

1. SCOPE

- 1.1 This policy relates to the audio recording of Waratah-Wynyard Council Meetings.

2. PURPOSE

- 2.1 This policy provides for digital audio recording of Council Meetings to assist in the preparation of minutes and to ensure that a true and accurate account of debate and discussion at meetings is available.

3. POLICY STATEMENT

- 3.1 All Council Meetings, including Special Meetings shall be digitally recorded as provided for by Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* (the Act) except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15 (2).
- 3.2 The Council may, by resolution, determine to digitally record the proceedings of a specific meeting or part thereof that is closed to the public in accordance with Regulation 15 (2) of the Act.
- 3.3 The digital files of all other meeting proceedings will be accessible on the Council's website for listening by any person for the period they are retained by the Council. The Council makes this information available as a routine disclosure under the *Right to Information Act 2009*.
- 3.4 The digital files of meeting proceedings closed to the public (as per clause 3.2) will only be available for listening, upon written request, by one or more councillors entitled to be present during the proceedings in question.
- 3.5 A notice to inform the public that meeting proceedings are recorded is to be displayed at the entrance to a room in which a meeting is to be held.
- 3.6 At the time of declaring the meeting open, the Chairperson is to inform all councillors and any public present that the meeting is being recorded.
- 3.7 The council is to retain the digital files of meeting recordings for 6 months in accordance with Regulation 33 of the Act and to dispose of the files following the expiry of that period.
- 3.8 Where, due to technical difficulties, audio recording is not available, the chairperson will advise those present and relevant information will be placed on the Council website.

Legislative Requirements

- Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*.
- *Right to Information Act 2009*

Related Procedures/Guidelines:

- Waratah-Wynyard Council Meeting Procedures



Local Government (Meeting Procedures) Regulations 2015, r37

MEETING PROCEDURES 2015

Amendment Schedule:

Adopted 20 July 2015

Amendment 17 August 2015 – 9.13 and 9.14

DOC NO: GOV.009	VERSION NO: 4	APPROVAL DATE: 17 August 2015
CONTROLLER: General Manager	APPROVED BY: - COUNCIL	REVIEW DATE: December 2018

TABLE OF CONTENTS

PART 1 – PRELIMINARY	6
1.1 CITATION	6
1.2 COMMENCEMENT	6
1.3 INTERPRETATION	6
PART 2 - CALLING AND CONVENING MEETINGS	7
2.1 ORDINARY COUNCIL MEETINGS	7
2.2 SPECIAL MEETINGS OF COUNCIL	7
2.3 CONVENING COUNCIL MEETINGS	7
PART 3 - QUORUM	8
3.1 PROCEDURE WHERE QUORUM NOT PRESENT DURING A MEETING	8
PART 4 - BUSINESS OF A MEETING	8
4.1 BUSINESS TO BE SPECIFIED	8
4.2 ORDER OF BUSINESS.....	8
4.3 ANNOUNCEMENTS BY PRESIDING MEMBER	9
4.4 REPORTS OF DELEGATES.....	9
4.5 MEMBER STATEMENTS	9
4.6 QUESTION TIME FOR THE PUBLIC	9
4.7 PUBLIC STATEMENTS.....	11
4.8 CONFIRMATION OF MINUTES.....	12
4.9 PETITIONS	12
4.10 PRESENTATIONS.....	13
4.11 LEAVE OF ABSENCE.....	13
4.12 QUESTIONS ON NOTICE	13
4.13 QUESTIONS WITHOUT NOTICE	13
4.14 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY	14
4.15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	14
4.16 URGENT BUSINESS.....	15
4.17 CONFIDENTIAL MATTERS—MEETINGS NOT OPEN TO THE PUBLIC	15
4.18 CONFIDENTIALITY OF INFORMATION WITHHELD	16
4.19 ORDER OF BUSINESS AT SPECIAL MEETINGS	16
PART 5 - PUBLIC PARTICIPATION	17
5.1 DISTINGUISHED VISITORS	17
5.2 RECORDING OF PROCEEDINGS.....	17
5.3 PREVENTION OF DISTURBANCE	17
PART 6 - QUESTIONS BY MEMBERS	18



