reply**

- (1) The mover of a substantive motion has the right of reply.
- (2) The mover of any amendment to a substantive motion has a right of reply.
- (3) The right of the reply may only be exercised—
  - (a) where no amendment is moved to the substantive motion—at the conclusion of the discussion on the motion; or
  - (b) where one or more amendments have been moved to the substantive motion—at the conclusion of the discussion on the substantive motion and any amendments.
- (4) After the mover of the substantive motion has commenced the reply—
  - (a) no other Member is to speak on the question;
  - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

### **PART 11—PROCEDURAL MOTIONS**

#### **11.1 Permissible procedural motions**

In addition to the right to move an amendment to a primary motion, a member may move the following procedural motions—

- (a) that the motion be deferred
- (b) that the meeting proceed to the next item of business;
- (c) that the debate be adjourned;
- (d) that the meeting now adjourn;
- (e) that the motion be now put;
- (f) that the motion lie on the table;
- (g) that the member be no longer heard;
- (h) that the ruling of the Presiding Member be overruled;
- (i) that the item be referred back to the appropriate Committee; or
- (j) that the meeting be closed to members of the public.

#### **11.2 No debate on procedural motions**

- (1) The mover of a motion specified in paragraph (a), (b), (c), (d), (f), (g), (i) or (j) of clause 11.1 may speak to the motion for not more than 5 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in paragraph (e) or (h) of clause 11.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

#### **11.3 Who may move**

With the exception of subclause 11.1(h), a member who has moved, seconded, or spoken for or against the primary motion, or any amendment to the primary motion, cannot move any procedural motion which, if carried, would close the debate on the primary motion or amendment.

#### **11.4 Procedural motions—right of reply on substantive motion**

The carrying of a procedural motion which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the substantive motion.

#### **11.5 Meeting to proceed to the next business**

The motion “that the meeting proceed to the next business”, if carried, has the effect that—

- (a) the debate on the substantive motion or amendment ceases immediately;
- (b) no decision is made on the substantive motion;
- (c) the Council moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

#### **11.6 Debate to be adjourned**

A motion “that the debate be adjourned”—

- (a) is to state the time to which the debate is to be adjourned; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

**11.7 Meeting now adjourn**

- (1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution.
- (3) A motion “that the meeting now adjourn”—
  - (a) is to state the time and date to which the meeting is to be adjourned; and
  - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

**11.8 Motion to be put**

- (1) If the motion “that the motion be now put”, is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.
- (2) If the motion “that the motion be now put” is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

**11.9 Member to be no longer heard**

If the motion “that the member be no longer heard”, is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

**11.10 Ruling of the Presiding Member to be disagreed with**

If the motion “that the ruling of the Presiding Member be disagreed with”, is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

**11.11 The motion be deferred—effect of motion**

- (1) If a motion “that the motion be deferred”, is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.
- (2) A motion “that the motion be deferred” must not be moved in respect of the election of a Presiding Member or the Deputy President.
- (3) A member must not, at the same meeting, move or second

**PART 12—VOTING****12.1 Motion—when put**

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the Presiding Member—
  - (a) is to put the motion to the Council; and
  - (b) if requested by any Member, is to again state the terms of the motion.
- (2) A Member is not to leave the meeting when the Presiding Member is putting any motion.

**12.2 Voting**

Voting is dealt with in the Act and the Regulations.

**12.3 Majorities required for decisions**

The majorities required for decisions of the Council and committees are dealt with in the Act.

**12.4 Method of taking vote**

- (1) In taking the vote on any motion or amendment the Presiding Member—
  - (a) is to put the motion, first in the affirmative, and then in the negative;
  - (b) may put the motion in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
  - (c) may accept a vote on the voices or may require a show of hands; and,
  - (d) is, subject to this clause, to declare the result.
- (2) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (3) If a member of council or a committee specifically requests that there be recorded—
  - (a) his or her vote; or,
  - (b) the vote of all members present,

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

- (4) If a Member calls for a division—
- (a) those voting in the affirmative are to pass to the right of the Chair; and
  - (b) those voting in the negative are to pass to the left of the Chair.
- (5) For every division, the CEO is to record—
- (a) the name of each member who voted; and
  - (b) whether he or she voted in the affirmative or negative.

