

# CITY OF JOONDALUP

## MINUTES OF THE STANDING ORDERS REVIEW COMMITTEE HELD IN CONFERENCE ROOM 3, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 8 APRIL 2002

### ATTENDANCE AND APOLOGIES

#### Committee Members:

Cr C Baker - Chairman

Mayor J Bombak

Cr A Patterson

Cr M O'Brien

*Absent from 1855 hrs to 1858 hrs*

*to 1835 hrs*

#### Officers:

Chief Executive Officer:

D SMITH

Manager, Marketing, Communications

& Council Support Services:

M SMITH

Manager Audit & Executive Services:

K ROBINSON

Acting Committee Clerk:

L TAYLOR

The Chairman declared the meeting open at 1735 hrs.

### APOLOGIES

Nil

### DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Nil

### **REVIEW OF STANDING ORDERS LOCAL LAW - [01369] [05885]**

**WARD - All**

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### PURPOSE

To submit the Standing Orders Local Law 2001 for adoption by Council.

## SUMMARY

In accordance with Section 3.12 of the Local Government Act 1995, “Standing Orders Local Law 2001” was advertised for public comment with submissions closing on 19 October 2001.

One public submission was received. The report provides comments in response to the submission received and suggests minor amendments to the local law prior to its adoption.

The proposed Standing Orders Local Law 2001 is intended to provide enforceable procedures to assist in the good conduct of Council and other meetings. The order of business and the local law generally was based on the best practice principles laid down in the publication provided by the Department of Local Government “The Preparation of Agendas and Minutes”.

It is recommended that the Standing Orders Local Law be adopted, with the minor amendments in accordance with Sections 3.12 and 3.15 of the Local Government Act 1995 and the member of the public be thanked for his submission.

## BACKGROUND

The local laws of the former City of Wanneroo became the local laws of the City of Joondalup and the Shire of Wanneroo on creation of the two new local governments on 1 July 1998.

A review was conducted of all of the former City’s local laws of which the Standing Orders were included as part of the review.

Following the May 2001 election, a revised membership of the Standing Orders Review committee was established, comprising:

Mayor J Bombak  
Cr A Patterson  
Cr C Baker (Chairman)  
Cr M O’Brien

A report and a draft set of Standing Orders was submitted to the committee at its meeting held on 13 August 2001. The committee gave consideration to the proposed draft standing orders and recommended to Council that:

**“that the Standing Orders Review Committee RECOMMENDS that Council, in accordance with Section 3.12 of the Local Government Act 1995, APPROVES the advertising of the proposed Local Law, “City of Joondalup Standing Orders Local Law 2001”, in order to seek public comment, subject to:**

- the inclusion of the penalty provisions as detailed in this report;
- the amendment to Clause 48(3) – Preservation of order – members of the public;
- the amendment to Clause 82(1) – Confidentiality.”

Following the resolution of the committee, the amendments were made and the Standing Orders local law was submitted to Council at its meeting held on 28 August 2001 where it was resolved:

**“That Council:**

- 1 NOTES the Minutes of the Standing Orders Review Committee Meeting held on Monday 13 August 2001, forming Attachment 1 to Report CJ280-08/01;**
- 2 in accordance with section 3.12 of the Local Government Act 1995, APPROVES the advertising of the proposed local law, “City of Joondalup Standing Orders Local Law 2001”, forming Attachment 2 to Report CJ280-08/01, in order to seek public comment.”**

Following the resolution and in accordance with Section 3.12 of the Local Government Act 1995, advertisements were placed in the West Australian (5 September 2001) and the Joondalup Community (6 September 2001) newspapers, notice was also given on the noticeboards at the City’s libraries, customer service centre and administration building. The Minister for Local Government, being the relevant minister was also forwarded a copy of the local law.

The proposed Standing Orders local law was based on the intent and reference to well structured Council meetings as described in the publication ‘The Preparation of Agendas and Minutes – A guide for Western Australian local governments’, as produced by the then Department of Local Government.

