



City of Fremantle



STANDING ORDERS

Adopted ~ October 2005

STANDING ORDER POLICY

TABLE OF CONTENTS

OBJECTIVE	2
INTRODUCTION.....	2
ALTERATIONS.....	2
DEFINITIONS	3
PART A - COUNCIL MEETINGS.....	7
<u>CALLING OF MEETINGS</u>	7
<u>PRESIDING AT COUNCIL MEETINGS.....</u>	8
<u>QUORUM.....</u>	9
<u>ORDER OF BUSINESS</u>	9
<u>PUBLIC QUESTION TIME</u>	9
<u>DISCLOSURES OF INTEREST</u>	10
<u>CONFIRMATION OF MINUTES</u>	11
<u>ANNOUNCEMENTS BY THE MAYOR.....</u>	11
<u>QUESTIONS BY ELECTED MEMBERS</u>	11
<u>PETITIONS.....</u>	12
<u>DEPUTATIONS.....</u>	12
<u>TABLED DOCUMENTS</u>	12
<u>COMMITTEE REPORTS</u>	12
<u>NOTICES OF MOTION.....</u>	14
<u>REPORTS BY THE CEO</u>	14
<u>REPORTS BY THE MAYOR.....</u>	14
<u>CONFIDENTIAL MATTERS.....</u>	14
<u>ORDER OF BUSINESS - SPECIAL MEETINGS.....</u>	15
<u>RULES OF DEBATE</u>	15
<u>CONTROL OF ORDER.....</u>	19
<u>MINUTES.....</u>	19
PART B - STANDING COMMITTEE MEETINGS.....	21
<u>STANDING COMMITTEES.....</u>	21
<u>MEMBERS</u>	21
<u>CALLING OF MEETINGS</u>	22
<u>PRESIDING</u>	22
<u>QUORUM.....</u>	22
<u>DEPUTATIONS - APPLICATION.....</u>	23
<u>DEPUTATIONS - PROCEDURES</u>	23
<u>QUESTIONS AT COMMITTEE MEETINGS.....</u>	23
<u>ORDER OF BUSINESS AT STANDING COMMITTEE MEETINGS.....</u>	24
<u>INTERESTS</u>	25
<u>MINUTES.....</u>	26
<u>RULES OF DEBATE</u>	27
PART C - OCCASIONAL COMMITTEE MEETINGS.....	28
APPENDIX 1 - TERMS OF REFERENCE - COUNCIL STANDING COMMITTEES ..	

OBJECTIVE

The objective of the Standing Orders Policy is to provide a credible, open, comprehensive outline of the manner in which Council will conduct its business so as to foster open and accountable decision making by:

- promoting the orderly conduct of Council and Committee meetings;
- providing elected members with a fair opportunity to speak and seek additional information on issues under consideration by the Council or a Committee;
- ensuring that elected members, the community and other stakeholders have reasonable notice of issues and the motions to be considered at Council and Committee meetings
- assisting the public to understand the rationale for Council and Committee decisions

INTRODUCTION

This policy document sets out Council's policy on meeting procedure. In acknowledgment of the fact that this policy sets the framework for Council's democratic decision making process, specific provisions are outlined for its alteration under the heading "Alterations".

The policy is divided into three parts:

Part A - Council Meetings which deals with procedures relating to ordinary and special meetings of full Council;

Part B - Standing Committee Meetings which deals with procedures relating to ordinary and special meetings of standing committees; and

Part C - Occasional Committee Meetings which deals with other issues relating to meetings of Council's occasional committees.

Definitions are provided for some of the more obvious terms that may require explanation. Use of the procedures may determine further terms which require clarification. Allowance is made for this in the alteration procedures so that definitions may be added on a needs basis without having to follow the lengthier process provided for alterations of provisions.

Alterations

Mechanisms for altering this policy are set out below:

1. Definitions: Definitions of terms used in the Standing Orders may be added to or further clarified at any time by a resolution adopted by Council.
2. Other alterations to the policy may be made in the following manner:

- 2.1 Proposals for alteration should in the first instance, be raised at or referred to the Strategic and General Services Committee for consideration.
- 2.2 The committee's recommendation on any such proposals shall be circulated to all Councillors and shall lay on the table for a minimum period of one month to allow consideration and discussion.
- 2.3 If three Councillors, or more request it, or at the discretion of the Strategic and General Services Committee, a special Councillors Forum to discuss any proposals for change shall be held during the period that the proposal is on the table.
- 2.4 The Strategic and General Services Committee shall again consider the proposal once it has lain on the table and any Councillor Forum to discuss has been held. Any Councillors submissions on the proposals or points raised by Councillors at a Forum to discuss proposals, shall be taken into consideration by the committee and a recommendation made to the next ordinary meeting of Council.

Definitions

For the purpose of this policy, the following definitions apply.

Absolute Majority - means more than half the total number of members of Council whether all members are present at the time a vote is taken or not.

Act - the Local Government Act 1995.

Adjournment - a suspension of a meeting or of the discussion of a particular matter to a later time, to a later date or indefinitely.

Amendment - a proposal to alter a motion before the meeting which is subsidiary to that motion and which will not change its major thrust.

Business - is any matter to be discussed at a Council or a committee meeting.

Casting Vote - is an additional vote cast by the Presiding member of a meeting when voting is otherwise equal.

CEO - means the Chief Executive Officer

Confirmation of Minutes - a resolution that the minutes are a true record of the meeting to which they relate.

Council Meetings - means ordinary or special meetings of full Council.

Delegated Authority - within the context of these standing orders, authority to make decisions on specific issues with or without guidelines established by Council, that Council has delegated to a standing committee.

Delivered - means delivery of Council notice papers or Committee agendas either physically or by way of the City's computer network.

