

Intent

To provide direction on Standing Orders and meeting procedures for the conduct of Council meetings. Business considered at a Council meeting will generally arise through reports or notices of motion included in the agenda to ensure informed decision making.

Scope

The Standing Orders apply to all Council meetings, including Standing Committees. The Standing Orders do not apply to formal Advisory Committees unless adopted by the Advisory Committee, nor to the Audit, Risk and Improvement Committee.

A provision of these standing orders may be suspended by resolution of any meeting of the Council except those sections that are mandatory under the Meeting Procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.

Where a matter arises at the Council meeting that is not provided for in these standing orders, the matter will be determined by resolution of the local government upon a motion which may be put without notice, but otherwise confirms with these standing orders.

Policy Statement

1. Presiding officer

The Mayor will preside at a meeting of Council. If the Mayor is absent or unable to preside, the Deputy Mayor will preside. If both the Mayor and Deputy Mayor are absent or unable to preside, a Councillor chosen by the councillors present at the meeting will preside at the meeting.

2. Order of Business

The order of business for Council meetings is:

1. apologies and granting of leaves of absence
2. acknowledgement of country
3. bereavement and condolences
4. declarations of conflicts of interest
5. confirmation of previous minutes
6. business arising from previous meeting reports
7. deputations and delegations
8. Mayoral Minute
9. reports referred to the meeting by the CEO
10. notices of motion
11. business without notice
12. closed session – confidential reports
13. open session – consideration of recommendations in confidential reports.

The order of business may be altered for a particular meeting where the councillors at the meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.

3. Meeting Procedures

Council has adopted Meeting Procedures. The procedures regulate:

- the process for dealing with unsuitable meeting conduct by a councillor (including the Mayor) in a meeting
- the process for dealing with any suspected conduct breach that has been referred to the local government by the Independent Assessor
- Prescribed conflicts of interest
- Declarable conflicts of interest
- Reporting a suspected conflict of interest
- Recording prescribed and declarable conflicts of interest
- Loss of quorum
- Closed meetings
- Teleconferencing meetings.

Reference should be made to the Meeting Procedures for specific details on the above matters.

4. Agenda

The agenda will contain the matters in the Order of Business section of these Standing Orders. The agenda will also include:

- notice of meeting including day, date, time and venue
- any minutes of committee meetings referred by the CEO
- councillor conduct breach investigation reports provided by the investigator
- any other business Council decides by resolution to be included in the agenda
- any other business requested by the Mayor to be included in the agenda.

Business not on the agenda, or not fairly arising from the agenda, will not be considered at any Council meeting unless permission for that purpose is given by the Council at the meeting.

The CEO is responsible for setting and preparing the agenda.

The agenda will generally be given to councillors one week prior to the meeting and be published on Council's website one business day after being provided to councillors.

5. Confirmation of minutes

Unconfirmed minutes from the preceding meeting of Council must be confirmed at the next ordinary meeting of Council. The only discussion permitted in confirming the minutes is in relation to their accuracy as a record of the meeting.

Amendments to the minutes may be made prior to confirming of the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried.

All councillors present at the meeting can vote to confirm the minutes, including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

Once the minutes are confirmed by resolution of the meeting they cannot be changed. If the local government needs to make a correction to the confirmed minutes, this can be done by passing a new motion that states what the correction is, but the original minutes remain as they are recorded.

6. Business arising from the minutes

Business may be raised on an item in the minutes only where such discussion is, in the opinion of the Chair, directly relevant to the item.

7. Quorum

A quorum at a Council meeting is a majority of its councillors. If the number of councillors is even then one half of the number is a quorum.

If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of councillors present, or if only one councillor is present, then that councillor, or if no councillors are present then the CEO.

8. Deputations

A person wishing to address a meeting of Council must apply in writing to the CEO at least five business days prior to the meeting. The written request must contain sufficient information together with any documents to be discussed or presented, to enable an informed decision on whether or not to allow the deputation to be heard.

The Mayor will decide whether to receive the deputation and a response will be provided at least two business days prior to the meeting. The Mayor has the discretion to allow a deputation at short notice (less than five days).

The Chair will control and manage the deputation including setting time limits, number of speakers or terminating the deputation for any reason.

9. Mayoral Minute

The Mayor or Chair may through a Mayoral Minute introduce a matter without a seconder, which is not on the agenda for consideration by Council.

When practical, the Mayor or Chair must give a copy of the Mayoral Minute to councillors and the CEO prior to the meeting.

A Mayoral Minute may be introduced by the Mayor at any time during the meeting.

The Chair may present a Mayoral Minute on behalf of the Mayor if the Mayor is absent from the meeting.

A motion proposed in a Mayoral Minute, if carried, becomes a resolution of Council.

10. Reports

Council makes decisions and provides direction by making resolutions. In the interests of good governance, resolutions should be informed by reports from officers on the subject matter.

Council may request reports by:

- the Mayor providing a request to the CEO
- passing a resolution requesting a particular report.

11. Questions

A councillor may ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting.

