



Standing Orders of

Sunshine Coast Regional Council 2011-2015



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Acknowledgements

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Part 1 Preliminary

1 Short title

These Standing Orders may be cited as the Standing Orders 2014 for Sunshine Coast Regional Council 2015.

Comment [NR1]: UPDATE

2 Authorising policy

These Standing Orders are made in accordance with Sunshine Coast Regional Council's strategic policy Standing Orders.

Comment [NR2]: DELETE
Standing Orders to be adopted as standalone document

3 Purpose

The purpose of these standing orders is to set out the arrangements that govern the conduct of business and proceedings at council meetings, council committee meetings and advisory committee meetings.

Comment [NR3]: UPDATE
Suggested edit

4 Definitions—the dictionary

The dictionary in the Schedule (Dictionary) of these Standing Orders define particular words used throughout this document.

Comment [NR4]: DELETE
Not required

5 Application of standing orders

- (1) The standing orders provide rules for the conduct of:
 - (a) Local government meetings and
 - (b) Local government committee meetings and
 - (c) Local government advisory committee meetings.
- (2) Any provision of these Standing Orders may be suspended by resolution of at any local government meeting.
- (3) A separate resolution is required for any such suspension of a provision of the standing orders and must specify the purpose of each suspension.
- (4) If, at a local government meeting, a matter arises which is not provided for in the Standing Orders the matter shall be determined by the chair subject to any contrary resolution of the local government.

Comment [NR5]: UPDATE
Suggested edit

Comment [NR6]: UPDATE
Suggested edit

Comment [NR7]: DELETE
Suggested edit

Comment [NR8]: DELETE
Duplicate
Section 52 Procedure Not provide

Part 2 Local government meetings

Time of meetings

6 Times of ordinary meetings

- (1) The local government may, by resolution, fix dates and times for its ordinary meetings.
- (2) If there is no resolution fixing the date and time for an ordinary meeting, the chief executive officer must fix the date and time for the meeting.
- (3) Before the chief executive officer fixes the date and time for an ordinary meeting, the chief executive officer must, if practicable, consult with the mayor about the proposed date and time for the meeting.

Comment [NR9]: UPDATE
Plural Consistency - edit

Comment [NR10]: UPDATE
Per current legislation

¹ The local government must meet at least (a) for a region, city or town – once in each month (See section 53 257 (1) of the *Local Government (Operations) Regulation 2010 2012*).

7 Time of special meetings

- (1) The chief executive officer must call a special meeting of the local government if—
 - (a) the special meeting is required by a resolution of the local government or
 - (b) a written request for the special meeting is lodged with the chief executive officer under subsection (2).
- (2) A written request for a special meeting of the local government must -
 - (a) be signed by the mayor or three or more councillors and
 - (b) specify the object of the special meeting and
 - (c) propose a day and time for the holding of the special meeting.
- (3) The chief executive officer calls a special meeting by giving written notice of the date and the time of the meeting, and the business to be conducted at the meeting, to each councillor.²
- (4) The chief executive officer may call a special meeting to discuss any matter the chief executive officer considers should be brought before council.

Agenda for meetings

8 Agenda for ordinary meetings

- (1) ~~The Chief Executive Officer must ensure that each statutory notice of meeting includes an agenda listing the items to be discussed at the meeting.~~
- (2) The agenda must include—
 - (a) items required under the standing orders to be included on the agenda
 - (b) items that are by resolution of the local government to be included on the agenda and
 - (c) items whose inclusion on the agenda is requested by a councillor in accordance with section 19 (Notified motions).
- (3) A councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the chief executive officer at least ~~two~~ **seven** days before the notice of meeting is given.
- (4) The chief executive officer may include in the agenda any matter the chief executive officer considers should be brought before the meeting.
- (5) The order of business may be altered for a particular meeting where the members, at that meeting, pass a motion to that effect in accordance with section 28 (1)(g) (Procedural motions) of these standing orders.

Comment [NR11]: DELETE
Not required

Comment [NR12]: UPDATE
Renumber per Standing Orders

Comment [NR13]: UPDATE
To reflect current practice

Comment [NR14]: UPDATE
Renumber per Standing Orders

² Written notice of each meeting or adjourned meeting of a local government must be given to each councillor at least 2 days before the day of the meeting unless it is impracticable to give the notice (See section 55 258 (1) of the *Local Government (Operations) Regulation 2012*. A special meeting is a meeting at which the only business that may be conducted is the business stated in the notice of meeting (See section 55 258 (3) of the *Local Government (Operations) Regulation 2012*).

- (6) Unless otherwise altered, the general order of business shall be as follows:
- (a) Confirmation of minutes of previous meeting/s
 - (b) Mayoral minute
 - (c) Presentations
 - (d) Officers' reports
 - (e) Reports from committees (as required)
 - (f) Notified motions
 - (g) Petitions
 - (h) Deputations and
 - (i) Confidential business.
- (7) Business not on the agenda shall not be considered at any local government meeting unless the council at such meeting resolves to admit such business.