6.1 QUESTIONS DURING DEBATE.....18

6.2 RESTRICTIONS ON QUESTIONS AND ANSWERS.....18

PART 7 - CONDUCT OF MEMBERS18

7.1 MEMBERS TO BE IN THEIR PROPER PLACES18

7.2 ADVICE OF ENTRY OR DEPARTURE.....18

7.3 TITLES TO BE USED.....19

7.4 CROSSING COUNCIL CHAMBERS19

7.5 NO CONVERSING WITH THE PUBLIC DURING MEETINGS.....19

7.6 MEMBERS TO INDICATE THEIR INTENTION TO SPEAK19

7.7 MEMBERS TO ADDRESS PRESIDING MEMBER.....19

7.8 MEMBERS AND EMPLOYEES TO RISE19

7.9 PRIORITY OF SPEAKING19

7.10 PRESIDING MEMBER MAY TAKE PART IN DEBATES20

7.11 RELEVANCE20

7.12 SPEAKING TWICE20

7.13 DURATION OF SPEECHES20

7.14 NO SPEAKING AFTER CONCLUSION OF DEBATE.....21

7.15 NO INTERRUPTION21

7.16 PERSONAL EXPLANATIONS21

7.17 NO REOPENING OF DISCUSSION21

7.18 ADVERSE REFLECTION22

7.19 WITHDRAWAL OF OFFENSIVE LANGUAGE22

7.20 CONSUMPTION OF ALCOHOL DURING MEETINGS.....22

7.21 SMOKING PROHIBITED22

PART 8 - PRESERVING ORDER.....23

8.1 PRESIDING MEMBER TO PRESERVE ORDER.....23

8.2 POINT OF ORDER23

8.3 PROCEDURES ON A POINT OF ORDER23

8.4 RULING BY THE PRESIDING MEMBER23

8.5 SUSPENSION FROM MEETING24

8.6 RIGHT OF PRESIDING MEMBER TO ADJOURN24

PART 9 - DEBATE OF SUBSTANTIVE MOTIONS.....25

9.1 MOTIONS TO BE STATED AND IN WRITING25

9.2 MOTIONS TO BE SUPPORTED25

9.3 UNOPPOSED BUSINESS.....25

9.4 ONLY ONE SUBSTANTIVE MOTION AT A TIME.....25

9.5 ORDER OF CALL IN DEBATE25

9.6	LIMIT OF DEBATE	26
9.7	MEMBER MAY REQUIRE MOTION TO BE READ	26
9.8	AMENDMENTS TO MOTIONS.....	26
9.9	ORDER OF AMENDMENTS	26
9.10	WHO CAN MOVE AMENDMENT TO A MOTION.....	26
9.11	FORM OF AN AMENDMENT	26
9.12	AMENDMENT MUST NOT NEGATE ORIGINAL MOTION	26
9.13	DEBATE ON AN AMENDMENT	27
9.14	EFFECT OF AN AMENDMENT	27
9.15	WITHDRAWAL OF A MOTION OR AMENDMENT	27
9.16	RIGHT OF REPLY.....	27
9.17	FORESHADOWING ALTERNATIVE MOTIONS	28
9.18	MOTIONS SUPPORTED BECOME DECISIONS	28
PART 10 - PROCEDURAL MOTIONS		28
10.1	PERMISSIBLE PROCEDURAL MOTIONS	28
10.2	NO DEBATE.....	28
10.3	WHO MAY MOVE	29
10.4	DEBATE TO BE ADJOURNED	29
10.5	MEETING NOW ADJOURN	29
10.6	MOTION BE PUT	29
10.7	MEMBER TO BE NO LONGER HEARD	30
PART 11 - VOTING.....		30
11.1	MOTION—WHEN PUT	30
11.2	DIVIDING MOTIONS FOR VOTING	30
11.3	METHOD OF TAKING VOTE	30
11.4	RECORDING OF VOTES.....	30
PART 12 - ADJOURNMENT OF MEETING		30
12.1	MEETING MAY BE ADJOURNED	30
PART 13 - REVOKING OR CHANGING DECISIONS		31
13.1	MOTION TO OVERTURN DECISION	31
PART 14 - SUSPENSION OF MEETING PROCEDURES		31
14.1	SUSPENSION OF PROVISION OF MEETING PROCEDURES	31
14.2	WHERE MEETING PROCEDURES DO NOT APPLY	32
PART 15 - COMMITTEES OF THE COUNCIL.....		32
15.1	ESTABLISHMENT, TYPE AND MEMBERSHIP OF COMMITTEES.....	32
15.2	CALLING COMMITTEE MEETINGS.....	32
15.3	ORDER OF BUSINESS.....	33



15.4 PARTICIPATION AT COMMITTEE MEETINGS.....33

15.5 MEETING PROCEDURES APPLY TO COMMITTEES.....33

PART 16 - MEETINGS OF ELECTORS34

16.1 PROCEDURE FOR ELECTORS' MEETINGS.....34

16.2 PARTICIPATION OF NON-ELECTORS34

PART 17 - COMMON SEAL.....34

Local Government Act 1993

WARATAH-WYNYARD COUNCIL

MEETING PROCEDURES 2015

Pursuant to Regulation 37 of the Local Government (Meeting Procedures) Regulations 2015, Waratah-Wynyard Council determined on 20 July 2015 and further amended on 17 August 2015 that the following procedures are to apply to meetings of the Council and its committees from the date specified in clause 1.2 and that where these procedures are inconsistent with the provisions of the Local Government (Meeting Procedures) Regulations 2015, to the extent of the inconsistency, the provisions of the Regulations are to prevail:

PART 1 – PRELIMINARY

1.1 Citation

These procedures may be cited as the Waratah-Wynyard Council Meeting Procedures 2015.

1.2 Commencement

These procedures come into operation on 21 July 2015 and again on the 17 August 2015 following amendments.

1.3 Interpretation

(1) In these procedures unless the context otherwise requires:

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

Act means the *Local Government Act 1993*;

adjourned meeting means a meeting to deal with matters which were not completed when discussions or decision making at a prior meeting were postponed until another time;

clause means a clause of these procedures;

closed meeting means that part of a meeting which is closed to the public under regulation 15

committee means a committee of the Council established under the Act;

committee meeting means a meeting of a committee;

Council means the Council of the local government;

council election day has the meaning given to it in the Act;

employee means a person employed by the local government;

General Manager means the General Manager of the local government or a person acting in that position;

local government means the Waratah-Wynyard Council;

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

Member has the meaning given to it in the Act but also includes a councillor, mayor and deputy mayor elected to the council;

Presiding Member means in respect of the Council and of a committee, the person presiding under regulation 10 the Regulations;

Regulations means the Local Government (Meeting Procedures) Regulations 2005;

resolution means a decision of Council made by the appropriate majority;

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

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

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

PART 2 - CALLING AND CONVENING MEETINGS

2.1 Ordinary Council Meetings

An ordinary meeting of the Council, held as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.

2.2 Special Meetings of Council

Special meetings of Council are those for considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential, the purpose of which is to be detailed in the notice convening the meeting.

