



A **SPECIAL MEETING** of the Douglas Shire Council will be held on **TUESDAY 20 MAY 2014** at **9.00a.m.** at the Council Chambers, 64-66 Front Street, Mossman, and the attendance of each Councillor is requested.

### **AGENDA**

#### **'ACKNOWLEDGEMENT OF COUNTRY'**

*'I would like to acknowledge the Kuku Yalanji people who are the Traditional Custodians of the Land. I would also like to pay respect to their Elders both past and present and extend that respect to other Indigenous Australians who are present'.*

- ***Attendance and Apologies***
- ***Conflict of Interest / Material Personal Interest***
- ***Agenda Items as Listed***

A handwritten signature in blue ink that reads "Linda Cardew".

Linda Cardew  
**CHIEF EXECUTIVE OFFICER**

**DOUGLAS SHIRE COUNCIL**

**SPECIAL MEETING**

**20 MAY 2014**

**9.00 A.M.**

**TABLE OF CONTENTS**

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<b>1. FEES AND CHARGES 2014/15.....</b>	<b>3</b>
<b>2. GENERAL POLICIES – CODE OF CONDUCT FOR COUNCILLORS, COUNCILLOR/STAFF INTERACTION PROTOCOL &amp; STANDING ORDERS FOR COUNCIL MEETINGS .....</b>	<b>5</b>

<b>SPECIAL MEETING</b>  <b>20 MAY 2014</b>	<b>1</b>
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## SCHEDULE OF FEES AND CHARGES FOR 2014/15 FINANCIAL YEAR

Darryl Crees – General Manager Corporate Services

### **RECOMMENDATION:**

**That Council:**

- **adopts the Schedule of Fees and Charges for 2014/15 Financial Year; and**
- **delegates authority to the Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 to negotiate fees and charges where circumstances warrant and to make minor amendments to the schedule.**

### **EXECUTIVE SUMMARY:**

The schedule of fees and charges developed for the 2014/15 financial year strives to achieve an equitable “user pays” system for services provided that will assist Council in becoming a long term, financially sustainable organisation.

The increase to the majority of fees and charges has been contained to 3.60% (subject to rounding), a modest increase of 0.5% above Brisbane CPI (ABS 19/05/2014). However there has been a very small number of fee increases above this threshold where the increase was required to recoup the cost of the new Council delivering that particular service. At the same time reduction in various fees have been realised, where processes have been amended to attain greater efficiencies in service delivery. These savings are now passed to residents and businesses.

### **BACKGROUND:**

In conjunction with the annual budget preparations, Council is required to adopt a schedule of fees and charges to be applied for each financial year. Although the schedule is adopted for the full year, should circumstances warrant new fees can be introduced or fees amended throughout the year.

### **PROPOSAL:**

The 2014/15 Schedule of Fees and Charges has been developed based on the fundamental principle of financial sustainability and ensuring the actual quantum of fees imposed more accurately represents the cost to Council of providing the applicable service.

This approach is consistent with a “user pays” system and reduces the cross subsidisation of providing services from other revenue streams or other customers.

Wherever possible an increase in fees and charges has been restrained to 3.60% (subject to rounding). However to ensure that the current charging regime is more aligned to a “user pays” system, some fees have been increased over this threshold and/or fee calculation has been redesigned to provide greater equity. Similarly there has also been a reduction in various fees and the attached schedule details the percentage variance on all fees and charges compared with the 2013/14 financial year.

**CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:**

Developing the 2014/15 annual budget is encompassed in the 2013/14 Operational Plan as Major Initiative FIT1 – Establish framework and plan for 2014/15 budget.

**FINANCIAL/RESOURCE IMPLICATIONS:**

Fees and charges are an integral component of Council’s revenue stream. Wherever possible Council aims to recover the cost of providing the service. In other cases Council subsidises the service in recognition of the broader community interest. Increases and decreases in the level of fees over the previous year are balanced against Council’s goal of achieving long term financial sustainability.

**RISK MANAGEMENT IMPLICATIONS:**

Obtaining appropriate fees for services provided will assist Council in its long term objective of delivering balanced budgets and mitigate the risk of financial constraints restricting capacity on Council operations.