## PART 13—REVOKING OR CHANGING DECISIONS

### 13.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in the Regulations.

### 13.2 Limitations on powers to revoke or change decisions

- (1) Subject to subclause (2), the Council or a committee is not to consider a motion to revoke or change a decision—
- (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 13.3 to implement the decision; or
  - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

### 13.3 Implementing a decision

- (1) In this clause—
- (a) “authorisation” means a licence, permit, approval or other means of authorising a person to do anything;
  - (b) “implement”, in relation to a decision, includes—
    - (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
    - (ii) take any other action to give effect to the decision; and
  - (c) “valid notice of revocation motion” means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the Local Laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.
- (2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.
- (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
- (4) A decision made at a meeting is not to be implemented by the CEO or any other person—
- (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
  - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
- (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation—
- (a) is to take effect only in accordance with this clause; and
  - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

## PART 14—ESTABLISHMENT AND MEMBERSHIP OF COMMITTEES

### 14.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include—
- (a) the terms of reference of the committee;
  - (b) the number of council members, officers and other persons to be appointed to the committee;
  - (c) the names or titles of the council members and officers to be appointed to the committee;
  - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
  - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) This Local Law is to apply to the conduct of committee meetings.

### 14.2 Types of committees

The types of committees are dealt with in the Act.

**14.3 Delegation of some powers and duties to certain committees**

The delegation of some powers and duties to certain committees is dealt with in the Act.

**14.4 Limits on delegation of powers and duties to certain committees**

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

**14.5 Appointment of committee members**

The appointment of committee members is dealt with in the Act.

**14.6 Tenure of committee membership**

Tenure of committee membership is dealt with in the Act.

**14.7 Resignation of committee members**

The resignation of committee members is dealt with in the Regulations.

**14.8 Register of delegations to committees**

The register of delegations to committees is dealt with in the Act.

**14.9 Committees to report**

A committee—

- (a) is answerable to the Council; and
- (b) is to report on its activities when, and to the extent, required by the Council.

**PART 15—PROCEDURAL MATTERS****15.1 Presiding Member to ensure compliance**

The Presiding Member of a meeting is to ensure compliance with this local law.

**15.2 Suspension of standing orders**

(1) A member may, at any time, move that the operation of one or more of the clauses in this local law be suspended.

(2) A member moving a motion under subclause (1) is to identify the clause or clauses containing the standing orders to be suspended, and state the reasons for the motion, but no other discussion is to take place.

(3) A member moving a motion under subclause (1) is to identify the clause or clauses in this local law to be suspended, and state the reasons for the motion, but no other discussion is to take place.

(4) A motion under subclause (1) which is seconded and carried is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

**15.3 Cases not provided for in standing orders**

(1) In situations where—

- (a) standing orders have been suspended; or
- (b) a matter is not regulated by the Act, the Regulations or this local law,

the Presiding Member is to decide questions relating to the conduct of the meeting.

(2) The decision of the Presiding Member under subclause (1) is final, except where a motion of dissent is moved and carried under clause 11.1(h).

**15.4 Electors' meetings**

The requirements for meeting of the electors are dealt with in the Act and Regulations.

**15.5 Electors' meetings—standing orders apply**

This local law applies, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this local law and the provisions of the Act, the latter prevail.

**15.6 Restriction on voting and speaking at electors' meetings**

The restriction on voting and speaking at electors' meetings is dealt with in the Regulations.

**15.7 Penalty for contravention of this local law**

A person who breaches a provision of this local law commits an offence.

Penalty: \$1 000, and a daily penalty of \$500

**15.8 Who can prosecute**

Who can prosecute is dealt with in the Act.

**PART 16—COMMON SEAL****16.1 Custody of the Common Seal**

The CEO is to have charge of the Common Seal of the local government, and is responsible for the safe custody and proper use of it.

**16.2 Use of Common Seal**

The use of the Common Seal is dealt with in the Act.

**SCHEDULE 1—PETITION TO THE SHIRE OF KOORDA**

[Clause 4.5]

To the President and Councillors of the local government

We, the undersigned, do respectfully request that the Council—

(Here set out a concise statement of facts and the action sought)

Correspondence in respect of this petition should be addressed to—

(Here set out the name and address of the person)

The names and addresses of your petitioners are as follows

DATE	FULL NAME	ADDRESS AGREE/DISAGREE/NO OPINION	SIGNATURE
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Note: Petitioners may contact the CEO of the local government if they wish to withdraw from this petition or change their comment.

Dated: 20th December 2017.

The Common Seal of the Shire of Koorda was affixed by the authority of a resolution of Council in the presence of—

Cr FREDERICK J. STORER, President.  
DAVID N. BURTON, Chief Executive Officer.