Deputy - within the context of the standing orders a Councillor deputising for another Councillor of the same Ward at a standing committee meeting, or the Deputy Mayor who acts as the Mayor's deputy.

Financial Interest – is an interest held by a person or anyone with whom the person is closely associated, in a matter to be discussed at a Council or a committee meeting which could have a financial impact on the person's affairs. (A more detailed discussion of financial interests is available in the "Financial Interests Handbook" published by the Department of Local Government).

Impartiality Interest – an interest, not including a financial or proximity interest, that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

Interest – is

- a direct or indirect financial interest or a proximity interest held by a person or anyone with whom the person is closely associated , in a matter to be discussed at a Council or a committee meeting. (see definition of “Financial interest” and “Proximity Interest”); or
- an impartiality interest held by a person in a matter to be discussed at a Council or a committee meeting. (see definition of “Impartiality interest”)

Note: Persons who give notifiable election gifts to a member are considered to be closely associated persons in relation to that member.

Members - the term members includes all Councillors and the Mayor. In relation to a committee, members includes all appointed members of the particular committee.

Minutes - the formal record of the occurrences at a meeting and the decisions reached.

Motion - a proposal put to a meeting with a view to its acceptance.

Notice of Motion - a notice giving the precise wording of a motion to be put to a meeting.

Notice Paper - the agenda for a full Council meeting.

Observer - a member of the public attending but who has no right to speak at an Occasional committee meeting

Occasional Committee - a committee of Council, other than a Standing Committee.

Operational Matters - are matters which relate to the day to day operation of any of Council's services.

Ordinary Meetings - meetings of Council held in accordance with the regular meeting cycle.

Ordinary Vote - is an ordinary vote as distinguished from a casting vote.

Question - a request for information or an inquiry.

Proximity Interest – a person has a proximity interest in a matter if the matter concerns a proposed development or a proposed change to a planning scheme, zoning or land use in relation to and adjoining the person's land or land of a person with whom the person is closely associated, where 'adjoining' includes the special cases of land that is directly across a thoroughfare from the person's land, and land that is part of a thoroughfare that has a common boundary with the person's land, as defined in section 5.60B(2) of the Local Government Act.

Quorum - is the minimum number of members which must be present to constitute a valid meeting.

Reports - in relation to committee reports, means the formal record of standing committee proceedings and recommendations to Council.

Resolution - a motion which has been carried by a meeting.

Seconding - is indicating support for a motion by formally seconding it to allow it to be brought before the meeting for discussion. If a motion at a Council meeting is not seconded, it is not discussed and automatically lapses. (Motions at Standing Committee meetings are not required to be seconded).

Special Majority - means more than 75% of the total number of members of Council whether all members are present at the time a vote is taken or not.

Special Meetings - meetings of Council/Standing Committees called for specific purposes at times outside Council's normal meeting schedule.

Standing Committee - a continuing committee of Council which specialises in a particular aspect of Council's functions, making recommendations on its area of speciality to Council and in some instances exercising delegated authority from Council.

Tabled Documents - documents including, but not limited to, late items, reports by the mayor and reports by officers not previously included in the agenda or notice paper that are presented to the committee or council for presentation at the committee or council meeting.

Urgency - a matter is urgent if delaying it could have a harmful effect on Council's operations, individuals or the community.

PART A - COUNCIL MEETINGS

All meetings of Council shall be conducted according to this part.

Calling of Meetings

1. Ordinary meetings of Council shall be held on the fourth Wednesday of the month, or as determined otherwise by an absolute majority of Council.

WEEK	MEETING (all on Wednesday nights)
1	6.00 pm Planning Services Committee (Applications & Policy)
2	6.00 pm Strategic and General Services Committee
3	6.00 pm Planning Services Committee (Applications)
4	6.00 pm Council

2. Where the scheduled meeting date occurs on a public holiday, the meeting will be held on the next available working day.
3. In December and January each financial year, the meeting schedule may be varied by Council to allow for the Christmas / New Year break.
4. All ordinary meetings of Council and Standing Committees shall be adjourned approximately two and a half hours after the scheduled commencement for a 30 minute meal break. To enable this to occur, discussion on a new item shall not be commenced after two hours and twenty five minutes and any item still under discussion after two hours and thirty five minutes shall be adjourned. A meal break may be delayed by simple majority decision of members present at the meeting if it is considered, in the opinion of the Mayor, that the meeting would more than likely be concluded within half an hour of the allotted meal break.
5. Notice Papers for ordinary meetings shall endeavour to be delivered by 7.30 pm on the Friday immediately preceding the Council meeting to which they relate.
6. Where a member or officer tables information at the commencement of a Council meeting for consideration at the meeting, sufficient copies are to be available for members and officers who are present at the meeting. A number of spare copies should also be available for members of the public.
7. Special meetings of Council may be called by the Mayor causing notice outlining the nature of the business to be provided to Councillors at least 24 hours prior to the meeting time.

8. If the Mayor or at least one third of the councillors request that the CEO call a special meeting, he/she is bound to do so.
9. Council meetings may be adjourned by the Mayor at his/her discretion.
10. Resumption of adjourned meetings (other than meetings adjourned for a meal break or a temporary adjournment during the meeting) may be called by the Mayor causing Councillors to be advised of the resumption at least 24 hours prior to the time set. This may be done by a person to person telephone call to all Councillors.
11. Provided that notice of a meeting is given in accordance with the preceding clauses, failure by any member to receive such notice shall not invalidate the proceedings of any meeting.
12. All ordinary and special meetings of Council will be open to the public except when Council resolves that discussion on specific matters will be closed to the public, with the minutes to record the reason for the closure. Such matters will be discussed behind closed doors at the end of the meeting.
13. Council meetings shall be recorded by Council's Minutes Secretary. No other person is to use any electronic sound or visual recording device or instrument to record the proceedings of the Council unless the Mayor has given permission to do so and the Mayor has informed Council of that fact.