**INTERNAL/EXTERNAL CONSULTATION:**

Relevant officers, including management staff have been involved in the review of the schedule of fees and charges and the proposed schedule has been subject of a workshop with Councillors.

**ATTACHMENTS:**

Separate Attachment - Schedule of Fees and Charges 2014/15

<b>SPECIAL MEETING</b>  <b>20 MAY 2014</b>	<b>2</b>
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GENERAL POLICES – CODE OF CONDUCT FOR COUNCILLORS, COUNCILLOR/STAFF INTERACTION PROTOCOL & STANDING ORDERS FOR COUNCIL MEETINGS

Darryl Crees – General Manager Corporate Services

**RECOMMENDATION:**

**That Council adopts:**

- **Code of Conduct for Councillors General Policy;**
- **Councillor/Staff Interaction Protocol General Policy; and**
- **Standing Orders for Council Meetings General Policy.**

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**EXECUTIVE SUMMARY:**

It has been a continuing process since de-amalgamation to review policies transferred from Cairns Regional Council and where appropriate amend policies and have them adopted by Council. The policies subject to this report are administrative in nature and internal consultation only is required.

These policies reinforce Council's commitment to high standard of interaction with fellow Councillors, staff and the public as well as the orderly conduct of Council Meetings.

**BACKGROUND:**

In accordance with the *Local Government (De-amalgamation Implementation) Regulation 2013*, all existing policies of Cairns Regional Council were transferred to Douglas Shire Council until such times as these policies are reviewed or revoked. This is an ongoing process and upon completion of review, policies are presented to Council for adoption.

**PROPOSAL:**

The policies presented for adoption demonstrate Councillors' ongoing commitment to high standards of interaction with each other, staff and the public as well as sound meeting procedures to deliver democratic decision making.

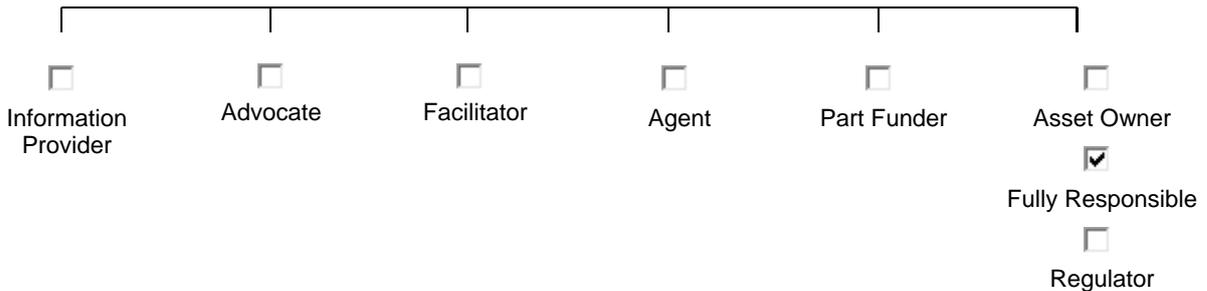
**CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE:**

Review and develop all required policies (including Standing Orders for council Meetings and Code of Conduct for Councillors) is included in the Operational Plan 2013/14 – Major Initiative G2.

## **COUNCIL'S ROLE:**

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:



**Information Provider:** Providing access to information to assist communities and organisations.

**Advocate:** Supporting communities and groups by advocating for certain actions from other organisations (usually other levels of government).

**Facilitator:** Bringing people together to develop solutions to problems.

**Agent:** Delivering a program or activity for another organisation (usually another level of government).

**Part Funder:** Sharing the cost of a program or activity with other organisations.

**Asset Owner:** Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.

**Fully Responsible:** Funding the full cost of a program or activity.

**Regulator:** Meeting the responsibilities associated with regulating activities through legislation or local law.

## **FINANCIAL/RESOURCE IMPLICATIONS:**

There are no financial implications associated with adopting these policies.

## **RISK MANAGEMENT IMPLICATIONS:**

Council's reputational standing will be enhanced as adoption of these policies demonstrates Council's commitment to establishing and maintaining sound governance principles throughout its operations.