2.3 Convening Council Meetings

- (1) Subject to sub-clause (2), the General Manager is to give at least 4 days' written notice, for the purposes of regulation 7 of the Regulations, of an ordinary meeting of the Council and at least 2 days' notice of a special meeting of the Council.
- (2) Days referred to in sub-clause (1) include Saturdays, Sundays and public holidays but do not include the day on which a notice is given or the day of the meeting.

PART 3 - QUORUM

3.1 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 the fact is to immediately suspend the proceedings of the meeting for a period of up to 15 minutes.
- (2) If a quorum is not present at the expiration of the period in sub-clause (1), the Presiding Member may either suspend the proceedings of the meeting for a further period of up to 15 minutes or adjourn the meeting to a later time on the same day or to another date.

PART 4 - BUSINESS OF A MEETING

4.1 Business to be specified

- (1) With the exception of that provided for in Clause 4(16), no business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda.
- (2) No business is to be transacted at a special meeting of the Council other than that specified in the agenda, and which reflects the purpose of the meeting as specified in the notice.
- (3) Subject to sub-clause (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 Item 13 of the Order of Business on the Agenda at that ordinary meeting.

4.2 Order of business

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/ Disclaimer
2. Attendance
3. Apologies
4. Approved leave of absence
5. Confirmation of Minutes
6. Disclosure of interests
7. Announcements by the Presiding Member (without discussion)
8. Reports of delegates (without discussion)
9. Member statements (without discussion)

10. Planning Authority matters (including Public Questions and Statements)
11. Question time for the public and the receiving of public statements
12. Matters brought forward for the convenience of the public gallery.
13. Receiving of petitions and presentations
- 13.1 Petitions
- 13.2 Presentations
14. Applications for leave of absence
15. Questions by Members of which due notice has been given (without discussion)
16. Questions by Members without notice
17. Reports of Committee Meetings
18. Reports
19. Motions of which previous notice has been given
20. Urgent business
21. Confidential matters
22. Closure

4.3 Announcements by Presiding Member

At any meeting of the Council the Presiding Member may announce or direct attention to any matter of relevance to the business of the Council however no discussion on the matter shall take place.

4.4 Reports of delegates

At any meeting of Council, a Member appointed by the Council to a committee or external organisation may provide a brief verbal report on the progress of that committee or organisation however no discussion on the report shall take place.

4.5 Member statements

- (1) At any ordinary meeting of Council, a member may provide a brief statement on a matter considered relevant to the Council's affairs however no discussion on the statement shall take place.
- (2) A statement under this clause may only be made where a member has requested the General Manager in writing to include a suitable item in the agenda for the relevant meeting.

4.6 Question time for the public

- (1) In this clause a question includes part of a question (so that a question in 3 parts is to be treated as 3 questions).

- (2) A member of the public who wishes to ask a question at a meeting must:
 - (a) before the commencement of the meeting, submit their question in writing, on the form provided by the local government, to the General Manager or his or her representative; and
 - (b) be present at the meeting when the question is asked, however the person may seek approval from the Presiding Member for their nominated representative to ask the question on their behalf.

- (3) A completed question time form must include:
 - (a) the name and residential or contact address of the person who wishes to ask the question; and
 - (b) the question in a succinct and legible form.

- (4) In cases of disability or other extenuating circumstances:
 - (a) an officer of the local government, if requested to do so, may assist the person to complete a question time form; and
 - (b) in the absence of that assistance, the Presiding Member may permit a person to ask a question that was not included on a question time form.

- (5)
 - (a) If more than 2 questions are submitted in writing by any one person, the Presiding Member shall allow that person, in the first instance, to ask a maximum of 2 questions;
 - (b) If after all other members of the public have asked their questions, and where time permits, the Presiding Member is to allow members of the public who wish to ask more than 2 questions to sequentially ask one further question. This process will continue until the allotted time has expired; and
 - (c) Where only one person wishes to ask more questions and where time permits, the Presiding Member is to invite that person to ask their additional questions.

- (6) The Presiding Member may decide that a question is out of order, and is not to be recorded or responded to:
 - (a) if it is not in the form of a question, having regard to its content and length, is essentially a statement of expression of opinion rather than a question, provided that the Presiding Member has taken reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (b) if the question uses an offensive or objectionable expression or is defamatory.

- (7) The Presiding Member may determine that any question requiring research or investigation be answered in writing as soon as practicable.

- (8) Where the necessary information is available at the time the question is posed a response is to be provided by either the General Manager, relevant Member or employee nominated by the Presiding Member.

- (9) If the 15-minute period set aside for questions from the public is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow further questions to be asked.
- (10) No more than two 15-minute extensions to the time for the public to ask questions are to be permitted.

4.7 Public statements

- (1) Members of the public may, during the public statements or the Planning Authority segments of the order of business, with the consent of the Presiding Member make a public statement on any matter that appears on the agenda for that meeting provided that:
 - (a) The member of the public submits to the General Manager prior to the commencement of the meeting the public statement in a form acceptable to the General Manager and which includes the name and residential or contact address of the member of the public;
 - (b) The public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item (11) of order of business at clause 4.2;
 - (c) The public statement is limited to a maximum period of 3 minutes, unless otherwise determined by the Presiding Member; and
 - (d) No discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.
- (2) Fifteen minutes is to be allocated for the public statement time.
- (3) Once all statements have been made, nothing prevents the unused part of the statement time period from being used for other matters.
- (4) If the 15-minute period set aside for public statements is reached, Council, by resolution, may resolve to extend the period for an additional 15 minutes to allow statements to be made.
- (5) No more than two 15-minute extensions to the time for public statements are to be permitted.
- (6) Procedures for public statements are to be in accordance with policy adopted from time to time by the Council and, where the policy is silent on a matter, the procedures for that matter are to be determined by the Presiding Member.