Presiding at Council Meetings

14. The Mayor will preside at all Council meetings at which he/she is present. If he/she is not present, the Deputy Mayor will automatically take the chair. If the Deputy Mayor is also unable to preside, the Councillors present shall choose a presiding member from amongst themselves.
15. When a member other than the Mayor is presiding at a meeting all references to the Mayor's role or Presiding member apply to that member as if he/she were the Mayor.

Quorum

16. The quorum at all Council meetings is more than half the total number of members of Council.
17. If a quorum is not present no business can be transacted.
18. If after the expiration of half an hour from the meeting time fixed, there is still not a quorum, the meeting shall be adjourned.
19. If during a meeting a quorum should cease to exist, the Mayor shall temporarily suspend proceedings for five minutes. If after the expiration of five minutes there is still not a quorum, the meeting shall be adjourned and may be resumed at the point it was interrupted, at the next meeting.
20. If a member has disclosed an interest he/she is not counted for quorum purposes when the matter he/she has disclosed an interest in is discussed.

Order of Business

21. No business shall be transacted at any meeting of Council that is not either specified in the notice of that meeting, or permitted to be dealt with without notice by these Orders or the Act.
22. The following order of business will apply to all ordinary meetings of Council:
 - . Declaration of Opening / Announcement of Visitors
 - . Attendance / Apologies / Leave of Absence
 - . Response to Previous Public Questions Taken on Notice
 - . Public Question Time
 - . Disclosure of Interests by Members
 - . Applications for Leave of Absence
 - . Petitions / Deputations / Presentations
 - . Confirmation of Minutes
 - . Announcements by the Mayor
 - . Questions or Personal Explanations by Members
 - . Tabled Documents
 - . Committee Reports
 - . Motions of which notice has been given
 - . Reports by the Mayor or officers of Council
 - Information Report (including minutes of Advisory Committees)
 - . Confidential matters (if any).
 - . Closure of Meeting

Public Question Time

23. Public question time shall be held prior to the formal opening of the meeting. It has a duration of at least 15 minutes, although there is nothing to prevent Public Question Time lasting less than 15 minutes if there are insufficient questions to fill the time.

24. Two types of questions may be asked -

24.1 Questions relating to matters on the Notice Paper for the particular meeting in question - these will take precedence over other questions.

24.2 At an ordinary Council meeting questions on matters related to the municipality but not listed on the Notice Paper from the particular meeting, may be asked. At a special Council meeting, questions that do not relate to the purpose of the meeting will not be answered.

25. If a question cannot be answered at the meeting, it will be put on notice and the questioner advised of the answer in writing, with the answer to be tabled at the following ordinary Council meeting.

25.1 If, during public question time, a question relating to a matter in which a member or employee has an interest is directed to that person then that person is to:

- disclose that he or she has an interest in the matter, and
- allow another Council member, committee member or employee to respond to the question.

Disclosures of Interest

26. At the beginning of the meeting, members shall disclose matters on the Notice Paper in which they have an interest unless the interest is specifically exempted by section 5.63 of the Local Government Act 1995, as well as any impartiality interest in a matter in respect of which they will give advice to the meeting. The member shall also disclose the nature of the interest immediately before the item is moved and discussed. In the case of advice relating to an impartiality interest the disclosure must occur immediately before the matter is discussed or at the time the advice is given.

27. A member who has disclosed an interest in a certain item must vacate the chamber prior to the formal moving of the motion until after the matter is resolved and shall not vote unless the majority of members present resolve, on disclosure of the extent of the interest, that the interest is so trivial or commonly shared that he/she may vote on it. A motion to do so can be moved without notice by any member, with the disclosing member required to vacate the chamber during discussion of this motion.

28. Where the member presiding at the meeting has disclosed an interest in an item, he/she shall vacate the chair prior to the moving of that item and not vote on nor be present in the chamber during discussion on that item. On resolution of the item the member shall return to the chair. The majority of members present may resolve, on disclosure of the extent of the interest, that the interest is so trivial or commonly shared that he/she may preside at the

meeting relating to the matter or participate in, or be present during, any discussion or decision making procedure including voting relating to the matter. A motion to do so can be moved without notice by any member, with the disclosing member required to vacate the chamber during discussion of this motion.

29. Members vacating the chamber as a result of a disclosure of interest should move sufficiently far away from the chamber so as to be unable to either hear or observe any part of the debate.
30. Members on request will be advised of the major thrust of the debate and any motion passed in their absence.
31. Employees who have an impartiality interest in a matter to be discussed at a Council meeting that they will be attending must disclose the interest immediately before the matter is discussed.
32. Employees who have an interest in a matter to be discussed at a meeting of the Council in respect of which they have provided, or will provide advice or a report, must disclose the nature of the interest immediately before the matter is discussed or when giving the advice or report unless a statutory exemption applies.

Confirmation of Minutes

33. Unconfirmed minutes of Council meetings will be available for public inspection within 10 business days of the Council meeting.
34. Minutes of the last ordinary meeting of Council and any special meetings of Council held in the intervening period will be supplied to Councillors at least 3 days prior to the meeting and confirmed without being read at the meeting. No discussion will be held on the minutes other than discussion in relation to their accuracy as a true and accurate record of the proceedings of the meeting concerned.

Announcements by the Mayor

35. The Mayor may make announcements on any matters that he/she considers should be of interest or concern to Council. No discussion on these matters shall be entered into.