## **INTERNAL/EXTERNAL CONSULTATION:**

These policies have been the subject of a workshop with Councillors and policy content has been amended based on feedback obtained. Considering that the purpose of these policies are administrative in nature, they fall within the "inform" category of council's community Engagement Framework therefore wider consultation is not required.

**ATTACHMENTS:**

Code of Conduct for Councillors General Policy  
Councillor/Staff Interaction Protocol General Policy  
Standing Orders for Council Meetings General Policy

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**DOUGLAS SHIRE COUNCIL**
**NO.**


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**General Policy**

**CODE OF CONDUCT FOR COUNCILLORS**

**Intent**     The intent of this policy is to detail the standard of behaviour expected of Councillors of Douglas Shire Council.

**Scope**     The provisions of this policy apply to all actions of councillors.

**REFERENCE**

**Legislation:**

*Local Government Act 2009*

**PROVISIONS**

This code has been adopted by resolution of Council. Council accordingly considers this code to be a "procedure", as the term is used in section 176(4) of the *Local Government Act 2009*.

Key Ethical and Behavioural Obligations

Councillors must:

- ensure their personal conduct does not reflect adversely on the reputation of the Council
- demonstrate respect for fellow Councillors, Council staff and other members of the public
- refrain from harassing, bullying or intimidating fellow Councillors, Council staff or other members of the public
- with the exception of the Mayor, not communicate with the public or media on behalf of the Council, unless expressly authorized by the Council to make that communication
- when communicating with the public or the media, make it clear when they are expressing a personal opinion, and when they are speaking on behalf of Council
- when communicating with the public or the media to express a personal opinion about a Council resolution, respect the democratic process by first acknowledging that Council resolutions represent the majority view of Council.

Consequences of Failing to Comply with this Code

Section 176(4) of the *Local Government Act 2009* provides: -

- (4) ***Inappropriate conduct*** is conduct that is not appropriate conduct for a representative of a local government, but is not misconduct, including for example—
- (a) a councillor failing to comply with the local government's procedures; or
- (b) a councillor behaving in an offensive or disorderly way in a meeting of the local government or any of its committees.

A failure to comply with this code by a Councillor (other than by the Mayor or Deputy Mayor) will be inappropriate conduct (as defined in section 176(4)(a) of the *Local Government Act 2009*) and render a Councillor liable to disciplinary action prescribed by section 181(1) of that Act.

Section 181(1) provides: -

- (1) *If the chief executive officer refers a complaint to the mayor, the mayor may make either or both of the following orders that the mayor considers appropriate in the circumstances—*
- (a) *an order reprimanding the councillor for the inappropriate conduct;*
  - (b) *an order that any repeat of the inappropriate conduct be referred to the department's chief executive as misconduct.*

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**This policy is to remain in force until otherwise determined by Council.**

**General Manager Responsible for Review:      General Manger Corporate Services**

**ORIGINALLY ADOPTED:  
CURRENT ADOPTION:  
DUE FOR REVISION:  
REVOKED/SUPERSEDED:**

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**DOUGLAS SHIRE COUNCIL**

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**General Policy**

**COUNCILLOR/STAFF INTERACTION PROTOCOL**

**Intent** To provide guidelines for the interaction between Councillors and staff and in particular requests from Councillors relating to the provision of information, advice and assistance.

**Scope** This applies to Councillors and Staff (including contractors and volunteers) of Douglas Shire Council.

**REFERENCE**

**Legislation:**

*Local Government Act 2009*

**PROVISIONS**

In accordance with section 170A of the *Local Government Act 2009*, a Councillor may request the Chief Executive Officer to provide information, that the local government has access to, relating to the local government.

Accordingly acceptable requests guidelines for information requests are included as an attachment to this policy. These guidelines have been established to provide equity in the distribution of information and accountability and transparency in the responses.

All requests for information are to be made in accordance with attached guidelines. With the exception of the Mayor, acting in accordance with the Local Government Act, Councillors are not to approach individual officers for information except in the case of an emergency.

A Councillor must not release information that the Councillor knows, or should reasonably know, is information that is confidential to Council.