The guide makes the following statement:

*‘With well-structured agendas a Council can have meetings that are efficient and effective in that they produce good decisions that are made following analysis of sound advice and constructive debate. At the end of such meetings those involved should be satisfied that the local government and the community have gained maximum benefit from the valuable time that has been contributed. A well-structured agenda will provide the elected body with the maximum time to debate and set policy and strategy and to plan for the future. It is generally agreed that short, sharp meetings directed towards decisions are the ones most likely to achieve good results.’*

The proposed Standing Orders, along with the other forums established to assist elected members achieve this.

## **DETAILS**

The period for public submissions closed on 19 October 2001 with one submission being received. A copy of the submission is attached to this report.

Section 3.12(4) requires a local government to:

*“after the last day for submission, the local government is to consider any submissions made and may make the local law (special majority required) as proposed or make a local law (special majority required) that is not significantly different from what was proposed.”*

It is generally regarded as a guide ‘*significantly different*’ is taken to mean anything other than that which involves editorial changes or changes which do not alter the original intent of the local law.

The content and intent of the proposed Standing Orders local law is:

- 1 the purpose of this local law is to provide a set of enforceable procedures to assist in the good conduct of Council, committee and electors meetings;
- 2 this local law is intended to result in better decision-making by Council, the orderly and efficient conduct of meeting dealing with Council business and greater community understanding of the business of the Council by providing open and accountable government.

### **The Submission**

The following are comments in response to the issues and suggested additions/deletions to the local law.

#### Submission – Clause 3 – Content and Intent

*Part (2) of Clause 3 to include the words ‘participation and’ after the word ‘community’.*

### **Comment**

The Local Government Act 1995 was intended to result in greater community participation in the decisions and affairs of local governments. Public question time at Council/committee meetings were just one of a number of community participation processes under the 1995 Act. It is suggested that the clause be amended as per public submission.

#### Submission – Clause 8 – Public access to agendas and supporting information

*To amend Clause 8 by including reference in the local law to briefing sessions, and to include an additional 15 minutes public question time prior to the closure of Council, committee meetings and briefing sessions.*

### **Comment**

The Local Government Act 1995 requires every local government to include a period of public question time at Council and committee (those that are open to the public and/or have been delegated some decision-making) meetings, there is no legal requirement for an additional period of public question time.

As stated before, there is no provision within the Act or the Regulations, which prevents or requires a local government from having a second period of public question time. This is a decision for the Council to make. However, the concern is that if the public question time relates to resolutions passed at the meeting, then there may not be adequate time for the person answering the question to consider the ramifications of the decision, including the steps which would need to be taken to implement the decision. It is therefore suggested that a second period of public question time not be included.

The ensuing reference to briefing sessions in the Standing Orders local law is not supported. The Local Government Act 1995 does not define a briefing session. Briefing sessions may take many forms and it would be difficult to define a 'briefing session' in the local law. The original intent of the briefing sessions was for the sessions to enable elected members to gather knowledge on matters to be presented to the Council in an informal environment. To legislate briefing sessions in the local law would take away from its informality.

Submission – Clause 13 - Voting

*To amend Clause 13 by adding a part two to include the ability to record votes by an electronic device.*

**Comment**

The Local Government Act 1995 requires all members while in a meeting of a Council or a committee to cast a vote, except where they have a financial interest as specified by the Local Government Act 1995.

The ability to decide on how the votes are recorded should remain flexible while ensuring the requirements of the Local Government Act 1995 is complied with. To include such a provision within the local law may restrict that flexibility.

Submission – Clause 14 – Order of Business

*Amend the order of business detailed within Clause 14 of the local law by adding the following items:*

- *Questions with due notice;*
- *Questions without due notice;*
- *Motions for Reports*
- *Second Public Question Time.*

**Comment**

See further comments as follows.

Submission – Clause 15 – Public Question Time

*To include a part (6) which would allow members of the public to table documents during public question time in order to correct facts within reports presented to the Council or a committee.*

### **Comment**

Members of the public are welcome to present documents to the City at any time to ensure that the Council has all the factual information to ensure that an informed decision is made in the best interests of the community.