Questions by Elected Members

36. Members may ask questions relating to matters on the notice paper or on matters generally related to the municipality, if not on the notice paper.
37. All questions shall be brief and shall not include an argument or statement of opinion. No discussion on questions will be entered into.

38. Where a member or officer who is in his or her opinion unable to provide a full and detailed answer, no answer shall be provided at the meeting and the question shall be taken on notice. The subsequent answer is to be provided in writing to the member concerned with the answer to be tabled at the next ordinary meeting of Council.

Petitions

39. Petitions submitted to Council should clearly outline their purpose in a factual and non abusive way. It is the duty of a Councillor presenting a petition to become acquainted with the nature of the petition before presenting it.
40. When presenting petitions, the Mayor and Councillors must confine themselves to announcing the origin of the submission, its statement of purpose and the number of signatures on it. The petition will be tabled and sent to the appropriate committee for consideration and report, or if it relates to an item on the immediate notice paper, be considered at the meeting.

Deputations

41. People wishing to make deputations to Council should make their wishes known to the Council which will determine whether or not Council should receive the deputation.
42. When it is resolved to receive a deputation, it shall not have more than five members and only two members will be at liberty to speak to Council, unless speaking in response to questions from the Mayor or Councillors.

Tabled Documents

43. The Mayor shall alert the meeting to documents that have been tabled for consideration at the meeting.

Committee Reports

44. The Mayor may determine the order in which the Council will consider items on the notice paper in order to maximise the efficient operation of Council and/or minimise inconvenience to members of the public who are in attendance.
45. Standing committee reports to Council shall be presented by the Presiding member of the committee or other member of the committee. It is the duty of the Presiding member or committee member to move the recommendations of the committee and he/she may only withdraw a recommendation with the consent of Council. However, if a committee Presiding member or other member of the committee presenting a report does not agree with a recommendation of the committee and wishes to speak and/or vote against it, he/she may ask another member of the committee to move such a recommendation.

46. The Presiding member of each Standing committee or a member nominated by the committee shall ask if any members who were in attendance at that committee meeting foresee any objections to the minutes of the committee meeting relating to items on the Council agenda being confirmed at the next meeting of that committee.
47. Once any objections have been resolved, the Presiding member of each committee or a member nominated by the committee shall invite members who wish to speak on items within a committee report to identify the items in question.
48. The committee Presiding member or nominated person will then go on to move in a single motion the recommendations of all items in the report on which no request to speak has been made nor interest disclosed.
49. On completion of the above process, the committee Presiding member or nominated person will then go on to move the remaining recommendations in numerical order, unless otherwise determined by the Mayor.
50. Any item in which any member has an interest shall be moved as a separate motion so that the member with the interest will not vote on the item in question.
51. Motions can be -
 - 51.1 adopted as they are;
 - 51.2 reversed;
 - 51.3 adopted with amendment;
 - 51.4 referred back to the committee for further consideration stating the issues to be addressed by the committee and whether the ultimate decision is to be made by the Committee or by full Council;
 - 51.5 substantially altered or an alternative resolution proposed; or
 - 51.6 deferred until the following ordinary Council meeting stating the reasons for such deferment.
52. Members may also request that matters within committee reports be clarified, and that explanations of committee recommendations be given. Such requests and clarifications should be directly related to the specific documentation within the committee reports or recommendations.
53. Whenever possible, a member should give notice of his/her intention to move a motion pursuant to clauses 51.2, 51.4, 51.5 and 51.6 or to move an amendment pursuant to Clause 51.3 by providing it to the minutes secretary by fifty one (51) hours preceding the council meeting, in which case the motion will be available to the Mayor and Councillors on the computer network by 5.30pm that day.
54. Notice must be given, in terms of Clause 53, to move a motion pursuant to Clauses 51.2, 51.3, 51.4 or 51.5. If notice is not given, the consent of a

special majority is required before the motion can be moved and debated. If a motion from a standing committee has been altered from the original officer recommendation, then that officer recommendation may be moved at the meeting without prior notice.

55. A notice of motion under Clauses 51.2, 51.3, 51.4 or 51.5 must include the reasons why the motion should be changed or altered from the recommendation provided in the agenda.

Notices of Motion

56. When due to urgency a matter cannot be raised through the appropriate committee, a member may give notice of his/her intention to move a motion at a Council meeting by giving it in writing to the CEO by no later than the Tuesday preceding the issue of the Notice Paper for the meeting. The CEO must include such motions on the Notice Paper. He/she may make amendments of form but not of substance, to a motion before including it in the Notice Paper.
57. Where a notice of motion cannot be provided to the CEO in time for inclusion in the Notice Paper but is received by the minutes secretary by fifty one (51) hours preceding the council meeting, the motion will be available to the Mayor and Councillors on the computer network by 5.30pm that day.

Reports by the CEO

58. Operational matters which due to urgency, or for some other reason, cannot be raised through the appropriate committee, may be submitted to Council directly in a CEO's report.
59. Where a CEO's report cannot be prepared in time for inclusion in the Notice Paper, where possible it shall be provided separately to members prior to the Council meeting.
60. Where it is not possible for a CEO's report to be included in the Notice Paper or provided separately to members prior to the Council meeting, it shall be tabled in writing at the beginning of the meeting.

Reports by the Mayor

61. The Mayor may also submit matters to Council for information or resolution when he/she considers that due to urgency or for some other reason it cannot be raised through the appropriate committee.

Confidential Matters

62. Any confidential matters listed on the Notice Paper or matters raised during the meeting that Council has resolved to treat as confidential are dealt with at this point. The Mayor or any member presiding at the meeting shall move a

motion to discuss the matter/matters behind closed doors. Once the motion is carried all members of the public must leave the Chamber and only those staff members specified by the Council may remain in the Chamber.