Comment [NR15]: UPDATE
Suggested edit

Comment [NR16]: UPDATE
Suggested edit

Comment [NR17]: DELETE
Suggested edit see section 22
Deputations

9 Notice of meeting

- (1) ~~The Chief Executive Officer shall within such time as the local government determines by resolution, prepare or have prepared an agenda for each local government meeting. Agendas shall be made available to members, if practicable, five days prior to such meetings.~~

Comment [NR18]: UPDATE
Rewrite to tidy up

The chief executive officer shall prepare an agenda for each local government meeting.

- (1) Agendas shall be made available to members, if practicable, five **business** days prior to such meetings.
- (2) A list of the items to be discussed at a meeting will be made available for inspection to the public at the time the agenda for the meeting is made available to councillors.

Conduct of meetings

10 Commencement of business

- (1) The local government shall commence business at the time appointed for holding the meeting, or as soon (but before the expiration of 30-15 minutes) thereafter as a sufficient number of members is present to constitute a quorum.
- (2) Business shall not be conducted at a meeting unless a quorum is present.
- (3) ~~A member shall be deemed to be present at a meeting only when that member is within the room in which the meeting is being held.~~

Comment [NR19]: UPDATE
Per current legislation

Comment [NR20]: DELETE
LGR S276 Teleconferencing (3)
Per current legislation

11 Order of business

- (1) ~~The local government must proceed with its business at a meeting in the order indicated on the agenda for the meeting.~~
- (2) ~~However, the local government may, by resolution, alter the order in which it proceeds with the business for a particular meeting.~~

Comment [NR21]: DUPLICATE
Section 8 (6) Order of Business

12 Procedure at meetings

- (1) ~~The procedure for dealing with business must be in accordance with the standing orders or, in the absence of a standing order governing a particular matter, as decided by the chairperson of the meeting.~~
- (2) ~~However, the local government may, by resolution—~~
 - (a) ~~suspend a standing order or~~
 - (b) ~~overrule a decision on a procedural question made by the chairperson.~~

Comment [NR22]: DUPLICATE
Section 28 (f) & (g) Procedural Me

13 Adjournment of meeting

- (1) The members present at a meeting may at any time adjourn the meeting by procedural resolution.
- (2) The chairperson may adjourn the meeting without resolution in accordance with section 37 (Disorder), or for other matters as deemed appropriate by the chairperson.
- (3) If at a meeting a quorum is not present within 30 ~~15~~ minutes after the time appointed for that meeting, the meeting may be adjourned to a later hour of the same day or to any time not later than 14 days from the date of the adjournment by:
 - (a) ~~the members present or~~
 - (b) the majority of the members present or
 - (c) only one member if that member is the only member present or
 - (d) the chief executive officer if no member is present.
- (4) If there is not a quorum of members present at the meeting, then such circumstances, together with the names of the members then present, shall be recorded in the minutes of the meeting.
- (5) If at any time following commencement of business a quorum is not present, the chairperson shall:
 - (a) suspend the proceedings of the meeting for a period of 5 minutes
 - (b) record in the minutes of the meeting the names of those who are present if a quorum is not present at the end of the period of 5 minutes and
 - (c) adjourn the meeting to a later hour of the same day or to any time not later than 14 days from the date of such adjournment.

Comment [NR23]: UPDATE
Renumber per Standing Orders

Comment [NR24]: UPDATE
Per current legislation LGR 259

Comment [NR25]: DELETE
Per LGR 261

14 Attendance at meeting

- (1) The members present at each meeting shall be recorded in the minutes of the meeting.
- (2) After a meeting has been formally constituted and **the business thereof** commenced, a member shall not enter, leave, or withdraw from such meeting without first notifying the chairperson.

Comment [NR26]: UPDATE
Suggest edit

15 Admission of non-members to debate

- (1) The local government may allow a non-member to participate in the discussion of a particular item of business before the local government on conditions decided by the local government.
- (2) The local government may, as a mark of distinction, admit a non-member to a part of the local government chamber normally reserved for councillors during the conduct of local government business.

Order of business of meeting**16 Confirmation of minutes of meeting**

- (1) The minutes of a preceding meeting **(s)** not previously confirmed shall be the first business at every meeting in order that such minutes may be confirmed.
- (2) No discussion shall be permitted except in respect to **their the accuracy of the minutes** as a record of the proceedings.

Comment [NR27]: UPDATE
Suggest edit

Comment [NR28]: UPDATE
Suggest edit

17 Mayoral minute

- (1) The mayor may, by a signed minute, introduce a matter within the jurisdiction or official cognisance of the local government which is not on the agenda.
- (2) A mayoral minute shall take precedence over all business before the local government, except confirmation of the minutes.
- (3) A mayoral minute may be moved by the mayor from the chair without being seconded.
- (4) A motion proposed by mayoral minute and adopted by the local government is a resolution of the local government.

Presentations

The chairperson may allow the local government to receive or provide acknowledgements, certificates, awards, appreciation from the community, business or industry.