The CEO is required to provide advice to the Council so that informed decisions can be made. This is achieved via written reports where officers use their technical and research skills to furnish the necessary practical information to the Council in a consistent format.

The correction of facts by a member of the public may be from a more subjective view rather than objective.

The suggestion is not supported.

### *Submission – Clause 22 - Petitions*

*To include an additional part (4) which requires all petitions over 50 signatures be subject to a report to the Council advising of the action taken by the administration.*

### **Comment**

The current and proposed Standing Orders details the required format of a petition that is to be presented. There are numerous occasions where a petition that does not comply with the prescribed format is presented to the Council as the intent of the petitioners is respected.

Where a petition is presented, it is referred to the administration for action. In order to ensure a prompt response the relevant action is undertaken. However, where the matter requires a decision of the Council a report is presented for the elected members' consideration.

A well-structured agenda will provide members the maximum opportunity to debate, set policy and strategy and to plan for the future. It is generally agreed that short, sharp meetings directed towards decisions are the ones likely to achieve good results. The concept of including items merely for information does not support this best practice principle, especially when action has already been taken.

Where action has been taken by the Administration in regards to operation, then elected members could be advised through other more informal ways.

### *Submission – Clause 23 - Deputations*

*To amend part (2) by including the requirement for the Mayor to advise the Council of any deputations that are not granted.*

### **Comment**

The discretion to grant or refuse a deputation rests with the Mayor or the Chairman of a committee. This is general practice as the Mayor as the presiding person is responsible for the procedures at Council meetings. Including such matters on the agenda again detracts from the concept of short, sharp meetings.

Submission – Additional Clause – Questions with due Notice

*This additional clause would allow any member to direct a question to the local government to be answered. The member is to give notice of at least ten hours prior to the commencement of the meeting at where the question is to be answered.*

**Comment**

The responses to questions given with due notice are always brief and generally in a ‘yes’ or ‘no’ format, with no discussion on the questions permitted.

The publication ‘The Preparation of Agendas and Minutes’ produced by the Department of Local Government does not include ‘questions with due notice’ in its suggested order of business, as it is believed that such an item of business is not ‘best practice’ when conducting a meeting of the Council. In line with the guide produced by the Department, the suggested change is not supported.

Submission – Additional Clause – Questions without due Notice

*To include an additional item of business that allows members to ask questions of the operations of the local government without giving due notice.*

**Comment**

Similar comments are made to the inclusion of such an item of business as ‘questions with due notice.’ It is not supported within the guide produced by the Department, again as it is regarded as not in the interests of a well functioning elected Council and administration.

Submission – Additional Clause – Motions for Reports

*To include an additional clause that allows members to move a motion seeking a further report where one-third of the members support the motion.*

**Comment**

Such an item of business could be referred to as ‘general business.’ The guide produced by the Department states that ‘general business’ or items of similar nature should not be included on the order of business. Again, such an item detracts from the best practice principles the revised order of business is trying to achieve. Such requests can be discussed with either the Chief Executive Officer or relevant Director.

Submission – Additional Clause – Second Public Question Time

*Request for the inclusion of an additional period of public question time for 15 minutes to enable members of the public to ask questions on decisions made at the meeting. The submission is specific in that the mover will respond to the question, staff shall provide relevant information and are not bound by Clause 39 – ‘No Adverse Reflection’.*

### **Comment**

See comments for Clause 8.

#### *Submission – Clause 28 – Members Seating*

*To allow the option for the Deputy Mayor to sit immediately to the right of the Mayor in the chamber, with invited guests being allocated a seat with the staff.*

### **Comment**

This was a practice the former City of Wanneroo followed with the Deputy Mayor sitting to the immediate right of the Mayor.

The Mayor of the City of Joondalup is elected by the electors (the Mayor of the former City of Wanneroo was elected by the Council) and the Deputy Mayor is elected by the Council. It is common practice amongst local governments as the Deputy Mayor in their role of Councillor and as the Council has resolved to elect them as ‘their’ Deputy Mayor, then they should sit with their fellow Councillors representing the people of that ward.