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**This policy is to remain in force until otherwise determined by Council.**

**General Manager Responsible for Review:**

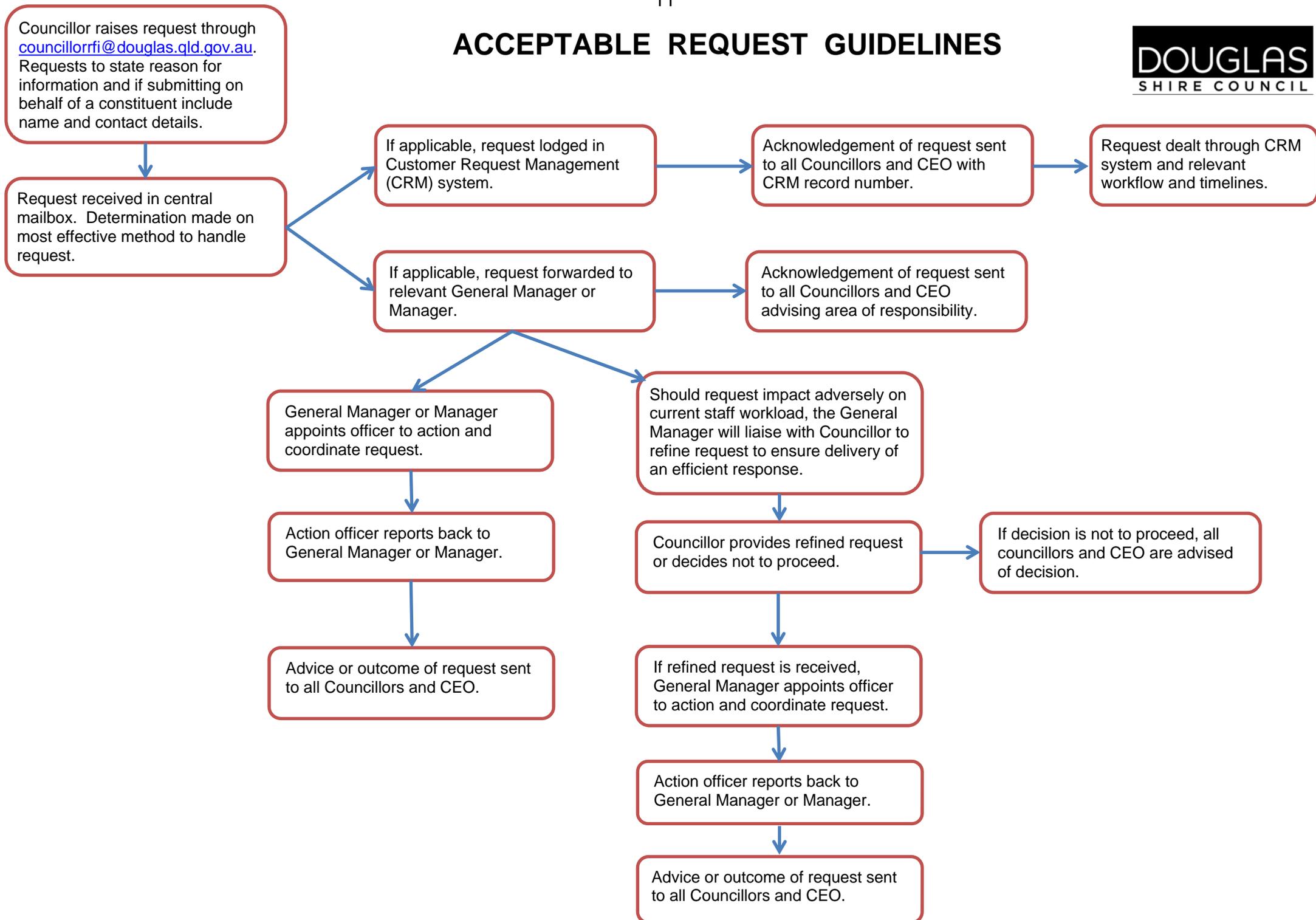
**General Manager Corporate Services**

**ADOPTED:**

**DUE FOR REVISION:**

**REVOKED/SUPERSEDED:**

# ACCEPTABLE REQUEST GUIDELINES



**STANDING ORDERS FOR COUNCIL MEETINGS**

**Intent** To provide written rules for the orderly conduct of Council Meetings.

**Scope** This policy applies to all meetings of the Douglas Shire Council, other than a Post-Election Meeting.

**PROVISIONS****1. Standing Orders**

- 1.1 The following Standing Orders provide rules for the conduct of meetings other than a post-election meeting of the Douglas Shire Council.
- 1.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3 Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matter shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