4.8 Confirmation of minutes

- (1) When minutes of meetings are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member is to provide the General Manager with a written copy of the alternative wording to amend those minutes prior to the commencement of the meeting.
- (2) At the meeting where the Minutes are to be confirmed, the Member who provided the alternative wording is to, at the time for confirmation of minutes:
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members at the meeting may not discuss items of business contained in the unconfirmed minutes, other than discussion as to their accuracy as a record of the proceedings.

4.9 Petitions

- (1) A petition is to:
 - (a) be addressed to the Council;
 - (b) be made by electors of the district where it requests conduct of a public meeting;
 - (c) state the request or subject matter on each page of the petition;
 - (d) where it requests the conduct of a public meeting, contain the name, address and signature of each elector making the request;
 - (e) contain a summary of the reasons for the request or of the subject matter;
 - (f) contain a statement specifying the number of signatories and state the name of the person to whom, and an address at which, notice to the petitioners can be given; and
 - (g) be respectful and temperate in its language and not contain language disrespectful to Council.
- (2) The presentation of the petition is to be confined to the reading of the petition.
- (3) In response to a petition presented to it, the Council may resolve:
 - (a) that the petition be received;
 - (b) that the petition be rejected;
 - (c) that the petition be received and a report prepared for Council; or
 - (d) that the petition be received and referred to the General Manager for action.
- (4) Discussion is not permitted on any motion referred to in sub-clause (3).
- (5) At the same meeting that a matter is presented to Council in a petition, Council is not to vote on the matter in the petition unless the matter is the subject of a report included in the agenda; detailing the issues raised in the petition.

4.10 Presentations

- (1) In this clause, a **presentation** means the acceptance of a gift, grant 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 Presiding Member.

4.11 Leave of absence

- (1) A Member seeking the Council's approval to take leave of absence shall give written notice to the General Manager prior to the commencement of the meeting.
- (2) The notice referred to in sub-clause (1) shall include the period of leave of absence required and the reasons for seeking the leave.
- (3) In accordance with Regulation 15 (2)(i) of the Regulations the Council is to discuss and determine an application for leave of absence by a Member in Closed Meeting.

4.12 Questions on notice

- (1) A Member who wishes to ask a question at a meeting of the Council or of a committee is to give written notice of the specific question to the General Manager at least 7 days before the meeting of the Council or the committee.
- (2) If the question referred to in sub-clause (1) relates to a matter affecting the local government, is respectful and temperate in its language, it is to be tabled at the meeting, at item 15 of the Order of Business at clause 4.2 and the answer is, as far as practicable, to be provided in writing at that meeting of the Council or the committee.
- (3) Every question and answer is to be submitted as briefly and concisely as possible, and no discussion on the question or answer is permitted.

4.13 Questions without notice

- (1) At item 16 in the Order of Business at clause 4.2, a member who wishes to ask a question at a meeting of the Council or of a committee without having given written notice in accordance with sub-clause 4.12 is to seek permission to do so from the Presiding Member.
- (2) Where the Presiding Member grants permission, the question is to relate to a matter affecting local government, be respectful and temperate in language and be directed to a Member or the General Manager or the General Manager's nominee present at the meeting.

- (3) A Member, the General Manager or the General Manager's nominee who is asked a question under this clause may answer the question at the meeting or ask that it be taken on notice and that the answer be included in the agenda for the next ordinary meeting of the Council or of a committee or given within 7 days to each Member.
- (4) Each question and each answer given at a meeting is to be submitted as briefly and concisely as possible and no discussion on the question or answer is permitted.
- (5) In answering any question asked under clause 4.13 a Member, the General Manager or the General Manager's nominee may qualify his or her answer and may at a later time in the meeting or at a later meeting alter, correct, add to or otherwise amend his or her original answer.
- (6) The asking of questions and giving of answers at Item 16 in the Order of Business at clause 4.2 does not preclude other questions being asked without notice during debate, which are to dealt with in accordance with the provisions of clauses 6.1 and 6.2.

4.14 Items brought forward for the convenience of those in the public gallery

Any items on the agenda which are either the subject of a question or statement by members of the public, or requested by others in attendance may, by resolution of Council be brought forward to Item 12 in the Order of Business and dealt with in the order in which they appear on the agenda.

4.15 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or these meeting procedures 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 General Manager and which has been included on the agenda.
- (2) A notice of motion under sub-clause (1) is to be given at least 7 days before the meeting at which the motion is moved.
- (3) A notice of motion is to be accompanied by supporting reasons and relate to the good governance of the district.
- (4) The General Manager:
 - (a) may, with the concurrence of the Mayor, exclude from the agenda any notice of motion deemed to be, or likely to involve, a breach of these procedures or any written law or contains offensive language;
 - (b) is to inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;

- (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
 - (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) A motion of which notice has been given is to lapse unless:
- (a) (i) the Member who gave notice of it, moves the motion when called on; and
 - (ii) the motion is seconded; or
 - (b) the Council, on a motion, agrees to defer consideration of the motion to a later date.
- (6) If a notice of motion is given and lapses under sub-clause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

4.16 Urgent business

- (1) A Member may move a motion to consider an item of urgent business that is not included in the agenda for that meeting provided that the General Manager has reported in writing:
- (a) the reason it was not possible to include the matter on the agenda;
 - (b) that the matter is urgent; and
 - (c) that advice has been provided under section 65 of the Act.
- (2) A motion moved under this clause may only be carried at a Council meeting by absolute majority and at a committee meeting by simple majority.