#### *Submission – Clause 29 – Distinguished visitor seating*

*Request amendment for the distinguished visitor to sit at the meeting table.*

### **Comment**

The current practice of the Council is for the invited guest to sit alongside the Mayor. The intent of this clause was to ensure that where a distinguished visitor of a relatively high standing (Governor, Minister, Member of Parliament, Mayor of Sister City, etc) was to attend, it would be deemed protocol for them to accompany the Mayor at the head table.

#### *Submission – Clause 73 – The meeting be now closed*

*To include an additional part (5) to the clause which states that where a procedural motion to close the meeting is carried, that the second period of public question time still be allowed, except where the meeting is closed for serious disorder by the members of the public (Clause 43).*

### **Comment**

The intent of all procedural motions is to ensure a course of action is taken, generally with procedural motions there is no debate. With clause 73 being a procedural motion to close the meeting, if that is carried then that should be where the meeting closes.

The clause has sufficient safeguards built in to ensure that the motion is not abused, and where there is outstanding business, it is to be listed on the next Council meeting agenda.

*Submission – Clause 74 – Appointment, types and membership of committees*

*Request to include an additional part (3) to the clause requiring all committee meetings to be reported to Council within one month.*

**Comment**

The Local Government Act 1995 allows for a Council to establish committees to assist it in its decision-making process. The regulations require minutes of a Council or committee meeting to be produced within 10 days (Council) and five days (committee), but there is no legal requirement for a committee to present its minutes to Council. The committee is required to confirm its previous minutes at subsequent meetings.

Where a matter that arises from a committee (with no delegation) that requires a decision of the Council, a report is duly submitted.

*Submission – Clause 86 - Interpretation*

*To include an additional part (3) to the clause to refer to sections 18 and 19 of the Interpretations Act 1984, to allow in a situation where the Standing Orders does not cover a procedure, that the outcome of open and accountable government shall be applied.*

**Comment**

The Interpretations Act 1984 is used to assist in interpreting all legislation.

Throughout the Standing Orders, there are footnotes when there is the need to refer to other pieces of legislation. These footnotes do not form part of the actual local law, so where a piece of legislation is altered that affects the local law, it is only a matter of amending the footnote and not needing to amend the local law in accordance with the Local Government Act 1995. It is therefore suggested this practice be continued and no reference be made within clause 86 to the Interpretations Act, however, a footnote could be included.

*Submission – Clause 87 - Enforcement*

*To amend footnote 21 to refer to section 9.24, rather than 5.61.*

**Comment**

This has been corrected.

**Legal Opinion**

In order to ensure that the draft local law was compliant with the Local Government Act 1995 and other various legislation, comment was sought from the City's solicitor.

The advice provided related to motions and the need for members to give seven (7) clear days' notice of a motion they wish considered by the Council. The issue related to the practice of the Council to allow members of the Council to move a motion at a Council meeting on an item on the agenda without giving the 7 clear days' notice. Whilst this practice is desirable, it appears that the existing or proposed Standing Orders Local Law do not clearly clarify the need for a member to give notice in those circumstances.

The solicitor has suggested to avoid any doubt that this practice may contravene the Standing Orders, that the following clause be included:

“25(7) The requirement to give notice of a motion under subclause (1) does not apply where the proposed motion is relevant to:

- (a) a recommendation made by or contained in a report; or
- (b) a motion, notice of which has been given in compliance with subclauses (1) and (2),

and is moved after the recommendation or the motion, as the case may be, has been dealt with.”

### **Questions During Debate - Proposed Additional Clause**

Following further review of the proposed local law, there is the need to clearly distinguish between a member asking a question and a member speaking on a motion. A member should be able to ask questions on matters before the Council, to ensure an informed decision is made, and the asking of the questions should not affect the speaking rights of that member. However, questions need to be succinct and to the point or the Chairman may deem that member as speaking to the motion before the Council. In order to allow members to ask questions, the following change is proposed:

#### **“Questions During Debate**

- 58
- (1) Subject to clause 57(3) a member may ask a question at any time during the debate on a motion before the motion is put, but no discussion on the answer to the question is permitted;
  - (2) Subject to subclause (3) a member who asks one or more questions will not be deemed to have spoken on the matter;
  - (3) Where the Chairman considers a question asked is not succinct and to the point, but is prefaced by comment or other information, the Chairman may deem that the member has spoken on the matter and not hear that member in any further debate on the matter.”