**PART 1: PROCEDURES FOR MEETINGS OF COUNCIL****2. Presiding Officer**

- 2.1 Unless otherwise resolved by Council, the Mayor will preside at a meeting of Council.
- 2.2 At those meetings at which the Mayor normally presides, if the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor are absent or unavailable to preside, a Councillor chosen by the councillors present at the meeting will preside at the meeting.

**3. Order of Business**

- 3.1 Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the Acknowledgement of Country, in accordance with Council's Traditional Custodian Welcome to Country and Acknowledgement of Country General Policy.
- 3.2 The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- 3.3 Unless otherwise altered, the order of business shall be as follows:
  - Attendances & Apologies
  - Notice of Conflict of Interest and/or Material Personal Interest
  - Mayoral Minutes
  - Confirmation of Minutes
  - Agenda Items as Listed
  - Notice of Motion
  - Urgent Business
  - Consideration of any closed session items
  - Consider recommendations arising from discussions in closed session.

- 3.4 The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every **ordinary meeting** of Council, in order that such minutes may be confirmed and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

#### **4. Council Reports**

- 4.1 The CEO shall within such time as Council determines by resolution, prepare or have prepared a Council Report. Council Reports shall be made available to Councillors if practicable two (2) days prior to such meetings.
- 4.2 The Agenda may contain:
- Notice of meeting
  - Minutes of the previous meetings
  - Business arising out of previous meetings
  - Business which the Mayor wishes to have considered at that meeting without notice
  - Matters of which notice has been given
  - Officers reports to Council referred to the meeting by the CEO
  - Deputations and delegations
  - Any other business Council determines by resolution be included in the business paper

#### **5. Notion of Motion**

- 5.1 A notice of motion must be submitted in writing to the Chief Executive Officer, ten (10) calendar days prior to the next Ordinary Council meeting. The Chief Executive Officer will make every attempt to list on the agenda for the next available Council Ordinary meeting.

#### **6. Urgent Business**

- 6.1 Matters of an urgent nature may be considered by Council however these items must be provided to the Chief Executive Officer twenty four (24) hours before the meeting. A matter of urgent nature is defined as a matter that requires a Council decision prior to the next scheduled Council Ordinary meeting.

#### **7. Mayoral Minute**

- 7.1 The Mayor may, by a signed minute, introduce a matter for consideration at a Meeting and the matter takes precedence over all other matters for consideration at the meeting and may be adopted by a motion moved by the Mayor without the need for the motion to be seconded.

#### **8. Petitions**

- 8.1 Any petition presented to a meeting of Council shall:
- be in legible writing or typewritten and contain a minimum of ten (10) signatures;
  - must include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue); and
  - have the details of the specific request/matter appear on each page of the petition.
- 8.2 A petition may be presented to a meeting of Council by a Councillor who before presenting the petition, shall, as far as practicable, become acquainted with the subject matter of the petition. A Councillor, on presenting a petition to a meeting shall:
- state the nature of the petition; and
  - read the petition.
- 8.3 A petition may be forwarded or handed to the CEO who shall present it at the first ordinary meeting of Council.

- 8.4 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that:
- the petition be received; or
  - the petition be received and referred to a committee or officer for consideration and a report to Council; or
  - the petition not be received as it was deemed invalid.
- 8.5 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

## **9. Deputations**

- 9.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) clear days before the meeting.
- 9.2 The CEO, on receiving an application for a deputation shall notify the Mayor who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and a time period allowed.
- 9.3 For deputations comprised of three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 9.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chair may finalise the deputation.
- 9.5 The Chair may terminate an address by a person in a deputation at any time where:-
- the Chair is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting; or
  - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
- 9.6 A suitable designated officer will be identified and will assume responsibility for the deputation including that the appointed speaker/s is notified in writing of developments or future actions as appropriate.
- 9.7 A rolling report on the status and outcome of all deputations will be presented to Council on a quarterly basis.