4.17 Confidential matters—meetings not open to the public

- (1) The General Manager may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council may at any time, in one or more of the circumstances dealt with in Regulation 15 of the Regulations, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under sub-clause (2) is carried:
- (a) the Presiding Member is to direct everyone to leave the meeting except:
 - (i) the Members;
 - (ii) the General Manager; and
 - (iii) any employee 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 or the Council, by resolution, decides otherwise.

- (4) A person who fails to comply with a direction under sub-clause (3)(a) may, by order of the Presiding Member, be removed from the meeting and the Presiding Member may request the assistance of a police officer to remove that person.
- (5) A resolution under this clause may be made without notice.
- (6) Once the meeting is reopened to members of the public, the Presiding Member is to ensure that, if anyone returns to the meeting, any resolution of the Council made while the meeting was closed and which the Council has authorised to be released to the public, is to be read aloud including the details of any voting recorded.

4.18 Confidentiality of information withheld

- (1) Information withheld by the General Manager from the public under regulation 34 of the Regulations is to be:
 - (a) identified in the agenda of a Council meeting under the item “Confidential matters”;
 - (b) marked “Confidential” in the agenda; and
 - (c) kept confidential by employees and Members until in the opinion of the General Manager, the reason for confidentiality ceases to exist.
- (2) A Member or an employee in receipt of confidential information under sub-clause (1) or information that is provided or disclosed 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) Sub-clause (2) does not apply where a Member or employee discloses the information to a legal practitioner or government officer for the purpose of seeking advice in order to lawfully fulfil his or her role and responsibilities, or where disclosure is required or permitted by law.

4.19 Order of business at special meetings

Unless otherwise decided by the Council the order of business at a Special Meeting is to be as follows:

1. Declaration of Opening/Announcement of Visitors/Disclaimer
2. Attendance
 - 2.1 Apologies
 - 2.2 Approved leave of absence
3. Disclosure of interests
4. Question time for the public and receiving of public statements
 - 4.1 Question time
 - 4.2 Public statements
5. Receiving of petitions and presentations
 - 5.1 Petitions
 - 5.2 Presentations

6. Reports
7. Closure

PART 5 - PUBLIC PARTICIPATION

5.1 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor is to be recorded in the minutes.

5.2 Recording of proceedings

- (1) A person is not to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member or otherwise than in accordance with any relevant Council policy.
- (2) If the Presiding Member gives permission under sub-clause (1), the Presiding Member 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.

5.3 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 is to be courteous and respectful to the Council and the processes under which it operates and is to comply with any direction by the Presiding Member.
- (3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that his or her mobile telephone, pager or other audible device is not switched on or used during any meeting of the Council or a committee.
- (5) A person who fails to comply with the provisions of this clause, when so directed by the Presiding Member, shall immediately leave the Council chamber or meeting room.
- (6) A person directed to leave the Council chamber or meeting room and failing to do so may, by order of the Presiding Member, be removed from the Council chamber or meeting room.
- (7) The direction of the Presiding Member is final and may not be challenged by moving dissent with the ruling.

PART 6 - QUESTIONS BY MEMBERS

6.1 Questions during debate

- (1) At any time during the debate on a motion prior to the mover of the motion commencing the right of reply, a Member may ask a question and, with the consent of the Presiding Member, may ask one or more further questions.
- (2) Where possible, the General Manager, or the General Manager's nominee, is to answer each question to the best of his or her knowledge and ability but, if the information is unavailable or requires research or investigation, the General Manager or the General Manager's nominee may ask that:
 - (a) the question be placed on notice for the next meeting of Council; or
 - (b) the answer to the question be given within 7 days to all Members.

6.2 Restrictions on questions and answers

- (1) Questions asked by a Member, and responses given by the General Manager or the General Manager's nominee:
 - (a) are to be brief and concise; and
 - (b) are not to be accompanied by argument, expression of opinion or statements, except to the extent necessary to explain the question or answer.
- (2) In answering any question, the General Manager or the General Manager's nominee may qualify his or her answer and may at a later time in the meeting or at a later meeting alter, correct, add to or otherwise amend his or her original answer.

PART 7 - CONDUCT OF MEMBERS

7.1 Members to be in their proper places

- (1) At the first meeting held after each Election Day the General Manager is to allot a position at the Council table which reflects the alphabetical order of the surname of each Member, commencing from the right hand side of the Presiding Member.
- (2) The allotted positions remain unless and until the Council unanimously resolves otherwise.
- (3) Each Member is to occupy his or her allotted position at each Council meeting.

7.2 Advice of entry or departure

After the business of a Council Meeting has commenced, a Member is not to enter or leave the meeting without first informing the Presiding Member, in order to facilitate the recording in the minutes of the time of entry and departure.

7.3 Titles to be used

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

7.4 Crossing Council chambers

- (1) When the Presiding Member is putting any motion or amendment to the vote, a Member shall not leave or cross the Council chamber.
- (2) Whilst another Member is speaking, a Member shall not pass between the speaker and the Presiding Member.

7.5 No conversing with the public during meetings

A Member shall not converse with any member of the public in the public gallery during a Council meeting.

7.6 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.

7.7 Members to address Presiding Member

A Member moving a motion or amendment or taking any part in any discussion shall address the Presiding Member.

7.8 Members and employees to rise

At a Council meeting:

- (a) Any Member, other than the Presiding Member, asking a question or taking part in discussion or a debate; or
- (b) Any employee, other than the General Manager, answering a question shall stand, except when prevented from doing so by sickness or infirmity.

7.9 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 sub-clause (1) is not open to discussion, dissent or point of order.