Comment [NR29]: UPDATE
Move to reflect Order of Business

18 Committee reports

- (1) If, in a report of a committee, distinct recommendations are made, the decision of the local government may be taken separately on each recommendation.
- (2) A recommendation of a committee, or portion thereof, may be amended by the local government in any manner it may think fit, or may be referred back to the committee for further consideration.
- (3) A recommendation of a committee adopted by the local government is a resolution of the local government.

19 Notified motions

- (1) A member may bring forward to a meeting a motion on any matter within the jurisdiction or official cognisance of the local government by giving notice in writing, in the approved form, to the chief executive officer either at the previous meeting or not less than seven days before the meeting at which the motion is to be discussed.
- (2) The chairperson shall rule out of order a motion which does not comply with subsection 19 (1) (Notified motion) of these standing orders.
- (3) Notified motions shall be dated and recorded by the chief executive officer as received.
- (4) Subject to subsection 19 (1) (Notified motion) of these standing orders, every motion shall -
 - (a) lapse if the member who gave notice, or some other member authorised by that member, is not present to move the motion when called on and
 - (b) not again be reintroduced without a subsequent notice of motion duly given as provided in subsection 19 (1) (Notified motion).
- (5) If the member as per subsection 19 (1) (Notified motion), or authorised member (as per subsection 19 (4) (a) (Notified motion)), fails to move the motion when called on to do so, another member may move said motion notwithstanding the member and/or authorised member are present.

Comment [NR30]: UPDATE
Edit for consistency

Comment [NR31]: UPDATE
Suggest edit

Comment [NR32]: UPDATE
Suggest edit

Comment [NR33]: UPDATE
Suggest edit

Comment [NR34]: UPDATE
Suggest edit

Comment [NR35]: UPDATE
Suggest edit

20 Petitions

- (1) A member may present a petition where the petition ~~seeks to be presented to the whole of Council,~~ is legible, the purpose of the petition is on the top of each page, contains a minimum of 10 signatories and is worded in ~~considerate~~ appropriate language.
- (2) On presentation of a petition to the local government the only motion which may be moved is that:
 - (a) the petition not be received or
 - (b) the petition be received and referred to the chief executive officer to determine appropriate action or
 - (c) the petition be received and referred to the chief executive officer or a statutory committee for consideration and report back to the local government.
- (3) No debate on a petition shall be allowed except the member presenting the petition may speak to the petition for a period of not more than one minute.

Comment [NR36]: UPDATE
Suggest edit

Comment [NR37]: UPDATE
Suggest edit

21 Presentations

The chairperson may allow the local government to receive or provide acknowledgements, certificates, awards, appreciation from the community, business or industry.

Comment [NR38]: UPDATE
Move after Mayoral Minute per Or
Business

22 Deputations

A deputation shall be received at a meeting where written application has been received and the chairperson and chief executive officer have agreed to such deputation.

Comment [NR39]: DUPLICATE
Covered under 21 Presentations of
Procedure not provided for

Part 3 Procedures for making determinations decisions/resolutions

Comment [NR40]: UPDATE
Suggested edit

Motions

23 Motions

- (1) A motion brought before a local government meeting in accordance with these standing orders shall be received and put to the meeting by the chairperson.
- (2) The chairperson may require a motion or amendment to a motion to be stated in full or be in writing before ~~permitting it to be~~ is received.
- (3) When a motion has been moved and seconded, it shall become subject to the control of the local government and shall not be withdrawn by the mover and seconder without the consent of the local government.
- (4) The chairperson shall call the motions in the order in which they appear on the agenda and, where no objection is taken to a motion being taken as a formal motion, the chairperson may put the motion to the vote without discussion.

Comment [NR41]: UPDATE
Suggested edit

24 Absence of mover of motion

- (1) Where a member who has given notice of a motion is absent from the local government meeting at which the motion is to be considered, the motion may be –
- (a) moved by another member, if such member has been so authorised, at the meeting or
 - (b) be reintroduced in accordance with section 19 (1). (Notified motions)

Comment [NR42]: DUPLICATE
Covered in 19 (5) Notified Motion

25 Motion to be seconded

A motion or an amendment to a motion shall not be debated at a local government meeting unless or until the motion or the amendment is seconded, with the exception of procedural motions and mayoral minutes. Where no member seconds a motion, the motion will lapse.

Comment [NR43]: UPDATE
Suggested edit – current practice

26 Amendment of motion

- (1) An amendment to a motion shall be in terms that retain the identity of the original motion and does not negate the motion.
- (2) No more than one motion or one proposed amendment to a motion may be put before a local government meeting at any one time.
- (3) Where an amendment to a motion is before a local government meeting, no other amendment to the motion shall be considered until after the first amendment has been determined.
- (4) A member who moves or seconds a motion may not propose or second an amendment to that motion.
- (5) Any amendment to a motion must be proposed before the mover of the motion has exercised their right of reply.
- (6) Where an amendment to a motion becomes the motion before the local government, the original motion in its entirety cannot become a further amendment.