## COMMENT/FUNDING

The review of the Standing Orders Local Law has been an extremely lengthy process, with a number of differing views on the content of the local law.

As stated earlier, the proposed Standing Orders Local law has been based on the best practice principles of well structured agendas that are short and sharp which allows sufficient time to debate, and set policy and strategy to achieve the best results for the community. A number of the suggestions made within the public submission do not follow these best practice principles.

It is suggested that consideration be given to the changes proposed as part of the public submission received. Once consideration is given, and the recommended alterations are made, the local law is duly adopted by the Council. It is considered that as the suggested changes are not significantly different or alter the original intent of the local law as originally proposed, therefore there is no requirement to recommence the public consultation process as required by Section 3.12 of the Local Government Act 1995.

## VOTING REQUIREMENT

Special Majority

**OFFICER'S RECOMMENDATION:** That it be recommended to Council that it:

1 BY A SPECIAL MAJORITY, in accordance with Section 3.12 of the Local Government Act 1995, ADOPTS the Standing Orders Local Law 2001 as approved for advertising at its meeting held on 13 August 2001, subject to:

- (a) AMENDING Clause 3(2) - 'Content and Intent' to include the words "participation and" before the word "understanding" and after the word "community";
- (b) INCLUDING as part (7) of Clause 25 - Motions of which previous notice has been given - to read as follows:

*"25(7) The requirement to give notice of a motion under subclause (1) does not apply where the proposed motion is relevant to:*

- (a) a recommendation made by or contained in a report; or*
- (b) a motion, notice of which has been given in compliance with subclauses (1) and (2),*

*and is moved after the recommendation or the motion, as the case may be, has been dealt with."*

(c) INCLUDING a new clause 58 - Questions During Debate - to read as follows:

*“Questions During Debate*

58 (1) *Subject to clause 57(3) a member may ask a question at any time during the debate on a motion before the motion is put, but no discussion on the answer to the question is permitted;*

(2) *Subject to subclause (3) a member who asks one or more questions will not be deemed to have spoken on the matter;*

(3) *Where the Chairman considers a question asked is not succinct and to the point, but is prefaced by comment or other information, the Chairman may deem that the member has spoken on the matter and not hear that member in any further debate on the matter.”*

(d) the Standing Orders Local Law being renumbered accordingly to reflect the additional Clauses as detailed in (b) and (c) above;

2 APPROVES the progression of the remaining actions to finalise the local law in accordance with Section 3.12 and 3.15 of the Local Government Act 1995;

3 THANKS the member of the public that made the submission.

**MOVED Cr Baker, SECONDED Cr Patterson that it be recommended that the Order of Business be amended to include a prayer prior to the opening of the meeting.**

**The Motion was Put and**

**CARRIED**

Manager, Marketing Communications and Council Support advised should it be the wish of Council that a prayer be included in the Standing Orders, the Order of Business (Clause 14) be amended to accommodate this, with the actual content of the prayer being formulated by way of a Policy.

Cr O’Brien raised the following suggested changes to the Standing Orders Local Law:

Page 2 under the heading “Definitions”

“Chairman” to read “Chairperson”

Manager, Marketing Communications and Council Support to investigate difference in meaning between two titles.

Page 4 – Clause 14, Order of Business Listing

Reports to read Reports\includes recommendations of Committees.

Clause 24 (1) be amended to include reports from Committees or reports of a late or urgent nature .....

If appropriate, this clause to be expanded or a definition for Reports incorporated under the heading Definitions.

Wherever the word “will” or “are” appears, if appropriate to be changed to “must”.

Clause 25 (5) (b) to read “the Council resolves to defer consideration of the motion to a later or earlier time or date.”