Questions must be asked categorically and without argument and no discussion will be permitted at the meeting in relation to a reply or a refusal to reply to the question.

A councillor or officer who is asked a question without notice may request that the question be taken on notice for the next meeting.

A councillor who asks a question, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.

The Chair may disallow a question which is considered inconsistent with the Acceptable Requests Guidelines Policy or good order, provided that a councillor may move a motion that the Chair's ruling be disagreed with, and if carried the Chair will allow the question.

12. Notice of motion

A notice of motion must be submitted to the CEO at least five business days prior to the meeting to be included on the agenda. A notice must contain enough detail to allow Council to make an informed decision.

13. Business without notice

A councillor may move a motion as an item of business without notice. If the motion is seconded it will be considered by Council.

Where possible a copy of the proposed business without notice must be given to councillors and the CEO as soon as practical prior to the meeting.

Motions

14. Motion to be moved

A councillor is required to 'move' a motion and then another councillor is required to 'second' the motion. When a motion has been moved and seconded, it will become subject to the control of the Council and cannot be withdrawn without the consent of the Council.

Other councillors can propose amendments to the motion, which must be voted on before voting on the final motion:

- A motion brought before a meeting in accordance with the *Local Government Act 2009* or these Standing Orders will be received and put to the meeting by the Chair.
- The Chair may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- The Chair may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.

The Chair may call any notices of motion in the order in which they appear on the agenda. Where no objection is raised to a motion being taken as a formal motion, and the motion is then seconded, the Chair may put the motion to the vote without discussion and the vote can occur.

No more than one motion or one proposed amendment to a motion may be put before a meeting at any one time.

15. Absence of mover of motion

Where a councillor who has given notice of a motion is absent from the meeting at which the motion is to be considered, the motion may be:

- moved by another councillor at the meeting or
- deferred to the next meeting.

16. Motion to be seconded

A motion or an amendment to a motion shall not be debated at a meeting until the motion or the amendment is seconded.

Procedural motions are an exception to this rule and do not need to be seconded.

17. Amendment of motion

An amendment to a motion should maintain or further clarify the intent of the original motion and not contradict the motion.

Where an amendment to a motion is before a meeting, no other amendment to the motion will be considered until after the first amendment has been voted on.

Where a motion is amended, the original motion cannot be re-introduced as a subsequent amendment to the first amended motion.

18. Speaking to motions and amendments

The mover of a motion will not speak to the motion until it is seconded. The mover of an amendment will read it and state that it is so moved but will not speak to it until it is seconded.

The Chair will manage the debate by allowing the councillor who proposed the motion the option of speaking first. The Chair will then call on any other councillors who wish to speak, until all councillors who wish to speak have had the opportunity to do so.

A councillor may make a request to the Chair for further information before or after the motion or amendment is seconded.

The mover of a motion or amendment has the right to reply. Each councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.

Each speaker will be restricted to not more than five minutes unless the Chair rules otherwise.

Where two or more councillors indicate they may wish to speak at the same time, the Chair will determine who is entitled to priority.

In accordance with section 254H of the *Local Government Regulation 2012*, if a decision made at the meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

If a report contains distinct recommendations, the decision of the council may be taken separately on each recommendation. If a decision is contradictory to a recommendation in a report, the minutes must give the reasons for the decision.

19. Method of taking vote

The Chair will call for all councillors in favour of the motion to indicate their support by raising their hand. The Chair will then call for all councillors against the motion to indicate their objection by raising their hand.

The Chair will declare the result of a vote as soon as it has been determined, and the minutes of the meeting will record the names of councillors voting against the motion, if any.

Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.

20. Withdrawing a motion

A motion or amendment may be withdrawn by the mover with the consent of the council, which will be without debate, and a councillor will not speak to the motion or amendment after the mover has been granted permission by the council for its withdrawal.

21. Procedural motions

A councillor may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:

- that the question/motion be now put before the meeting
- that the motion or amendment now before the meeting be adjourned
- that the meeting proceeds to the next item of business
- that the question lie on the table
- a point of order
- a motion of dissent against the Chair's decision
- that the report/document be tabled
- to suspend the rule requiring that [insert requirement]
- that the meeting stands adjourned.

A procedural motion that 'the question be put' may be moved and, where the procedural motion is carried, the Chair will immediately put the question to the motion or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.

A procedural motion that 'the motion or amendment now before the meeting be adjourned', may specify a time or date to which the debate will be adjourned. Where no date or time is specified:

- a further motion may be moved to specify a time or date or
- the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.

Where a procedural motion that 'the meeting proceed to the next item' is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the giving of notice in accordance with these Standing Orders.

A procedural motion that 'the question lie on the table' will only be moved where the Chair or a councillor requires additional information on the matter, or some other action of the council or person is required, before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council will proceed with the next matter on the agenda.

A procedural motion that 'the matter be taken from the table', may be moved at the meeting at which the procedural motion was carried or at any later meeting.

Any councillor may ask the Chair to decide on a point of order where it is believed that another councillor:

- has failed to comply with proper procedures
- is in contravention of the legislation
- is beyond the jurisdiction power of the council meeting.