7.10 Presiding Member may take part in debates

- (1) The Presiding Member may, without vacating the chair, take part in debate upon any matter before the Council subject to compliance with these meeting procedures.
- (2) The Presiding Member may only speak once and this is to be done before the right of reply.
- (3) Notwithstanding (1) and (2), where the Presiding Member moves or seconds a motion, he or she is to vacate the chair until that motion has been dealt with.

7.11 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 to discontinue.
- (3) A Member is to comply with the direction of the Presiding Member under sub-clause (2).

7.12 Speaking twice

- (1) 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;
 - (c) to make a personal explanation; or
 - (d) to foreshadow a motion.
- (2) A Member who asks a question, makes a request or responds to a request under clause 9.7 has not addressed the meeting for the purpose of this clause.

7.13 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 8 minutes.

7.14 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 or amendment has been put to the vote.

7.15 No interruption

A Member must:

- (a) not make any noise or disturbance or converse in a loud manner whilst another Member is speaking;
- (b) not cause any interruption or speak out of turn during a meeting, other than to raise a point of order, call attention to the absence of a quorum, make a personal explanation under clause 7.16 or move a procedural motion; and
- (c) ensure that his or her mobile telephone, pager or other audible device is switched off or maintained in the silent mode and not used during any meeting of the Council.

7.16 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 and is not to seek to strengthen his or her former argument by new matter or by replying to other Members.

7.17 No reopening of discussion

- (1) A Member is not to reopen discussion on any Council decision, except to request the Presiding Member to consider a motion to allow the subject matter of the decision to be discussed again.
- (2) The Presiding Member is only to accept a motion under this regulation if:
 - (a) he or she is of the opinion that the vote in question may not have accurately reflected the opinion held by the meeting due to misunderstanding of the motion or for some other reason; or
 - (b) new information comes to hand; or
 - (c) he or she is of the opinion that some vital information has been overlooked.

- (3) A motion that a matter be allowed to be discussed again under sub-regulation (2) is not to be debated and is to be adopted before the matter in question may be discussed.

7.18 Adverse reflection

- (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 employee; or
 - (b) to impute any motive to a Member or employee,

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

- (3) A Member is not to use offensive or objectionable expressions in reference to any Member, employee or other person.
- (4) A Member shall at all times be factual when dealing with matters before Council and not knowingly make false or misleading statements.

7.19 Withdrawal of offensive language

- (1) A Member who, in the opinion of the Presiding Member, uses an expression which:
- (a) in the absence of a resolution under clause 7.18—
 - (i) reflects adversely on the character or actions of another Member or employee; or
 - (ii) imputes any motive to a Member or employee; or
 - (b) is offensive or insulting, must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.
- (2) If a Member fails to comply with a direction of the Presiding Member under sub-clause (1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.

7.20 Consumption of alcohol during meetings

The consumption of alcoholic beverages in any Council meeting is prohibited.

7.21 Smoking prohibited

Smoking in any meeting is prohibited.

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 to order.
- (2) When the Presiding Member speaks during a debate, any Member then speaking 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) Sub-clause (2) is not to be used by the Presiding Member to exercise the right provided in clause 7.10, but to preserve order.

8.2 Point of order

- (1) Any Member, by way of point of order, may direct the attention of the Presiding Member to any breach of these meeting procedures by any other Member.
- (2) A Member raising a point of order shall specify the grounds of the breach of order before speaking further on the matter.
- (3) A Member rising to express a difference of opinion or to contradict a speaker shall not be recognised as raising a point of order.
- (4) Despite anything in these meeting procedures to the contrary, a point of order:
 - (a) takes precedence over any discussion; and
 - (b) until determined, suspends the consideration or discussion on any other matter.

8.3 Procedures on a point of order

- (1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.
- (2) A Member interrupted on a point of order is to resume his or her seat until:
 - (a) the Member raising the point of order has been heard; and
 - (b) the Presiding Member has ruled on the point of order,

and, if permitted, the Member who has been interrupted may then proceed.

8.4 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 is to be final.

8.5 Suspension from meeting

- (1) The President Member may suspend a member from part or all of a meeting if the member:
- (a) makes a personal reflection about another member or an employee of the council and refuses to apologise; or
 - (b) interjects repeatedly; or
 - (c) disrupts the meeting and disobeys a call to order by the Presiding Member.
- (2) Before deciding to suspend a member, the President Member is to:
- (a) advise the member that suspension is being considered and of the reasons for considering suspension; and
 - (b) give the member an opportunity to argue against suspension or to apologise.
- (3) If, after considering any argument or apology from a member under sub-clause (2), the Presiding Member suspends the member, the member:
- (a) must leave the meeting; and
 - (b) must not attend the meeting while suspended.
- (4) The Presiding Member may request the assistance of a police officer to remove a member who refuses to leave a meeting as required under sub-clause (3)(a).

8.6 Right of Presiding Member to adjourn

- (1) At any time during a meeting, the Presiding Member subject to sub-clause (2), may adjourn the meeting:
- (a) to a later date; or
 - (b) to a later time on the same day.
- (2) The Presiding Member may only adjourn a meeting:
- (a) for a proper purpose; and
 - (b) if it is reasonable to do so in the circumstances; and
 - (c) in good faith.
- (3) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (4) 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 time determined by the Presiding Member on the same day or to another day.

PART 9 - DEBATE OF SUBSTANTIVE MOTIONS

9.1 Motions to be stated and in writing

Any Member who wishes to propose a motion other than a recommendation contained within the agenda, or an amendment to a motion, but not a procedural motion, shall unless ruled otherwise by the Presiding Member submit it in writing, accompanied by comment outlining the reason for the motion or amendment, to the Presiding Member prior to a vote being taken.