To a comment by Cr O’Brien in relation to Clause 32 – Order of Speakers, Mayor Bombak suggested Cr O’Brien raise this issue at a Council meeting.

Clause 39 – No definition of adverse reflection.

Cr Baker indicated this would be difficult to define and should be decided on a meeting by meeting basis.

Clause 42 – at the end of the sentence the words “and be seated.” be replaced with “and if standing thereafter be seated.”

Clause 47 (3) third line after the words “then the Chairman may” insert the words “name the member”.

Clause 47 (4) to read “Any member so named .....

Clause 48 to read “Maximum” penalty.

Wherever the word “penalty” occurs throughout document to read “maximum penalty”.

Clause 51 (c) to read “members have indicated they want to debate, and

Each of those recommendations in *either (a), (b) or (c) are to be considered separately.*  
*(Requested changes in italics.)*

Clause 54 (2) the words “and a member may self nominate”.

*Cr Patterson left the Room at 1835 hrs and indicated he supported the recommendations as set out in the report.*

Clause 54 (4) to read “The seconder of a primary motion may consent to the mover amending the primary motion or accepting a subsequent foreshadowed amendment.”

Clause 55 the word “meeting” on the second line, to be replaced by the word “seconder”.

Clause 59 (e) the words “unless negating the original decision” to be added at the end of the sentence.

Mayor Bombak sought clarification as to the process of Revocation motions.

It was advised that it was the intention of the committee that should a revocation motion be received during the course of a Council meeting, that revocation to be dealt with at the next ordinary meeting of the Council; not at the meeting in question.

*Mayor Bombak left the Room at 1855 hrs and returned at 1858 hrs.*

Clause 74 (1) and (2) to read as follows:

- (1) Committee members shall be appointed by absolute majority resolution *after an ordinary election or the first meeting in May in a non-ordinary election year* at the time of appointing the committee and thereafter at the first meeting of the Council held after the ordinary election.
- (2) the words *“and the result of the ballot announced and recorded”* to be added at the end of the sentence.

Clause 78 and 79

The members requested that clauses 78 and 79 be amended to clearly differentiate the roles and rights of elected members serving on committees in comparison to those committees served by ‘other persons’. To ensure this differentiation is achieved, there is the need to include a definition of the term ‘elected member’.

Clause 83 (3) insert the words *“and endorsed by Council”* after the words “that are marked” in line 1.

Clause 83 (4) Penalty to be reduced to \$1,000. It was the consensus of the committee that the penalty remain at \$5,000.

Clause 84 (2) the word “may” to be changed to read “shall”.

Discussion ensued on each of the points, with Manager, Marketing Communications & Council Support giving explanations on the issues raised.

## CONFIRMATION OF MINUTES

### MINUTES OF STANDING ORDERS REVIEW COMMITTEE HELD ON 13 AUGUST 2001

**MOVED Cr O’Brien, SECONDED Cr Baker that the minutes of the meeting of the Standing Orders Review Committee held on 13 August 2001 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED**

**MOVED Cr O’Brien, SECONDED Cr Baker that it be recommended that Council:**

- 1 BY A SPECIAL MAJORITY, in accordance with Section 3.12 of the Local Government Act 1995, ADOPTS the Standing Orders Local Law 2001 as approved for advertising at its meeting held on 13 August 2001, subject to:**
  - (a) AMENDING Clause 3(2) - ‘Content and Intent’ to include the words “participation and” before the word “understanding” and after the word “community”;**
  - (b) AMENDING Clause 3.2 – ‘Order of Business’ to include a Prayer prior to the opening of the Meeting;**