## **PART 2: MOTIONS**

### **10. Motions**

- 10.1 A motion brought before a meeting of Council in accordance with the Act or these Standing Orders shall be received and put to the meeting by the Chair. The Chair may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 10.2 The Chair may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chair may put the motion to the vote without discussion.
- 10.3 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.

### **11. Absence of Mover of Motion**

- 11.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
- moved by another Councillor at the meeting; or
  - deferred to the next meeting.

**12. Motion to be seconded**

- 12.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.
- 12.2 Notwithstanding clause 11.1, a Councillor who moves a motion or an amendment to a motion may speak with the permission of the Chair in support of that motion or amendment before it is seconded.

**13. Amendment of Motion**

- 13.1 An amendment to a motion shall be in terms which retain the identity of the original motion and does not contradict the motion.
- 13.2 Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 13.3 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
- 13.4 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

**14. Speaking to motions and amendments**

- 14.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded, subject to clause 11.2 of the Standing Orders.
- 14.2 A Councillor may make a request to the Chair for further information before or after the motion or amendment is seconded.
- 14.3 A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.
- 14.4 The mover of a motion shall have the right to reply. The mover of any amendment shall have no right of reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 14.5 Each speaker shall be restricted to not more than five (5) minutes unless the Chair rules otherwise.
- 14.6 Where two or more Councillors indicate they may wish to speak at the same time, the Chair shall determine who is entitled to priority.
- 14.7 In accordance with Section 273 of the *Local Government Regulation 2012*, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by officers, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

**15. Method of taking vote**

- 15.1 Before any matter is put to the vote, the Chair may direct the motion or amendment to be read again by the CEO. The Chair shall, in taking the vote on a motion or amendment put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- 15.2 Council shall vote by a show of hands as directed by the Chair. Any Councillor may call for a division on a question. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chair shall declare the result of a vote or a division as soon as it has been determined.

- 15.3 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 15.4 Except upon a motion to rescind or alter it, the resolution shall not be discussed after the vote has been declared.
- 15.5 If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

## **16. Rescinding or altering resolutions**

- 16.1 A resolution of Council may not be altered or rescinded unless notice of motion is given in accordance with the requirements of the Local Government Act / Regulation.
- 16.2 Where a motion to rescind or alter a resolution is lost, a motion of the same or like effect shall not be moved until at least three months after the date on which the first mentioned motion to rescind or alter was lost.
- 16.3 Councillors present at the meeting at which a motion to rescind or alter a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three months.

## **17. Procedural motions**

- 17.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
- that the question/motion be now put
  - that the motion and amendment now before the meeting be adjourned
  - that the meeting proceed to the next item of business
  - that the question lie on the table
  - a point of order
  - a motion of dissent against a point of order
  - that this report/document be tabled
  - to suspend the rule required that....
  - that the meeting stand adjourned
- 17.2 A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chair shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
- 17.3 The procedural motion, that the motion and amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified,
- a further motion may be moved to specify such a time or date; or
  - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 17.4 Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 17.5 A procedural motion, that the question lie on the table, shall only be moved where the Chair or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

- 17.6 Any Councillor may ask the Chair to decide on a 'point of order' where it is believed that another Councillor has:
- failed to comply with proper procedures,
  - is in contravention of the *Local Government Act / Regulations*, or
  - is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended subject to clause 12.2. The Chair shall determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or order at any time arising shall, until decided, suspend the consideration and decision of every other question.

