

LOCAL GOVERNMENT ACT 1995

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LOCAL GOVERNMENT ACT 1995

CITY OF GREATER GERALDTON

MEETING PROCEDURES LOCAL LAW 2011

Under the powers conferred by the ~~Local Government Act 1995~~ and under all other powers enabling it, the Council of the City of Greater Geraldton resolved on 12 October 2011 to make the following local law.

PART 1 ³ PRELIMINARY

1.1 Citation

(1) This local law may be cited as the ~~City of Greater Geraldton Meeting Procedures Local Law 2011~~.

(Clause (2) deleted by Amendment Local Law 2016)

1.2 Commencement

This local law comes into operation 14 days after the date on which it is published in ~~the Government Gazette~~.

1.3 Application and intent

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

1.4 Interpretation

In this local law unless the context requires otherwise ~~an absolute majority~~

(3) Subject to the Act, a special meeting of the Council is to be held as determined by the Council.

2.2 Calling Council meetings

3.13 Names to be recorded

At any meeting³

- (a) at which there is not a quorum present; or
- (b) which is adjourned for want of a quorum; the names of the members then present are to be recorded in the minutes.

PART 4 ³ BUSINESS OF A MEETING

4.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or the Council.
- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) Subject to subclause (4), no business is to be transacted at an adjourned meeting of the Council other than that
 - (a) specified in the notice of the meeting which had been adjourned; and
 - (b) which remains unresolved.
- (4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering Reports (Item 12) at that ordinary meeting.

4.2 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 follows³
 - 1. Declaration of Opening
 - 2. Acknowledgement of Country
 - 3. Record of attendance, apologies and leave of absence
 - 4. Disclosures of interests
 - 5. Response to previous public questions taken on notice
 - 6. Public question time
 - 7. Applications for leave of absence
 - 8. Petitions and Deputations
 - 9. Confirmation of minutes
 - 10. Announcements by the Chair and Presentations
 - 11. Unresolved business from previous meetings
 - 12. Reports of committees and officers
 - 13. Motions by Members of which previous notice has been given
 - 14. Questions from Members of which due notice has been given
 - 15. New business of an urgent nature introduced by decision of the meeting
 - 16. Meeting Closed to Public
 - 17. Closure

(subclause (1) and (1) 2 and (1) 13 amended by Meeting Procedures Amendment Local Law 2016)

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

Note: In exercising its discretion relating to the e1 0 0 1 d.45 263.57 Tm 0.0863 0.0784 0.0706 rg 0.0863 0.0784 0.0706 RG

- (i) if the motion under paragraph (b) is not carried; or
- (ii)

- (k) a member of the public may ask questions without notice ~~meeting~~, provided they present a written copy of their questions to Council prior to the commencement of the meeting.
- (2) Where a question relating to a matter in which a relevant person has an ~~interest~~ is directed to the relevant person, the relevant person is ~~to~~
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the ~~question~~
- (3) A response to a question
 - (a) is to be brief and concise ~~and~~
 - (b) is not to be the subject of any ~~discussion~~, except that if in the opinion of a ~~member~~, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the Presiding ~~Member~~) the ~~Member~~ may correct or clarify the matter.
- (4) Where an answer to a question is given ~~at the~~ meeting, a summary of the question and the answer is to be included in the minutes.
- (5) A question may be taken on notice ~~by~~ the Presiding ~~Member~~ for a later response.
- (6) When a question is taken on notice the CEO is to ensure ~~that~~
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (7) The Presiding M

5.10 Petitions

(1) A petition is to

- (a) be addressed to the Mayor or CEO;
- (b) be made by at least 50 electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request; and
- (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

(2) Upon receiving a petition, the Local Government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subclause (3).

(3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless

- (a) the matter is the subject of a report included in the agenda; and
- (b) the Council has considered the issues raised in the petition.

5.11 Presentations

5.12 Participation at committee meetings

(1) , Q W K L V F O D X V H D U H I H U H Q F H W R D ' S H U V R Q μ L V W R D S H U V R Q Z K R

- (a) is entitled to attend a committee meeting;
- (b) attends a committee meeting; and
- (c) is not a member of that committee.

(2) Without the consent of the presiding member, no person is to address a committee meeting.

(3) The presiding member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.

(4) A person addressing the committee with the consent of the presiding member is to cease that address immediately after being directed to do so by the presiding member.

(5) A person who fails to comply with a direction of the presiding member under subclause (4) may, by order of the presiding member, be removed from the committee room.

(6) The Council may make a policy dealing (b)

(9)The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until W K D V U H F H L Y H G W K H & (2 . V U H S R U W X Q G H U V X E F O D X

5.14 Public Inspection of agenda material

The right of a member of the public to inspect the documents relating to a Council or committee meeting is dealt with in the Regulations.

5.15 Confidentiality of information withheld

(1)

(3) A member may ask a question not the subject of a debate or not relevant to any item on the agenda, provided it relates to the good government of people in the district, at the part of the meeting set aside for questions from Elector Members.

(4) A member requesting general information from an Officer at a Council meeting may ask a question without notice and with the consent of the presiding member, may ask one or more further questions of that Officer or another Officer present at the meeting.

(5) Where possible the Officer shall endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the Officer may ask that the answer to the question be given to the member who asked it within 5 days.

(6) Every question and answer

- (i) is to be brief and concise; and
- (ii) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.

(7) In answering any question, an Officer may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

(Part 6 subparagraph (3)(7) amended by Amendment Local Law 2016)

PART 7 ³ CONDUCT OF MEMBERS

7.1 Members to be in their proper places

(1) At the first meeting held after each election day, the Council is to allot a position at the Council table to each member.

(2) Each member is to occupy his or her allotted position at each Council meeting.

7.2 Titles to be used

A speaker, when referring to the Mayor, Deputy Mayor or presiding member, or a member or officer, is to use the following titles:

7.3 Advice of entry or departure

During the course of a meeting of the Council, a member is not to enter or leave the meeting without first advising the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

Note: Regulation 11 (b) of the Regulations requires the content of minutes of meeting of a Council or committee to include ³

the following: the name of the member, the time of entry or departure, as the case requires, in the chronological sequence of entry or departure.

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 2 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 these Local Laws.

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 or decorum 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

(1) A member is not to address the Council more than once on any motion or amendment except

(a)

10.4 Procedural motions ³ right of reply on substantive motion

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

10.5 Meeting to proceed to the next business

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- (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.

10.6 Item to be referred or adjourned

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- (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 meeting, and at the time stated in the motion.

10.7 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 meeting, the presiding member may seek leave

12.2 Voting

- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

14.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under this local law

- (a) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 7.8 [speaking twice] apply while the debate is resumed.

PART 15 ³ REVOKING OR CHANGING DECISIONS

15.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in Regulation 10 of the Regulations.

15.2 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 decision¹

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(OHFWRUUV) Special meetings

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the presiding member is to have regard to these Local Laws.

18.8 Participation of non -electors

A person who is not an elector of the Local Government shall not take part in any discussion at an
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PART 19 ³ ENFORCEMENT

19.1 Penalty for breach

A person who breaches a provision of these Local Laws commits an offence.

Penalty: \$1,000.00 and a daily penalty of \$1 00.00 if the offence continues.

19.2 Who can prosecute

Who can prosecute is dealt with in the Act.

Dated: 17 November 2011.

The Common Seal of the City of Greater Geraldton was affixed by the authority of the resolution of
Council in the presence of

IAN CARPENTER, Mayor. ANTHO8>-8Y