63. All matters will be dealt with in public unless Council decides to close the meeting to members of the public for discussion of that matter, in which case specific reasons in accordance with Sections 5.94 and 5.95 of the Local Government Act 1995 must be stated in the motion to close the meeting. Decisions in relation to matters discussed without the public present and details of the vote will be available to the public, and once the reason for confidentiality no longer applies, access to supporting documentation will also be available.

Information Report

64. Information considered appropriate by the CEO will be included in the Information Report to be received by the meeting, this will include minutes of advisory committee meetings. No motions may be made relating to individual items contained in this report without prior notification to the minutes secretary by forty eight (48) hours preceding the council meeting, in which case the motion will be made available to the Mayor and Councillors on the computer network by 5.30pm that day.

Order of Business - Special Meetings

65. The order of business at any special meeting of Council will be as outlined in the notice of the meeting.

Rules of Debate

66. All matters brought before Council for resolution shall be brought forward in the form of a motion moved by a member of Council.
67. It is the Mayor's duty to ensure that all points of view on a motion being discussed are allowed to be expressed. All members are entitled to speak on a motion with the following limitations.
 - 67.1 In speaking to a motion all members must speak for or against the motion, or ask a question, or seek a point of clarification. If no members wish to speak for or against the motion then the matter will be put straight to the vote.
 - 67.2 A motion must be moved and seconded without the mover or seconder speaking on the motion. Once the motion is seconded, the mover may speak on it and, if he/she chooses not to do so, is deemed to have done so. A member seconding a motion may speak to it immediately following the speech of the mover or later in the debate. The mover has the right of reply at the completion of the debate.

67.3 Subject to Clause 66.2, the Mayor will determine the order in which members will speak.

67.4 No member shall speak longer than 10 minutes.

67.5 No member will speak more than once on a motion unless –

- a) He/she is the mover, in which case he/she will have the right of reply after all other speakers have spoken on the matter.
- b) He/she is requesting clarification on or explanation of committee reports or recommendations. Such correction or clarification shall be strictly limited to providing the specific information necessary to achieve correction or clarification of the thing said.

67.6 Once the mover of the motion has exercised his/her right of reply, no further discussion will take place and the matter will be put to the vote. When exercising his/her right of reply, the mover of the motion cannot introduce any new issue. He/she can only reply to the matters raised by the speakers on the motion.

68. Once a motion is before the meeting the following motions are the only motions which may be moved -

68.1 A motion to amend the motion being debated.

68.2 A motion to refer a matter to a committee for consideration.

68.3 A motion to refer a committee recommendation back to a committee for further consideration.

68.4 A motion to defer the motion to the next Council meeting.

68.5 A motion to close debate and have the question put.

68.6 A motion under Clauses 51.2, 51.3, 51.4 or 51.5 to substantially alter or reverse the motion being debated.

69. If one of the above motions is moved and seconded, it becomes the motion before the meeting and debate cannot resume on the original motion until it has been dealt with.

70. **Amendments to motions** before the meeting may be moved at the conclusion of the speech of any other member on the motion.

70.1 Amendments should be relevant to the motion and amount to an alteration to it which is subsidiary to it and which does not change its major thrust. The Mayor will determine whether or not an amendment fits these criteria.

- 70.2 Amendments require a seconder. Once moved and seconded the amendment is then before the meeting not the motion.
- 70.3 Any amount of amendments to a motion may be moved but only one amendment to the motion may be moved and discussed at one time.
- 70.4 The rules of debate on an amendment are the same as those for a motion with reasons for the amendment included in the motion.
71. **A motion to refer a matter to a committee for consideration or back to a committee for further consideration or to defer to the next Council meeting** may be moved, with reasons included in the motion.
- 71.1 If seconded the motion to refer the matter to or back to the committee is then the motion before Council.
- 71.2 The rules of debate on the motion to refer the matter to or back to a committee are the normal rules of debate.
72. **Closure Motion** - a closure motion may be moved at the conclusion of the speech of any speaker. It shall be moved in the format "that the motion be now put". It can be moved on a motion or on a proposed amendment to a motion but only after at least 2 members have spoken for and 2 against the motion. Its effect is to finish debate on the motion or amendment.
- 72.1 The mover of a closure motion shall move the motion without comment.
- 72.2 The seconder shall formally second the motion without speaking.
- 72.3 On acceptance of the closure motion debate on the motion or amendment shall cease and the closure motion shall be put.
- 72.4 The mover of a motion to be put after the carrying of a closure motion will have a right of reply on the matter but it will be limited to five minutes.
- 72.5 If the closure motion is carried during debate on an amendment, the amendment is the matter that is put, debate then resuming on the original motion or the amended motion.
73. Where Council has already determined a policy in relation to the motion, there is an expectation that members will exercise their vote consistent with policy unless there are extenuating circumstances that warrant a decision contrary to policy. Such extenuating circumstances should be documented in the minutes of the meeting.

74. Voting on all motions will be by show of hands. The Mayor will put the question in the affirmative and then the negative and may repeat this as often as he/she thinks fit to determine the vote.
75. Where there is an equal division of votes on any issue, the Mayor may exercise a casting vote.
76. Members voting against a decision may request a brief summary of the reasons for their dissent to be recorded in the minutes.
77. Point of Order - any member may raise a point of order if a speaker raises issues that are irrelevant to the motion being discussed, ultra vires, procedurally out of order or offensive to Council or individuals. A point of order can be raised while a member is speaking. The member must cease until the point of order is decided. The Mayor will determine all points of order.
78. The Mayor may take part in discussion on any question before the Council, provided that he/she does so before the right of reply is exercised.
79. A motion or an amendment may be withdrawn by the mover.