- (c) **AMENDING Clause 5 – Definitions – by:**
- (i) deleting the word ‘Chairman’ and replacing it with the word ‘Chairperson’ and deleting all references to ‘Chairman’ and replacing it with ‘Chairperson’ throughout the local law;
  - (ii) including a definition as follows:  
“Elected Member – means the Mayor and Councillors of the City”;
- (d) **AMENDING Clause 24 (1) to read as follows:**  
*“24 (1) The Chief Executive Officer and/or Council appointed committees may prepare such reports that in their opinion require consideration by the Council including those reports of a late or urgent nature.”*
- (e) deleting the words ‘will’ or ‘are’ throughout the local law and replace with the word ‘must’;
- (f) **AMENDING Clause 25 (5) (b) – Motions of which previous notice has been given – by adding the words ‘or earlier or’ after the word later and before the word date;**
- (g) **INCLUDING as part (7) of Clause 25 - Motions of which previous notice has been given - to read as follows:**  
*“25(7) The requirement to give notice of a motion under subclause (1) does not apply where the proposed motion is relevant to:*  
  - (a) *a recommendation made by or contained in a report; or*
  - (b) *a motion, notice of which has been given in compliance with subclauses (1) and (2),*  
  
*and is moved after the recommendation or the motion, as the case may be, has been dealt with.”;*
- (h) **AMENDING Clause 42 – Chairman to draw attention of meeting to unbecoming behaviour – by deleting words ‘and be seated’, and replace with ‘and if standing be seated’;**

- (i) **AMENDING** the local law where a penalty provision has been included to include the word ‘maximum’ before the word ‘penalty’;
- (j) **DELETING** the last line of Clause 51 and replacing it with ‘each of those recommendations in either (a), (b) or (c) must be considered separately’;
- (k) **INCLUDING** a new clause 58 - Questions During Debate - to read as follows:

*“Questions During Debate*

- 58 (1) *Subject to clause 57(3) a member may ask a question at any time during the debate on a motion before the motion is put, but no discussion on the answer to the question is permitted;*
- (2) *Subject to subclause (3) a member who asks one or more questions will not be deemed to have spoken on the matter;*
- (3) *Where the Chairman considers a question asked is not succinct and to the point, but is prefaced by comment or other information, the Chairman may deem that the member has spoken on the matter and not hear that member in any further debate on the matter.”*

- (l) the Standing Orders Local Law being renumbered accordingly to reflect the additional Clauses as detailed in (g and (k) above;
- (m) **AMENDING** Clause 59 (e) – Revocation Motions – by including the words ‘where necessary’, after the word ‘motion’;
- (n) the **INCLUSION** of a new Clause 59 (2) – Revocation Motions – to read as follows:

*“59 (2) Where a revocation motion has been received at a meeting to revoke a decision made at that meeting, the revocation shall be considered at the next ordinary meeting or a special meeting of the Council called for the purpose relating to the revocation motion.”*
- (o) **DELETING** Clause 62 – Revocation Motion at the same meeting – as a result of the amendment to the local law detailed in (n) above;
- (p) **AMENDING** Clause 78 as follows:
  - (i) including the word “Elected’ before the words ‘member only committees’ in the heading of the clause title;

- (ii) deleting clause 78 parts (1) and (2) and replacing with:**

  - “(1) The Chairperson of an elected member only committee shall allow any elected member who is not a member of that committee to address the committee and to participate in the discussion of any item as requested by that elected member;**
  - (2) Every elected member only committee shall report to the Council on decisions made and recommendations that require Council consideration”;**
- (q) AMENDING Clause 79 as follows:**

  - (i) including the word “Elected’ before the words ‘member attending committees as an observer” in the heading of the clause title;**
  - (ii) deleting Clause 79 parts (1), (2) and (3) and replacing with:**

    - “(1) An elected member may attend at meetings of a committee as an observer, notwithstanding that the elected member is not a member of that committee;**
    - (2) An elected member attending a committee meeting as an observer, may speak but is not to vote on any motion before the committee;**
    - (3) A person who is a deputy of a member excluded from a meeting due to a financial interest or absent for other reasons, may vote on any motion before the committee;**
    - (4) Subject to the sub clause (3) a member attending a committee as an observer is to sit in the area set aside for observers separated from the committee members”;**
- (r) AMENDING Clause 84 (2) – Meeting of electors – by deleting the word ‘may’ and replacing it with the word ‘shall’;**

## **CLOSURE**

There being no further business, the Chairman declared the meeting closed at 1915 hrs.