Comment [NR44]: UPDATE
Suggested edit

27 Speaking to motions and amendments

- (1) The mover of a motion or amendment shall not speak to a motion or amendment until it is seconded unless the chairperson so permits.
- (2) A member may request further information from or through the chairperson before or after the motion or amendment is seconded.
- (3) Following the seconding of a motion or amendment, the chair shall first call for a speaker to speak in favour of the motion or amendment and each subsequent speaker alternatively against and or in favour of the motion or amendment, unless the chairperson rules otherwise.

Comment [NR45]: DUPLICATE
Covered in Section 25 Motion to be seconded

Comment [NR46]: DELETE
Suggested edit

- (4) A right of reply may be exercised by -
- (a) the mover of a motion or the mover of an amendment if an amendment is moved ~~or~~
 - (b) ~~the mover of the motion when a procedural motion that the motion be put is carried.~~
- (5) Each member shall speak no more than once to the same motion or same amendment except as a right ~~to~~of reply.
- (6) Once the right of reply has been exercised, the debate is closed.
- (7) Each speaker shall be restricted to not more than five (5) minutes unless the chairperson rules otherwise.
- (8) Where two or more members rise ~~indicate they wish~~ to speak at the same time, the chairperson shall determine who is entitled to priority. ~~The chairperson may determine the order of speakers by accepting the raising of a hand or a member rising to speak. The chairperson will outline their preference and apply it consistently.~~

Comment [NR47]: DELETE
Suggested edit

Comment [NR48]: UPDATE
Suggested edit

Comment [NR49]: UPDATE
Suggested edit

Comment [NR50]: UPDATE
Current practice

28 Procedural motions

- (1) A member at a meeting of the local government may, during the debate of a motion at the meeting, move a procedural motion, ~~unless the member is the mover, seconder or has spoken to the original motion or a subsequent amendment.~~
- (2) ~~A procedural motion is required to be seconded.~~
- (3) **Procedural Motions**
- (a) That the motion **be put**
 - (i) at any time to finalise debate of a motion before the local government
 - (ii) if ~~the procedural motion is~~ carried, the chairperson shall immediately put the motion or amendment to that motion under consideration
 - (iii) if lost, debate on the motion or amendment to the motion shall continue ~~and~~
 - (iv) ~~unless the member is the mover, seconder or has spoken to the original motion or a subsequent amendment.~~
 - (b) That debate on the motion or amendment now before the meeting **be deferred**
 - (i) specifying a time or date when the debate on this item will be reconvened ~~not more than two months after the date of the deferral~~ or
 - (ii) where no date or time is specified the motion shall be included in the agenda for the next meeting.

Comment [NR51]: UPDATE
Suggest edit – moved Section 28 (iv)

Comment [NR52]: UPDATE
Moved for readability

Comment [NR53]: UPDATE
Suggested edit for readability

Comment [NR54]: UPDATE
Suggested edit

Comment [NR55]: UPDATE
Suggested edit moved to 28 (1)

Comment [NR56]: UPDATE
Suggested edit

- (c) ~~That the meeting proceed to the next item of business ceasing debate on the motion, which may be considered again by the local government on the giving of notice in accordance with section 19 (Notified motion) of these standing orders.~~
- (d) That the motion **lies on the table**
 - (i) where a member requires additional information on the motion (or the result of some other action of the local government or person is required) before the matter may be concluded at the meeting ~~or~~ **and**
 - (ii) if carried, the local government shall proceed with the next item on the agenda.
- (e) The motion be **taken from the table**
 - (i) at the meeting at which a procedural motion was carried to have the motion lie on the table or
 - (ii) at any later meeting.
- (f) That the chairperson's **ruling be dissented** from
 - (i) suspending further consideration of any matter until after the procedural motion is determined
 - (ii) spoken to firstly by the mover of the procedural motion then the chairperson; no other members may speak to ~~the~~ **this** procedural motion
 - (iii) if carried, the motion to which the ruling of the chairperson was made shall proceed as though that ruling had not been made or
 - (iv) if lost, the ruling of the chairperson shall stand.
- (g) That the operation of the standing orders or any provision thereof be **suspended**
 - (i) by any member to permit some action that otherwise would be prevented by procedural rule and
 - (ii) specifying the purpose of the suspension.
- (h) That the meeting of the local government be **closed or open** to the public (in accordance with the provisions of the ~~Local Government (Operations) Regulation 2010~~ **2012** (the Regulation))
 - (i) by way of a motion specifying which of the provisions under ~~the~~ **section 72 275** of the Regulation are being invoked
 - (ii) if carried, all members of the public shall leave and not re-enter the room where the meeting is being held until a procedural motion that the local government meeting be open to the public, is carried and
 - (iii) all ~~debate/discussion~~ in the course of a closed meeting shall be confidential.

Comment [NR57]: DELETE
 Duplicate 28 (b) Procedural Motion 19 Notice of Motion

Comment [NR58]: UPDATE
 Suggested edit

Comment [NR59]: UPDATE
 Suggest edit

Comment [NR60]: UPDATE
 Per current legislation

Comment [NR61]: DELETE
 Suggest edit

Comment [NR62]: UPDATE
 Current practice

(i) ~~That the local government be resolved into a committee of the whole~~

(i) for the purpose of taking into consideration a subject, which in the opinion of the local government, may require more full and free discussion and may at the close of a meeting of the committee of the whole resume the proceedings of the local government meeting

(j) That the meeting stand **adjourned**.