Revocation Motions

80. If a decision has been made at a Council meeting or by a Committee exercising delegated authority, then for a notice of motion to revoke or change the decision to be further considered by Council, the notice of motion must be supported by:
 - 80.1 Where an attempt to revoke or change a decision made at a previous Council meeting has failed within the previous 3 months, an absolute majority.
 - 80.2 In any other case, at least five members of the Council, or if the decision was made by a Committee, by at least one third of the number of offices of members of the Committee (whether vacant or not).
81. A notice of motion to revoke or change a decision should be accompanied by evidence to suggest that the original decision was made in error and/or by new information that was not known at the time of the original decision. The notice of motion should be submitted within 24 hours of the original decision and prior to action occurring to implement the decision.
82. Once sufficient support for the notice of motion to revoke or change a decision has been confirmed, the decision can only be revoked or changed by an absolute majority unless the original decision required a special majority, in which case a special majority is required.

Personal Explanations

83. A member shall not speak on any matter, other than the matter before Council at any particular point, unless it is to make a personal explanation. Such explanation must be a succinct statement which serves to clarify any matter which the member believes may have been misunderstood.

Control of Order

84. It is the Mayor's duty to control the meeting and all members are required to respect the authority of the presiding member.
85. No member shall speak without the Mayor's permission. Members wishing to speak shall rise and address the Mayor, unless the member has physical difficulty in doing so, in which case he/she may sit and address the Mayor.
86. The only way the Mayor's ruling on any issue can be challenged is through a motion to that effect duly carried by a majority of members.
87. The Mayor will determine the order of priority of the speakers and any member will sit at his/her request.
88. A member who has been allowed to speak shall not be interrupted by another member except on a point of order.
89. If the Mayor rises during debate all members shall sit and be silent so that the Mayor may speak without interruption.

Cases Not Provided For In Standing Orders

90. The Mayor is to decide questions of order, procedure, debate, or otherwise in cases where these Standing Orders and the Act and Regulations are silent. The decision of the Mayor in these cases is final.

Minutes

91. It is the responsibility of the CEO to ensure minutes are kept of all Council meetings. Such minutes must include:
- 91.1 Names of members in attendance.
 - 91.2 The time at which any member enters or leaves the meeting room in the chronological sequence of the business of the meeting.
 - 91.3 The names of members who vote and whether each member voted in the affirmative or the negative.

- 91.4 Details of all motions proposed whether passed or not, the mover, seconder and the outcome of the motion.
 - 91.5 Details of any orders or other matters dealt with by Council.
 - 91.6 Details of each decision made at the meeting, including reasons for motions made under Clause 51.5.
 - 91.7 Extenuating circumstances warranting a decision contrary to policy under clause 72.
 - 91.8 A summary of each question raised by members of the public at the meeting and a summary of the response to the question.
 - 91.9 Details of all disclosures of interest made at the meeting including the nature of the interests and, where disclosed, the extent.
 - 91.10 A summary of each question raised by elected members at the meeting and a summary of the response to the question.
 - 91.11 A list of all items tabled for consideration at the meeting.
92. The names of members attending a meeting at which there is no quorum must be recorded and kept as a minute of the adjourned meeting.
93. The minutes of all ordinary and special meetings must be distributed to all members at least three days prior to the next ordinary meeting of Council, or in the case of special meetings, the next ordinary meeting of Council for which it is practically possible to distribute the minutes at least three days prior to.
94. All minutes of Council meetings and any reports that form attachments to the minutes shall be made available for public inspection as soon as possible after a meeting unless they contain matters which have been dealt with by Council as confidential matters.

PART B - STANDING COMMITTEE MEETINGS

Standing Committees

95. Council may appoint standing committees that:
- are comprised only of elected members
 - exercise delegated authority or make recommendations to Council
 - generally meet regularly, although may not meet in every meeting cycle.
96. Terms of reference for Standing Committees will be appended to these Standing Orders.

Members

97. Each standing committee shall be comprised of 6 councillors. In addition, the Mayor may choose to be a member of any standing committee by indicating his/her intention to be so when the committee is appointed. Each Council member is entitled to be a member of at least one Standing Committee. Each ward is entitled to have a representative on each Standing Committee.
98. Standing committees shall be appointed at the first ordinary meeting of Council held after the ordinary elections by absolute majority resolution of Council. Appointed members of committees shall hold office until the first ordinary meeting of Council after the ordinary election in the second year following their appointment unless they resign or are removed from office by resolution of Council.
99. A Deputy shall be appointed by Council to act in the absence of each committee member of each Standing Committee. Deputies shall not be members of the committee in question. A Deputy representing a member has all the powers of that member. The Deputy Mayor is automatically the Mayor's Deputy if the Mayor is a member of any committee.
- 99.1 Deputies may not deputise for an absent standing committee member when that member is absent due to a disclosure of interest nor when the standing committee member is attending the committee meeting but temporarily vacates the chamber for some other reason.
100. Council may resolve to remove a member from a committee and to appoint another member to take his/her place. A member may resign from a committee by giving written notice to the CEO.

Calling of Meetings

101. Committee meetings shall be held in accordance with the meeting cycle in Clause 1.

101.1 Committees may determine to vary the time of their meetings provided the variation enables them to fit in with the meetings of other committees and the Council.

102. An agenda for ordinary committee meetings will be delivered to the members of the committee and all other members of Council at least 24 hours prior to the meeting.

103. Special meetings of a committee may be called by the presiding member or at least two members of the committee causing notice to be given to all members at least 24 hours prior to the meeting.

104. Committee meetings may be recorded by the Committee's Minutes Secretary. No other person is to use any electronic sound or visual recording device or instrument to record the proceedings of the Committee unless the presiding member has given permission to do so and the presiding member has informed the Committee of that fact.