9.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a Council meeting is not open to debate until it has been seconded; and unless that meeting has adopted a motion under regulation 17 that the matter in question be discussed again.

9.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the Presiding Member shall ask the meeting if any Member opposes it, wishes to speak or wishes to ask a question.
- (2) If no Member opposes the motion, or wishes to speak or ask a question the Presiding Member may put the motion to the vote without debate.
- (3) If a Member signifies opposition to the motion or wishes to speak, it is to be dealt with in accordance with clause 9.5.
- (4) If a Member wishes to ask a question, the question is to be asked and answered.

9.4 Only one substantive motion at a time

- (1) When a substantive motion is under debate at a meeting of the Council, no further substantive motion is to be accepted.
- (2) The Council is not to consider more than one substantive motion at any time.

9.5 Order of call in debate

If there is opposition to a motion or a Member wishes to speak, the Presiding Member is to call speakers to a motion in the following order:

- (a) the mover to speak to the motion;
- (b) the seconder to speak to the motion;

- (c) a speaker against the motion, if any;
- (d) a speaker for the motion;
- (e) other speakers, if any against and for the motion, alternating where possible; and
- (f) the mover exercises the right of reply, which closes debate.

9.6 Limit of debate

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

9.7 Member may require motion to be read

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

9.8 Amendments to motions

An amendment to a motion can be proposed once the substantive motion has been moved and seconded and the mover has had the opportunity to speak to the motion.

9.9 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.

9.10 Who can move amendment to a motion

Anyone, except the mover and seconder of the substantive motion and a Member who has spoken on the substantive motion, may propose an amendment to the motion.

9.11 Form of an amendment

Every amendment is to be:

- (a) relevant to the motion to which it is moved; and
- (b) worded to indicate precisely which words need to be deleted, added or altered.

9.12 Amendment must not negate original motion

An amendment to a substantive motion cannot have the effect of negating the original motion.

9.13 Debate on an amendment

- (1) Any Member, including the mover of a substantive motion, may speak during debate on an amendment.
- (2) Debate on an amendment is restricted to the impact of the proposed change in wording and not to the intent of the substantive motion.

9.14 Effect of an amendment

- (1) If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion and debate on the substantive motion resumes.
- (2) Members who have already spoken to the substantive motion do not have the right to speak to the amended motion.

9.15 Withdrawal of a motion or amendment

- (1) The Council may, without debate, grant leave for a motion or amendment to be withdrawn or altered by the mover, with the consent of the seconder, provided there is no objection by any Member.
- (2) If a Member objects, discussion on either the motion or amendment shall continue and no alteration shall occur.

9.16 Right of reply

- (1) The mover of a substantive motion has a right of reply of up to 3 minutes.
- (2) The mover of any amendment to a substantive motion has a right of reply of up to 3 minutes in relation to that amendment.
- (3) A right of reply is lost if a motion that the motion be put is passed.
- (4) 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;
 - (b) on an amendment, at the conclusion of discussion on that amendment; or
 - (c) 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.
- (5) After the mover of an amendment or the substantive motion has commenced the reply, no other Member is to speak on the amendment or motion, ask a question or propose a further amendment.

- (6) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (7) At the conclusion of the right of reply, the amendment, substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

9.17 Foreshadowing alternative motions

- (1) Should a Member wish to negate a substantive motion and have Council consider a new substantive motion on the matter with different intent, the Member must foreshadow the new substantive motion prior to the right of reply.
- (2) Should a substantive motion be lost, the Presiding Member will call upon the Member who foreshadowed the new substantive motion to move the proposed motion.
- (3) Once moved and seconded, the foreshadowed motion becomes the substantive motion and the same procedures and rules of debate apply to this motion as any other motion.
- (4) If more than one foreshadowed motion is proposed for any item before the Council, the Presiding Member shall deal with them in the order in which they were presented.

9.18 Motions supported become decisions

Where the Council adopts a motion either with or without amendment, the motion so adopted is deemed to be the decision of Council.

PART 10 - PROCEDURAL MOTIONS

10.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion (under Part 9) a Member may move any of the following procedural motions:

- (a) that the motion be now put;
- (b) that the amendment be now put;
- (c) that the matter be deferred;
- (d) that the matter of the motion be referred to a committee;
- (e) that the meeting be now adjourned;
- (f) that the meeting be closed to the public; or
- (g) that the Member be no longer heard.

10.2 No debate

- (1) The mover of a motion specified in paragraph (c), (d), (e) or (f) of clause 10.1 may speak to the motion for not more than five (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 (a), (b) or (g) of clause 10.1 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.

10.3 Who may move

- (1) No Member who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.
- (2) A Member is not to move or second more than one motion of adjournment during the same meeting of the Council.

10.4 Debate to be adjourned

A motion "that the matter be deferred":

- (a) is to state where in the order of business, or to which future meeting the debate is to be deferred; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues when the Presiding Member reintroduces the matter at the time in the order of business stated in the motion.

10.5 Meeting now adjourn

- (1) A motion "that the meeting be now adjourned":
 - (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.
- (2) A meeting adjourned under sub-clause (1) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

10.6 Motion 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 put the motion to the vote without further debate.
- (2) If the motion "that the amendment 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, allows debate to continue.

10.7 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 or amendment.

PART 11 - VOTING

11.1 Motion—when put

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.

11.2 Dividing motions for voting

Where a report to Council contains more than one motion, the Presiding Member may put the motions individually, in groups or as one.