(2) A procedural motion is required to be seconded.

Comment [NR63]: DELETE
Contrary to LGR 274 & 275

Comment [NR64]: UPDATE
Moved order to follow 28 (1)

Voting on a motion

Comment [NR65]: UPDATE
Suggest edit

29 Method of taking vote

- (1) Before any matter is put to the vote, the chairperson may direct the motion or amendment to be read again by the chief executive officer or other council employee who is taking the minutes of the meeting.
- (2) The chairperson shall, in taking the vote on a motion or amendment, put the question first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
- (3) The local government shall vote by a show of hands or as directed by the chairperson.
- (4) The chief executive officer shall record the names of the members voting in the affirmative and of those voting in the negative (including abstaining).
- (5) ~~Members may request that their names and how they voted be recorded in the minutes, for voting other than by division.~~
- (6) The chairperson shall declare the result of a vote ~~by a division~~ as soon as it has been determined.

Comment [NR66]: UPDATE
Per LGR 272 Minutes

Comment [NR67]: UPDATE
Per OM09/065 19 February 2009

Comment [NR68]: UPDATE
Per OM09/065 19 February 2009

30 Negative motions

Repeal or amendment of resolutions

- (1) A resolution at a local government meeting may not be altered or ~~rescinded repealed~~ unless notice of ~~motion intention~~ is given in accordance with the requirements of these standing orders **section 262 of the Regulation**.
- (2) Where a motion to ~~rescind repeal~~ or alter a resolution is lost, a motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first-mentioned motion to ~~rescind repeal~~ or alter was lost, unless a notice of the motion shall be signed by the majority of the members of the local government.

Comment [NR69]: UPDATE
Per LGR 262

Comment [NR70]: UPDATE
Move to prior to 19 Notified motion

Comment [NR71]: UPDATES
Per legislation

31 Questions

- (1) A member may, at a local government meeting, ask a question for reply by another member or by the chief executive officer (or other council employee as determined by the chief executive officer) regarding any matter under consideration at the meeting of the local government.
- (2) Questions relating to general work or procedure of the local government or any matter under the jurisdiction of the local government but not related to any matter under consideration at that meeting are not allowed.
- (3) The question may be required by the chairperson to be reduced to writing and provided to the relevant member or the chief executive officer.
- (4) The question shall be asked categorically and without argument, and no discussion shall be permitted at the meeting of the local government in relation to a reply or a refusal to reply to the question.
- (5) A member or the chief executive officer to whom a question is asked without notice may request that the question be taken on notice for **response at** or prior to the next meeting.
- (6) A member who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- (7) The chairperson may disallow a question which the chairperson considers is inconsistent with good order.
- (8) ~~A member may move a motion of dissent against a ruling, and if such motion is carried, the chairperson shall allow such question.~~

Comment [NR72]: UPDATE
Suggest edit

Comment [NR73]: DELETE
Duplicate
Per 28 Procedural Motion (f) (iii)

Part 4 Maintenance of good order

32 Conduct during meetings

- (1) After a meeting of the local government has been formally constituted and the business commenced, a member shall not enter or leave from such meeting without first acknowledging the chairperson.
- (2) Unless exempted by the chairperson, members shall stand and address the chairperson while -
 - (a) moving any motion or amendment
 - (b) seconding any motion or amendment
 - (c) taking part in any discussion
 - (d) replying to any question or
 - (e) addressing the local government for any other purpose.

- (3) Members shall during a meeting of the local government address -
- (a) other members by their respective titles, "Mayor"; "Councillor"; "chairperson" or "member" and
 - (b) officers by designating them their respective official or departmental title or full name (eg Mr Smith).
- (4) Members shall during a meeting of the local government confine their remarks to matters then under consideration.
- (5) Members shall remain seated and silent while a vote is being taken except when calling a division.
- (6) Members shall act with due decorum during meetings in order that the meeting is conducted in an efficient and effective manner.
- (7) No member or council employee shall make personal reflections on or impute improper motives to any other member or council employee.
- ~~(8) Members shall conform to the Conduct and Performance of Councillors in accordance with section 176 of the Act. In addition the chairperson may specify orally or in writing appropriate standards of behaviour which shall be observed by all members and other persons attending a local government meeting.~~
- (9) No member who is speaking shall be interrupted except upon a point of order being raised either by the chairperson or by a member.
- (10) When the chairperson stands during a debate, the member then speaking or offering to speak shall immediately be seated and the chairperson shall be heard without interruption.
- (11) The chairperson may:
- (a) call the attention of the meeting to continued irrelevance or tedious repetition on the part of any member and
 - (b) direct the member to discontinue a speech.