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

When a question of order arises during a debate, a councillor may raise a point of order, and then the councillor who the point of order is raised against will immediately stop speaking. All questions or points of order arising will, until decided, suspend the consideration and decision of every other question.

A councillor may move a motion of dissent in relation to a ruling of the Chair on a point of order. When moved, further consideration of any matter will be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chair was made will proceed as though that ruling had not been made. Where a motion of dissent is not carried, the matter will be restored to the agenda and dealt with in the normal course of business.

The motion that 'a report/document be tabled' may be used by a councillor to introduce a report or other document to the meeting only if the report or document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

A procedural motion to 'suspend the rule requiring that ...', may be made by any councillor in order to permit some action that otherwise would be prevented by a procedural rule (except those sections that are mandatory under the Meeting Procedures). A motion to suspend a rule must specify the duration of the suspension.

A procedural motion that 'the meeting stands adjourned', may be moved by a councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption, the meeting will continue with the business at the point where it was discontinued for the adjournment.

22. Adjournment and resumption of meeting

The Chair may adjourn and resume a meeting without the need for a motion. The minutes will record the purpose and length of the adjournment.

23. Repealing or amending resolutions

A resolution may not be amended or repealed unless a notice of motion is given in accordance with the requirements of the legislation.

Councillors present at the meeting at which a motion to repeal or amend a resolution is put may defer consideration of that motion. The deferral may not be longer than three months.

24. Petitions

Petitions may be presented to Council by members of a deputation or by councillors.

No debate will be permitted on a petition presented at a meeting.

The only motions which may be moved are that the petition:

- be received
- be received and referred to the CEO for consideration or a report to council
- not be received (and specifying the reasons why).

Petitions must:

- be legible
- contain at least 10 signatures
- include the names and contact details for the principal petitioner
- include the postcode of all petitioners
- be signed by all petitioners
- have the subject matter and details on every page of the petition
- be reasonable, respectful, and not frivolous or lacking in substance.

Council may receive a petition despite non-compliance with the abovementioned requirements provided the intent, information and substance of the petition is clear.

25. Maintenance of good order and public participation

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

Members of the public must maintain good order at meetings. The Chair may direct a member of the public to leave the meeting and the premises if they do not maintain good order.

The Chair may adjourn a meeting when, in their opinion, disorder arises. Upon resumption of the meeting, the Chair will move a motion, without the need for a seconder, that the meeting proceed. If the motion is lost, the Chair will immediately close the meeting and unfinished agenda items may be considered at a future meeting.

No member of the public may interject or participate in the proceedings unless expressly invited to speak by the Chair.

No banners, placards or similar objects are to be brought into or displayed in a Council meeting.

26. Procedure for matters not provided for in the Standing Orders

Where the Standing Orders do not refer to a matter, or where clarification or further detail is required, the Chair may decide how the matter is dealt with.

If a councillor disagrees with the decision of the Chair, the councillor may move a motion detailing how the matter should be dealt with. This motion is then subject to the usual procedures for dealing with motions; that is, it must be seconded before being discussed and voted on.

If the motion is carried, the matter will be dealt with as stated in the resolution. If the motion is lost, the original decision of the Chair stands.

27. Minutes

The CEO will ensure that minutes are taken and published for each meeting.

The minutes will record matters set out in the order of business and the resolutions of Council.

28. Recording of meetings

Council may record and/or livestream meetings at the discretion of Council.

No member of the public may record proceedings or take photographs at a Council meeting without the express permission of the Chair.

Context

Definitions

Chair means the councillor who chairs a meeting of Council. Ordinarily, this will be the Mayor. In the Mayor's absence, it will be the Deputy Mayor. If both the Mayor and Deputy Mayor are absent, councillors will nominate a Chair by moving and seconding a nominee and voting on the motion.

CEO means the Chief Executive Officer of Tablelands Regional Council.

Council means Tablelands Regional Council.

Alignment to Risk Register

These Standing Orders mitigate the following corporate risks:

- COR5 – poor governance
- COR8 – legislative non-compliance
- COR20 – poor decision making

Relevant Legislation

- *Local Government Act 2009*
- *Local Government Regulation 2012*

Related Documents

- Code of Conduct for Councillors in Queensland
- Meeting Procedures

Corporate Plan Links

This policy aligns with the following Corporate Plan 2021– 26 themes:

- Our organisation is progressive, efficient, transparent and collaborative.

Human Rights Commitment

Tablelands Regional Council has considered the human rights protected under the *Human Rights Act 2019* (Qld) when adopting and/or amending this policy. When applying this policy, TRC will act and make decisions in a way that is compatible with human rights.

Responsibility

Council is responsible for the adoption, amendment and repeal of this policy and the Chief Executive Officer is responsible for the development and amendment of any associated procedures and guidelines relevant to the policy.

This policy is to remain in force until otherwise amended or repealed by resolution of Council.

Adopted By	Council	Responsible Officer	Chief Executive Officer
Adopted Date	31 October 2024	Review Date	31 October 2028
Version	5	This policy repeals any previous versions.	