Presiding

105. The committee shall elect a presiding member at the first meeting of the committee held after the first Saturday in May in each year by majority, first past the post secret vote.

106. The committee shall elect a deputy presiding member at the first meeting of the committee held after the first Saturday in May in each year for the same term and using the same process as Clause 102.

Quorum

107. The quorum for a committee is at least 50% of the number of offices of member.

108. If a quorum is not present within 30 minutes of the commencement of a meeting, the presiding member shall adjourn the meeting and no business shall be transacted.

109. Members that have disclosed an interest on a matter are not counted for quorum purposes when the matter in question is before the meeting.

Deputations - Application

110. People wishing to make a deputation to a committee meeting should contact Council's Administration Centre prior to the meeting in question. The Presiding member of the committee will determine whether or not to receive the deputation.
111. If a Presiding member should determine not to receive a deputation, he/she must report the request at the next meeting of the committee with advice as to why it was refused. The committee may determine to receive the deputation at a later meeting.

Deputations - Procedures

112. If a deputation request is granted:
 - 112.1 The deputation shall be received at an appointed time arranged when the deputation request is made.
 - 112.2 The size of the deputation and the length of the deputations presentation shall also be arranged in advance when the deputation request is made and advised to Committee members.
 - 112.3 Members of the committee may ask questions of members of the deputation through the presiding member.
 - 112.4 No debate shall be entered into with the deputation which must remain silent after the committee has received it and dealt with its presentation.

Questions at Committee Meetings

113. All committee meetings shall be open to the public except when the committee resolves that discussion on specific matters will be closed to the public, with the minutes to record the reason for the closure. Such matters will be discussed behind closed doors at the end of the committee meeting and any members of the public in attendance will be asked to leave at that point.
114. Members of the public may be permitted to speak and ask questions on an item, provided that they make arrangements to do so by giving notice to the presiding member prior to the meeting or by indicating their desire to do so at the beginning of the meeting when the presiding member calls for such indications from members of the public.
115. The presiding member will call for indications from members of the public on matters on the agenda on which they would like to speak or ask a question at the beginning of the meeting.

116. Public Question Time shall be held at the beginning of the meeting. It has a duration of at least 15 minutes, although there is nothing to prevent Public Question Time lasting less than 15 minutes if there are insufficient questions to fill the time. Any questions must relate to matters on the agenda or to the functions of the committee. If, after Public Question Time, the committee consents to a request from a member of the public to speak or ask a question on a matter -.

116.1 The person will speak through the presiding member when invited to do so by the presiding member. The presiding member may invite members of the public to speak or ask questions immediately prior to the committee's discussion of the relevant item, although members of the public wishing to ask a question should do so at Public Question Time at the beginning of the meeting.

116.2 The length of time the person may speak for will be no longer than five minutes.

116.3 No debate shall be entered into with any member of the public.

116.4 Without limiting the right of individual members of the public to ask questions, if a number of people wish to speak on a specific issue the presiding member may request any particular interest groups present to determine spokespeople to present particular points of view.

117. If, during public question time, a question relating to a matter in which a committee member or employee has an interest is directed to that person then that person is to:

- disclose that he or she has an interest in the matter, and
- allow another Council member, committee member or employee to respond to the question.

Order of Business at Standing Committee Meetings

118. The order of business for a committee will be as follows unless otherwise determined by the committee. The presiding member may bring forward to the beginning of the meeting those agenda items of greater significance to the City and those items drawing large numbers of members of the public.

- . Declaration of Opening / Announcement of Visitors
- . Attendance / Apologies / Leave of Absence
- . Response to Previous Public Questions Taken on Notice
- . Public Question Time
- . Disclosure of Interests by Members
- . Late Items Noted
- . Confirmation of Minutes
- . Reports by Officers
- . Confidential Matters (if any)
- . Closure of Meeting

Interests

119. At the beginning of the meeting, members shall disclose matters on the agenda in which they have an interest unless the interest is specifically exempted by section 5.63 of the Local Government Act 1995, as well as any impartiality interest in a matter in respect of which they will give advice to the meeting. The member must also disclose the nature of the interest and vacate the chamber prior to any public statements or questions in relation to the matter that immediately precede the committee's discussion and prior to the moving of any motion regarding the matter or any consideration of the matter by the committee until the matter is resolved. In the case of advice relating to an impartiality interest the disclosure must occur immediately before the matter is discussed or at the time the advice is given.
120. A member who has disclosed an interest shall not vote on nor be present in the chamber during discussion on the matter unless, on disclosure of the extent of the interest, the majority of members present resolve that the interest is so trivial or so commonly shared that he/she may vote on it. A motion to do so can be moved without notice by any member, with the disclosing member required to vacate the chamber during discussion of the motion.
121. Members vacating the chamber as a result of a disclosure of interest should move sufficiently far away from the chamber so as to be unable to either hear or observe any part of the debate.
122. Members on request will be advised of the major thrust of the debate and any motion passed in their absence.
123. Where the member presiding at the meeting has disclosed an interest in an item, he/she shall vacate the chair prior to allowing any public statements or questions in relation to the matter that immediately precede the committee's discussion and prior to the moving of that item and not vote on nor be present in the chamber during discussion on that item. On resolution of the item the member shall return to the chair. The majority of members present may resolve, on disclosure of the extent of the interest, that the interest is so trivial or commonly shared that he/she may preside at the meeting relating to the matter or participate in, or be present during, any discussion or decision making procedure including voting relating to the matter. A motion to do so can be moved without notice by any member, with the disclosing member required to vacate the chamber during discussion of the motion.
124. An elected member, not being a member of that committee, who attends a committee meeting but who, if a member of the committee, would be required to disclose an interest in a matter, should disclose the nature of the interest at the commencement of the Public Question Time at the

beginning of the meeting, may remain in the chamber during that Public Question Time period, but may not speak, ask a question nor take part in any discussion in relation to the matter.