11.3 Method of taking vote

The Presiding Member, in taking the vote on any motion or amendment:

- (a) may put the motion or amendment as often as may be necessary to enable him or her to determine whether the affirmative or negative has the majority of votes;
- (b) is to count and determine the votes of members in any way (such as electronically or by a show of hands) that enables a record to be taken of each Member's vote; and
- (c) subject to this clause, is to declare the result.

11.4 Recording of votes

The names of all Members voting for or against a motion shall be recorded, adjacent to the respective motion, in the minutes.

PART 12 - ADJOURNMENT OF MEETING

12.1 Meeting may be adjourned

- (1) On a motion for the adjournment of a meeting being carried, a record shall be taken of those who have spoken on the subject under consideration at the time of adjournment.

- (2) All business not dealt with on the agenda of a meeting adjourned under clause 10.5 is to be resumed at the meeting determined under that clause at the point at which it was adjourned, immediately following Item 12 in the Order of business as listed in clause 4.2, or as determined by an absolute majority resolution of Council.
- (3) Those Members to which sub-clause (1) applies shall not be permitted to speak on any subsequent consideration of the same subject at the reconvened meeting in accordance with clause 7.12.
- (4) Sub-clause (3) does not deprive the mover of the motion of the right of reply.

PART 13 - REVOKING OR CHANGING DECISIONS

13.1 Motion to overturn decision

- (1) For the purposes of these procedures, a decision may be overturned, wholly or partly, by:
 - (a) a motion directly rescinding or otherwise overturning the decision or part of the decision; or
 - (b) a motion that conflicts with, or is contrary to, the decision or part of the decision.
- (2) The council or council committee may only overturn a decision passed at a previous meeting held since the last ordinary election:
 - (a) by an absolute majority, in the case of the council; or
 - (b) by a simple majority, in the case of a council committee.
- (3) Any report given by the general manager to a council in respect of a proposed motion to overturn a decision of the council, or that will result in the overturning of a decision of the council, wholly or partly, is to include:
 - (a) a statement that the proposed motion, if resolved in the affirmative, would overturn that previous decision or part of that previous decision; and
 - (b) the details of that previous decision, or the part of that previous decision, that would be overturned; and
 - (c) advice as to whether or not that previous decision, or that part of that previous decision, directed that certain action be taken; and
 - (d) if that previous decision, or that part of that previous decision, directed that certain action be taken, advice as to whether or not that action has been wholly or substantially carried out.

PART 14 - SUSPENSION OF MEETING PROCEDURES

14.1 Suspension of provision of Meeting procedures

- (1) A Member may at any time move that the operation of clause 7.12 of the provisions of these meeting procedures be suspended.

- (2) A Member moving a motion under sub-clause (1) is to state the reason for the motion but no other discussion is to take place.
- (3) A motion under sub-clause (1) which is:
 - (a) seconded; and
 - (b) carried by an absolute majority,is to suspend the operation of that clause for the duration of the specific agenda item identified by the mover.
- (4) The mover of a substantive motion debated following the suspension of clause 7.12 does not close debate on the item when speaking more than once.

14.2 Where Meeting procedures do not apply

- (1) In situations where:
 - (a) clause 7.12 of these meeting procedures has been suspended; or
 - (b) a matter is not regulated by the Act, the Regulations or these meeting procedures,the Presiding Member is to decide questions relating to the conduct of the meeting.
- (2) The decision of the Presiding Member under sub-clause (1) is final.

PART 15 - COMMITTEES OF THE COUNCIL

15.1 Establishment, type and membership of Committees

A Council resolution to establish a committee under section 23 or section 24 of the Act is to include:

- (a) the terms of reference of the committee;
- (b) the number of Council Members, employees and other persons to be appointed to the committee;
- (c) the names or titles of the Council Members and employees 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 22 of the Act.

15.2 Calling committee meetings

The General Manager is to call a meeting of any committee when requested by the Presiding Member of a committee or any 2 members of that committee.

15.3 Order of business

- (1) Unless otherwise decided by the committee, the order of business at any meeting of a committee is to be as follows:
 1. Declaration of Opening
 2. Attendance
 - 2.1 Apologies
 - 2.2 Approved leave of absence
 3. Disclosure of interest
 4. Question time for the public
 5. Confirmation of minutes
 6. Reports
 7. Confidential matters
 8. Closure
- (2) Notwithstanding sub-clause (1), 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 under section 22 of the Act.

15.4 Participation at committee meetings

- (1) A Member may attend any meeting of a committee established by the Council as an observer, even if the Member is not appointed to that committee.
- (2) A deputy to a Member of a committee established by the Council may attend a meeting of that committee as an observer, even if the deputy is not acting in the capacity of a Member.
- (3) The Member in the case of sub-clause (1), or deputy to a Member attending a committee meeting as an observer in the case of sub-clause (2):
 - (a) may, with the consent of the Presiding Member, make an oral submission to the committee for up to 3 minutes, 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.

15.5 Meeting procedures apply to committees

Unless otherwise specifically provided, the provisions of these meeting procedures apply generally to the proceedings of committees, except for:

- (a) clause 7.1;
- (b) clause 7.8; and
- (c) clause 7.12.

PART 16 - MEETINGS OF ELECTORS

16.1 Procedure for electors' meetings

In exercising his or her discretion to determine the procedure to be followed at an electors' meeting, the Presiding Member is to have regard to the Act, Regulations and these meeting procedures.

16.2 Participation of non-electors

A person who is not an elector of the local government shall not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.

PART 17 - COMMON SEAL

The Common Seal of the Waratah-Wynyard Council }
was affixed by the authority of a resolution of the }
Council passed on the 17th day of August 2015 in the }
presence of: }

General Manager