Comment [NR74]: UPDATE
Current practice

Comment [NR75]: UPDATE
Current practice

Comment [NR76]: UPDATE
Per OM09/065 19 February 2009

Comment [NR77]: DELETE
Per LGA & Councillor Code of Co

Comment [NR78]: UPDATE
Suggest edit

33 No digression

A member shall not speak otherwise than upon, nor digress from, the matter or question then before the local government.

34 Disturbance by members

A member shall not make a noise or disturbance nor converse aloud while another person is addressing the local government.

35 Acts of disorder by members of the local government or a committee

- (1) A member of the local government or a committee commits an act of disorder at a meeting of the local government or the committee if the member -
- (a) obstructs or interrupts the proper conduct of the meeting
 - (b) uses indecent or offensive language

- (c) makes a statement reflecting adversely on the reputation of the local government or the committee
 - (d) makes an intemperate statement reflecting adversely on the character or motives of a member or officer of the local government or a committee or
 - (e) refuses or wilfully fails to comply with a direction given by the chairperson of the meeting.
- (2) If a member of the local government or a committee has, in the chairperson's opinion, committed an act of disorder, the chairperson may direct the member to make a retraction or apology.
- (3) If the member does not comply immediately with a direction under subsection (2), the chairperson may immediately move a motion (a suspension motion) that the member be suspended for the remainder of the meeting or a lesser time fixed by the chairperson.
- (4) If the chairperson moves a **suspension motion**
- (a) the motion must be put to the vote immediately without discussion and
 - (b) a suspension motion is required to be seconded, and
 - (c) if the motion is passed, the member must immediately leave the meeting place and must remain away for the period of the suspension and
- (5) ~~If a member contravenes subsection (4) (b), an authorised person may, at the request of the chairperson, exercise reasonable force to remove the member, and to keep the member away, from the meeting place.~~
If a member contravenes subsection (4) (c), the chairperson may request the chief executive officer to facilitate the removal of the member and keep the member away from the meeting place.

Comment [NR79]: UPDATE
Suggested edit for clarity

Comment [NR80]: UPDATE
Suggested edit

36 Acts of disorder by non-members

- (1) A person who is not a member of the local government or a committee must not interrupt or obstruct the proper conduct of a meeting of the local government or a local government committee.
- (2) If a person (other than a member) interrupts or obstructs the proper conduct of a meeting of the local government or a local government committee, the chairperson may ask the person to withdraw from the meeting place.
- (3) A person asked to withdraw from a meeting place under subsection (2) must immediately withdraw from the place and remain away until the end of the meeting or for a lesser period fixed by the chairperson.
- (4) ~~If a person contravenes subsection (3), an authorised person may, at the request of the chairperson, exercise reasonable force to remove the person, and keep the person away, from the meeting place.~~
If a person contravenes subsection (3), the chairperson may request the chief executive officer to facilitate the removal of the person and keep the person away from the meeting place.

Comment [NR81]: UPDATE
Suggested edit

37 Disorder

The chairperson may, adjourn a meeting of the local government for not more than 30 minutes and ~~resign~~ **vacate** the chair if an act of disorder arises at the meeting and the meeting cannot properly continue.

Comment [NR82]: UPDATE
Suggested edit

38 Business of objectionable nature

If, at a local government meeting, the chairperson or a member considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of the local government, the chairperson may, on the chairperson's own volition or at the request of another member, declare that the matter not be considered further.

39 Points of order

- (1) A member who is speaking shall not be interrupted, except by the chairperson or upon a point of order, in which event the member shall resume the member's seat and remain silent until the chairperson has ceased speaking or the point of order has been disposed of, whereupon the member so interrupted may, if permitted, proceed.
- (2) Any member may ask the chairperson to decide on a point of order where it is believed that -
 - (a) another member has failed to comply with proper meeting procedure
 - (b) a matter before the local government is in contravention of a local law (including the standing orders) or the **Act or the Regulation** or
 - (c) a matter before the local government is beyond the local government's jurisdiction or power.
- (3) Where a point of order is raised, consideration of the matter to which the motion was moved shall be suspended and the chairperson shall determine whether the point of order is upheld.
- (4) Upon a point of order arising, during the process of a debate, a member may speak to a point of order, and thereupon the member against whom the point of order is raised, shall immediately cease speaking when the point of order is submitted.
- (5) Notwithstanding anything contained in the standing orders to the contrary, all points of order at any time arising shall, until decided, suspend the consideration and decision of every other motion or matter.