125. Prior to any subsequent opportunity for public statements and questions in relation to the matter, and prior to the moving of any motion regarding the matter or any consideration of the matter by the committee, the disclosing member must vacate the chamber until the discussion and decision making procedure has been completed unless, and to the extent that, the disclosing member is allowed to remain by reason of the majority of committee members present resolving, on disclosure of the extent of the interest, that the interest is so trivial or commonly shared that he/she may remain during the discussions and decision making procedures relating to the matter.
126. Employees who have an impartiality interest in a matter to be discussed at a committee meeting that they will be attending must disclose the interest immediately before the matter is discussed.
127. Employees who have an interest in a matter to be discussed at a meeting of a committee in respect of which they have provided, or will provide advice or a report, must disclose the nature of the interest immediately before the matter is discussed or when giving the advice or report unless a statutory exemption applies.

Minutes

128. Unconfirmed minutes of Committee meetings will be available for public inspection within 5 business days of the Committee meeting.
129. Minutes will list the voting of members, whether the Presiding officer used a casting vote and the names of members who do not want the committee making a decision under its delegated authority.
130. Minutes of the preceding Committee will be supplied to Councillors at least 3 days prior to the meeting and confirmed without being read at the meeting. No discussion will be held on the minutes other than discussion in relation to their accuracy as a true and accurate record of the proceedings of the meeting concerned.

Rules of Debate

131. Decisions shall be made by a majority vote through a show of hands, the presiding member having an ordinary vote and, if the vote is evenly divided, the presiding member may exercise a casting vote.
132. Committee members voting against a Committee decision may request a brief summary of the reasons for their dissent to be recorded in the Committee minutes.
133. Matters requiring resolution shall be brought forward in the form of a motion moved by the presiding member or other committee member. Motions shall not be required to be seconded and may be freely debated among committee members under the control of the presiding member.
134. An elected member, not being a member of that committee, who attends a committee meeting may speak on any matter under consideration by the Committee, but may only speak once on that matter and for a maximum of 5 minutes.
135. Where the intent of the recommendation of an officer is substantially varied or overturned, the reasons for that decision shall be included in the committee minutes by the Presiding Officer..
136. Where Council has already determined a policy in relation to the motion, there is an expectation that committee members will exercise their vote consistent with Council policy unless there are extenuating circumstances that warrant a decision contrary to policy. The Presiding officer shall ensure that relevant Council policies are identified during committee deliberations and shall ensure that the reasons for any decision contrary to Council policy are included in the committee minutes.
137. Members may bring up matters not on the agenda at the end of the meeting under general business. Such matters may be purely for information or may require resolution. If resolution is required the committee will determine whether to deal with the matter at the meeting or to defer it until the following meeting of the committee. Matters raised under this clause may not be dealt with under delegated authority.
138. Where a matter is deferred by a committee for further consideration by a committee, both the original report and a supplementary report on the issues relating to the deferral shall be supplied to the receiving committee.
139. Committees shall make regular reports to Council of their proceedings which shall be included on the notice paper of the next available ordinary meeting of Council after the committee meeting.

140. Resolutions of committees become the committees recommendation to Council, unless the committee has delegated authority from Council to deal with specific issues.
141. If the committee has delegated authority on certain matters, then its resolutions on those matters are actionable resolutions. Such resolutions shall be referred to Council for information as part of the committee's regular report to Council. Where a committee has delegated authority on a matter it shall exercise it except that delegated authority shall not be exercised by a committee on an item before the committee if at least two members of the committee request that the item in question be referred to full Council.
142. Committee reports shall include a list of any documents tabled at the meeting for consideration by the committee and all tabled documents will be included in the committee reports.

PART C - OCCASIONAL COMMITTEE MEETINGS

143. Proceedings of Occasional committees are open to members of the public as observers only unless the committee decides that under the Local Government Act 1995 the item should be dealt with in confidence.

TERMS OF REFERENCE – COUNCIL STANDING COMMITTEES

Strategic and General Services Committee

1. To exercise delegated authority, develop policy and make recommendations to Council on strategic trends and needs analysis, integrated forward planning and asset facility planning in relation to:
 - a. Annual Budgets and Principal Activities Plan
 - b. Fremantle City Plan
 - c. Economic development and tourism
 - d. urban design
 - e. Transport planning
 - f. Asset and land planning and management
 - g. Social planning
 - h. Recreation and leisure planning
 - i. Cultural planning
 - j. Demographic analysis
 - k. Environmental planning
 - l. Long range staffing needs
 - m. Architecture and heritage projects
2. To exercise delegated authority, develop policy and make recommendations to Council in relation to service provision including the delivery of services, projects and facilities consistent with the annual budget
3. To undertake quarterly reviews of the City of Fremantle's performance against the Fremantle City Plan.
4. To undertake quarterly budget reviews.
5. To monitor the City of Fremantle's financial and overall performance against global performance indicators.
6. To establish a program for the regular review of services provided by the City of Fremantle.
7. To consider recommendations from officers arising from the service review program and make recommendations to Council.
8. Receive reports as required by Council policies where committee consideration is warranted.
9. To recommend broad goals and principles for public consultation and community liaison.

Planning Services Committee

1. To exercise delegated authority and make recommendations to Council in relation to the integrated assessment of development proposals.
2. To exercise delegated authority, develop policy and make recommendations to Council on strategic trends and needs analysis and integrated forward planning in relation to:
 - a. Land use policy
 - b. Structure plans
 - c. Architecture and heritage policy