- 17.7 A Councillor may move 'a motion of dissent' in relation to a ruling of the Chair on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chair was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
- 17.8 The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting. On tabling the document it ceases to be a confidential document and is available for public scrutiny.
- 17.9 A procedural motion, "to suspend the rule requiring that ...", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 17.10 A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

## **18. Conduct during Meetings**

- 18.1 After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chair.
- 18.2 Councillors may address the chair while moving any motion or amendment, seconding any motion or amendment or taking part in any discussion, placing or replying to any question, or addressing the Council for any other purpose.
- 18.3 Councillors shall speak of each other during the Council meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers shall designate them by their respective official or departmental title, and shall confine their remarks to the matter then under consideration.
- 18.4 Councillors shall remain seated and silent while a vote is being taken except when demanding a division.
- 18.5 No Councillor shall make personal reflections on or impute improper motives to any other Councillor.
- 18.6 No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chair or by a Councillor.

- 18.7 When the Chair speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chair may be heard without interruption.

### **PART 3: QUESTIONS**

#### **19. Questions**

- 19.1 A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
- 19.2 A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- 19.3 The Chair may disallow a question which is considered inconsistent with good order, provided that a Councillor may move a motion that the Chair's ruling be disagreed with, and if such motion be carried the Chair shall allow such question.

### **PART 4: MAINTENANCE OF GOOD ORDER**

#### **20. Disorder**

- 20.1 The Chair may, where disorder arises at a meeting of Council, adjourn the meeting. On resumption of the meeting, the Chair shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chair shall declare the meeting closed, and any outstanding matters referred to a future meeting.

#### **21. Business of Objectionable nature**

- 21.1 If at a meeting of Council the Chair or a Councillor considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of Council, the Chair or another Councillor may move a motion to declare a point of order that the matter not be considered further.

### **PART 5: ATTENDANCE AND NON-ATTENDANCE**

#### **22. Attendance of public media at meeting**

- 22.1 An area shall be made available at the place where any meeting of Council is to take place for members of the public to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 22.2 When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.
- 22.3 The resolution that Council proceed into Closed Session must specify the nature of the matters to be considered and these matters must be in accordance with Section 275 *Local Government Regulation*. The Chair may direct any persons improperly present to withdraw immediately. Council must not make a resolution (other than a procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on the matters considered in Closed Session.

**23. Public Participation at meetings**

- 23.1 Except when invited to do so by the Chair, a member of the public shall not take or attempt to take part in the proceeding of a meeting.
- 23.2 In each Meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 23.3 If any address or comment is irrelevant, offensive, or unduly long, the Chair may require the person to cease making the submission or comment.
- 23.4 For any matter arising from such an address, Council may take the following actions:
- refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
- 23.5 During a debate on a motion, the Chair may invite submission, comments or questions from members of the public.
- 23.6 Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 23.7 Any person who is considered by the Council or the Mayor to be unsuitably dressed, may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

**PART 6: COMMITTEES****24. Reports by Committees**

- 24.1 All committee reports shall be submitted to the Council under the signature of the CEO or delegate of the CEO and must be in accordance with the adopted Terms of Reference for that Committee.
- 24.2 If in a report of a Committee distinct recommendations are made, the decision of Council may be taken separately on each recommendation.

**25. Attendance of Committee Meetings**

- 25.1 An area shall be made available at the place where any committee meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many people as reasonable can be accommodated in that area shall be permitted to attend the meeting.

**26. Public in Committee Meeting**

- 26.1 Any person not being a Councillor of Council shall only take part in a Committee debate if so invited by Chair.
- 26.2 Any person or persons wishing to attend and address a Committee meeting, must make written application to the CEO not less than seven (7) clear days before the meeting. The matter must be in accordance with the Terms of Reference for that Committee. The Committee Chair in consultation with the Mayor shall determine whether such matter shall be heard. A deputation or personal address shall not exceed fifteen minutes unless otherwise agreed by the Chair. No more than three members of a deputation shall address the Committee except in reply to questions from members of the Committee.

**27. Procedure not Provided For**

27.1 If an appropriate or adequate method of dealing with any matter is not provided for in the standing orders, the method of dealing with the matter may be determined by resolution upon a motion which may be put without notice in conformity with the standing orders.



This policy is to remain in force until otherwise determined by Council.

**General Manager Responsible for Review:**

**General Manager Corporate Services**

**ORIGINALLY ADOPTED:  
CURRENT ADOPTION:  
DUE FOR REVISION:  
REVOKED/SUPERSEDED:**