Comment [NR83]: UPDATE
Per current legislation

40 ~~Committee of the whole~~

- ~~(1) The local government may, for the consideration of a matter, resolve itself into a meeting of a committee of the whole.~~
- ~~(2) All reports of the proceedings of a meeting of a committee of the whole shall be made to the local government by the chairperson of such committee.~~
- ~~(3) A report of the proceedings of a meeting of a committee of the whole shall be made unless there was not a quorum present.~~
- ~~(4) The proceedings of a meeting of a committee of the whole shall be~~

Comment [NR84]: DELETE
Per LGR 274 conflicts with Regula

- ~~considered to have lapsed if there is not a quorum present.~~
- (5) ~~In making a report to the local government meeting of the proceedings of a meeting of a committee of the whole, it shall—~~
- ~~(a) not be necessary for the chairperson to report such proceedings in extensor and~~
 - ~~(b) be sufficient to state the general effect of such proceedings.~~
- (6) ~~A report of the proceedings of a meeting of a committee of the whole shall be recorded in the minutes of the local government if a motion has been made and passed by the local government to adopt the report.~~

Part 5 Attendance of public at local government meetings

41 Attendance of public at local government meeting

- (1) An area shall be made available at the place where any local government meeting is to take place for members of the public to attend and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- (2) When the meeting of the local government is closed to the public in accordance with section ~~72 275~~ of the Regulation, the public shall be excluded from the meeting.

Comment [NR85]: UPDATE
Per current legislation

42 ~~Use of mobile phones~~

~~The use of mobile phones by members, council employees or members of the public is prohibited during local government meetings, unless by permission of the chairperson.~~

Comment [NR86]: DELETE
Duplicate with S51

Part 6 Committee meetings

43 Local government committee meetings

- (1) Local government committees established in accordance with sections ~~64 264~~ and ~~62 265~~ of the Regulation, (that is, standing, special and advisory committees), are subject to the provisions of these standing orders, with the following exclusions –
- (a) ~~Section 17 Mayoral minute~~
 - (b) ~~Section 18 Committee reports~~
 - (c) ~~Section 19 Notified motion~~
 - (d) ~~Section 20 Petitions~~
- (2) ~~The local government may by resolution amend the standing orders as they apply to local government committees.~~

Comment [NR87]: UPDATE
Per current legislation

Comment [NR88]: UPDATE
Renumber per Standing Orders

Comment [NR89]: DELETE
Not required

44 Times and places of committee meetings

- (1) A committee may, by resolution, fix dates, times and places for its meetings.
- (2) If there is no resolution fixing the date, time and place for a committee meeting, the chief executive officer may fix the date, time and place for the meeting.
- (3) Before the chief executive officer fixes the date, time and place for a committee meeting, the chief executive officer must, if practicable, consult with the chairperson of the committee.

Comment [NR90]: UPDATE
Suggest edit

Comment [NR91]: UPDATE
Per current legislation

45 Special committee meetings

- (1) The chief executive officer must call a special meeting of a committee if -
 - (a) the special meeting is required by a resolution of the local government or
 - (b) a written request for the special meeting is lodged with the chief executive officer under subsection (2).
- (2) A written request for a special meeting of a committee must -
 - (a) be signed by the chairperson or three or more members of the committee
 - (b) specify the object of the special meeting and
 - (c) propose a day, time and place for the holding of the special meeting.

46 Notice of committee meetings

- (1) The chief executive officer must give written notice of a committee meeting setting out the date, time and place of the meeting, and the business to be conducted at the meeting, to each member of the committee.
- (2) The notice must be given, if practicable, at least two days before the day of the meeting.

47 Chairperson of committee meetings

The chairperson of a committee⁴ must preside at a meeting of a local government committee.⁵

³ See section 65 257 of the *Local Government (Operations) Regulation 2010 2012*.

⁴ A local government may appoint a chairperson of each committee (See section 267 (1) *Local Government Regulation 2012*).

⁵ If the chairperson is not present at a meeting, the members present may appoint a chairperson for the meeting (See section 64 267 (3) *Local Government (Operations) Regulation 2010 2012*).

48 Procedure at committee meetings

- (4) The procedure of a committee for dealing with business must be in accordance with -
 - (a) procedural directions given to the committee by resolution of the local government or
 - (b) if there is no procedural direction governing a particular matter, the chairperson's decision.
- (2) ~~However, a committee may, by resolution, overrule a decision on a procedural question made by the chairperson.~~

Comment [NR92]: DELETE
Suggest edit

49 Method of taking vote at committee meetings

- (1) ~~If a division is requested, the chief executive officer shall record the names of the members voting in the affirmative and of those voting in the negative (including abstaining).~~
- (2) The chairperson shall declare the result of a vote ~~or a division~~ as soon as it has been determined.

Comment [NR93]: UPDATE
Per OM09/065 19 February 2009

Comment [NR94]: DELETE
Per LGR 272 Minutes not required

Comment [NR95]: UPDATE
Per OM09/065 19 February 2009

Part 7 Record of meetings

50 Minutes of meetings

- (1) Minutes of a meeting of the local government must include -
 - (a) a copy of any report adopted by the meeting and
 - (b) a copy of any other documentary material necessary for a proper understanding of the proceedings of the meeting.
- (2) The material to be included in the minutes under this section is in addition to the material required under section ~~69~~ 272 of the Regulation.

Comment [NR96]: UPDATE
Per current legislation

51 Audio and video recording of meetings

- (1) The local government may direct that an audio or video recording of a meeting of the local government or a local government committee be made for the purpose of verifying the accuracy of the minutes of the meeting.
- (2) An audio or video recording made under this section -
 - (a) may only be used for the purpose of verifying the accuracy of the minutes of the meeting and
 - (b) after being used for that purpose, must be destroyed or dealt with as directed by the local government.
- (3) ~~Other than in accordance with subsections (1) and (2) above, no person shall operate any electronic or similar image recording device, or any video, cine or other camera, during any meeting of the local government or a local government committee without the prior approval of the chairperson.~~ **In accordance with subsections (1) and (2), a person (other than a person approved by council) will not use an electronic recording or transmitting device or a mobile phone during any meeting of the local government without the prior approval of the chairperson.**

Comment [NR97]: UPDATE
Rewrite for readability

- (4) ~~Where recording is approved, the chairperson shall, before the commencement of such meeting, or the commencement of such recording, announce to the members present that such approval has been granted.~~

Comment [NR98]: DELETE
Not current practice

Part 8 Procedure not provided for

52 Procedure not provided for

If an appropriate or adequate method of dealing with any matter is not provided for in these standing orders, the method of dealing with the matter may be determined by a ruling of the chairperson or by a resolution of the local government upon a motion which may be put with notice in conformity with these standing orders.

Schedule Dictionary Definitions

authorised person means a person authorised by the local government to exercise the powers of an authorised person under these orders.

chief executive officer means the local government's chief executive officer.

chairperson of the local government or a committee means the person presiding at a meeting of the local government or a committee.

council means the Sunshine Coast Regional Council

council employee means an employee of the local government appointed or engaged under the *Local Government Act 2009*.

councillor means a councillor of the Sunshine Coast Regional Council and includes the mayor.

deputation means formal visits by representatives of international, federal, state or local governments.

local government advisory committee means an advisory committee appointed by the local government in accordance with section 62 265 (Advisory committees) of the *Local Government (Operations) Regulation 2010 2012*.

local government committee means a standing committee, or the special or advisory committee appointed by the local government in accordance with section 61 264 (Appointment of committees) of the *Local Government (Operations) Regulation 2010 2012*.

local government committee meeting means a meeting of a local government committee.

local government meeting means an ordinary meeting or a special meeting of the local government.

mayor has the meaning given in the *Local Government Act 2009* and includes any person acting in the position of the mayor.

member means in the case of –

- (a) a local government meeting, councillors of the local government
- (b) a local government committee meeting, councillors of the local government appointed to the local government committee by the local government or
- (c) an advisory committee, persons appointed to the advisory committee by the local government.

Comment [NR99]: UPDATE
Suggested edit

Comment [NR100]: DELETE
Suggest delete – authorised person
for entry and to removal per the LGR
not in relation to moving persons

Comment [NR101]: UPDATE
Suggested edit

Comment [NR102]: UPDATE
Suggested edit

Comment [NR103]: DELETE
Suggest removal

Comment [NR104]: DELETE
Not required

Comment [NR105]: UPDATE
Consistency remove heading name
and update per LGR 264

Comment [NR106]: UPDATE
Per current legislation

non-member means –

- (a) the chief executive officer
- (b) a council employee nominated by the chief executive officer
- (c) a council employee invited to a local government meeting, a local government committee meeting or an advisory meeting by the chairperson of that meeting
- (d) in the case of a local government meeting, a local government committee meeting or an advisory meeting, a person admitted to the meeting by the respective local government, local government committee or advisory committee or
- (e) in the case of a local government committee meeting or an advisory committee meeting, a councillor who is not a member of that committee.

ordinary meeting of the local government means –

- (a) a post-election meeting or
- (b) a periodic meeting the local government is required to hold under section 53 257 of the Local Government (Operations) Regulation 2010 2012.

point of order means an interjection during a meeting by a member who does not have the floor, to call to the attention of the chairperson an alleged violation or breach of the local government's standing orders.

post-election meeting means the meeting required under section 175 of the *Local Government Act 2009*.

prayer of the petition means a statement of the purpose and outcome for which the petition is being submitted to the local government.

presentation means the giving or receipt of certificates, memorials, acknowledgements to the local government or from the local government but excludes the presentation of moneys by the local government.

quorum means a majority of its councillors, however if the number of councillors is an even number, one-half of the number is a quorum under (section 56 259) of the Local Government (Operations) Regulation 2010 2012.

standing orders means the rules adopted by council that regulate the meetings of the Sunshine Coast Regional Council.

statutory notice of meeting means a notice of meeting to be given under section 55 258 of the Local Government Regulation 2012 (Notice of meetings).

teleconferencing means the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in discussions as they happen under section 276 of the Local Government Regulation 2012.

the Act means the *Local Government Act 2009*.

the Regulation means the Local Government (Operations) Regulation 2010 2012.

Comment [NR107]: UPDATE
Per current legislation

Comment [NR108]: UPDATE
New definition

Comment [NR109]: DELETE
Obsolete – terminology not used

Comment [NR110]: UPDATE
Update per LGR 259

Comment [NR111]: UPDATE
Suggest edit for consistency

Comment [NR112]: UPDATE
Suggest edit for consistency

Comment [NR113]: UPDATE
New definition per LGR

Comment [NR114]: UPDATE
Per current legislation

