



STATUTORY POLICY

MOUNT ISA CITY COUNCIL

Standing Orders Policy

RESOLUTION NO.OM04/01/25 VERSION V7

APPLIES TO STATUTORY POLICIES ONLY

This is an official copy of the **Standing Orders Policy**, made in accordance with the provisions of *Local Government Act 2009*, *Local Government Regulation 2012*, *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018* and current Council Policies.

Statutory Policies comply with a legislative requirement; the **Standing Orders Policy** is approved by the Mount Isa City Council for the operations and procedures of Council.

These best practice standing orders incorporate the Department of State Development, Infrastructure, Local Government and Planning model meeting procedures that deal with matters during council meetings that must be adhered to under the *Local Government Act 2009* including the model meeting procedures and the *Local Government Regulation 2012*. Local governments can revise their standing orders to incorporate the model meeting procedures or adopt the model meeting procedures.

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Tim Rose
Chief Executive Officer

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VERSION	DATE	RESOLUTION NO.	DETAILS
V1	20.04.2016	OM00.00.0000	Responsible Officer – Chief Executive Officer
V2	10.10.2018	OM34/04/16	Responsible Officer - Chief Executive Officer
V3	12.12.2018	OM10/12/18	Responsible Officer - Chief Executive Officer
V4	11.11.2020	OM 09/11/20	Responsible Officer - Chief Executive Officer
V5	29.06.2022	SM/29/06/22	Responsible Officer - Chief Executive Officer
V6	10.07.2023	OM04/11/23	Responsible Officer - Chief Executive Officer
V7	29.01.2025	OM04/01/25	Responsible Officer - Chief Executive Officer
		REVIEW DUE	06.2028
DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	
Internal email to all councillors	X	Included in employee inductions	
Employee noticeboards		Uploaded to Council website	X
Internal training to be provided		External training to be provided	
Registered in magiQ	X		

1. PURPOSE

Mount Isa City Council's ("Council") Standing Order Policy has been established to provide written rules for the orderly conduct of Council Meetings.

2. COMMENCEMENT

This policy will commence on and from 29 January 2025. It replaces all other policies or arrangements governing Council Meetings (whether written or not).

3. APPLICATION

This policy applies to all participants of Council Meetings including the Chair, councillors, Council officers and members of the public.

4. RESPONSIBILITIES

All participants including the Chair, councillors, Council officers and members of the public are bound to act within this policy.

5. STANDING ORDERS

- 5.1 These Standing Orders apply to all meetings of Council and any standing committees. These Standing Orders do not apply to meetings of the Audit and Risk Management Committee.
- 5.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 5.3 Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but conforming with these Standing Orders.

6. PROCEDURES FOR MEETINGS OF COUNCIL

6.1 Presiding Officer

- 6.1.1 The mayor will preside at a meeting of Council.
- 6.1.2 If the mayor is absent or unavailable to preside, the deputy mayor will preside.
- 6.1.3 If both the mayor and the deputy mayor, or the mayor's delegate, are absent or unavailable to preside, a councillor chosen by the councillors present at the meeting will preside at the meeting.
- 6.1.4 Council will choose the chairperson for a committee meeting. This chairperson will normally preside over meetings of the committee.
- 6.1.5 If the chairperson of a committee is absent or unavailable to preside, a councillor chosen by the councillor's present will preside over the committee meeting.
- 6.1.6 Before proceeding with the business of the meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the Council.

6.2 Order of Business

- 6.2.1 The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- 6.2.2 Unless otherwise altered, the order of business shall be as follows:

- a) attendances
- b) apologies and granting of leaves of absence
- c) confirmation of minutes
- d) officers' reports

6.2.3 The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. 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.

6.3 Agendas

6.3.1 The agenda may contain:

- a) notice of meeting
- b) minutes of the previous meetings
- c) business arising out of previous meetings
- d) business which the mayor wishes to have considered at that meeting without notice
- e) matters of which notice has been given
- f) committees' reports to Council referred to the meeting by the Chief Executive Officer (CEO)
- g) officers' reports to Council referred to the meeting by the CEO
- h) deputations and delegations from the community that are approved to attend
- i) any other business Council determines by resolution be included in the agenda paper

6.3.2 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 local government at the meeting. Business must be in accordance with the adopted terms of reference for each committee.

6.3.3 The notice of the meeting and the agenda must be given to each councillor at least 2 days before the meeting and in the case of Indigenous regional councillors, being Torres Strait Regional Council and Northern Peninsula Area Regional Council, at least four days prior to the meeting unless it is impracticable to give the notice before that time. The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the councillors. Any related reports for the local government meeting must also be included and available to the public when the agenda for the meeting is made publicly available, excluding confidential reports. If the related report is made available to councillors or committee members during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the councillors or committee members.

6.3.4 Matters on the agenda that will require the meeting to be in a closed session consistent with the provisions under section 254J LGR, will be clearly identified on the agenda including the reasons why the session will be closed.

6.4 Quorum

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

6.4.2 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 chief executive officer.

6.5 Petitions

6.5.1 Any petition presented to a meeting of Council will:

- a) be in legible writing or typewritten and contain a minimum of ten (10) signatures
- b) include the name and contact details of the Principal Petitioner (i.e., the key contact)
- c) include the postcode of all petitioners
- d) have the details of the specific request/matter appear on each page of the petition

6.5.2 Where a councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is:

- a) that the petition be received
- b) received and referred to a committee or officer for consideration and a report to Council, or
- c) not be received because it is deemed invalid.

6.5.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

6.6 Deputations

6.6.1 A deputation wishing to attend and address a meeting of Council shall apply in writing on Council's approved Deputation Application Form to the CEO not less than seven (7) business days before the meeting.

6.6.2 The CEO, on receiving an application for a deputation shall notify the chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing, prior to the meeting. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.

6.6.3 For deputations comprising of three or more persons, only three persons shall be at liberty to address Council unless the councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.

6.6.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the chairperson may terminate the deputation.

6.6.5 The chairperson may terminate an address by a person in a deputation at any time where:

- a) the chairperson is satisfied that the purpose of the deputation has been sufficiently

explained to the councillors at the meeting

- b) the time period allowed for a deputation has expired
- c) the person uses insulting or offensive language or is derogatory towards councillors or Council officers

6.6.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

6.7 Public participation at meetings

6.7.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.

6.7.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period will be allowed (e.g. 15 minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government chairperson.

6.7.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.

6.7.4 For any matter arising from such an address, Council may take the following actions:

- a) refer the matter to a committee
- b) deal with the matter immediately
- c) place the matter on notice for discussion at a future meeting
- d) note the matter and take no further action

6.7.5 Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.

6.7.6 Any person who is considered by the local government or the chairperson to be inappropriately presenting may be directed by the chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

7. MOTIONS

7.1 Motion to be moved

7.1.1 A councillor is required to 'move' a motion and then another councillor is required to 'second' the motion.

7.1.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.

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

- a) A motion brought before a meeting of the local government in accordance with the LGA or these standing orders will be received and put to the meeting by the chairperson.
- b) 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 received.

- c) The chairperson 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.
- 7.1.4 The chairperson may call the 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 chairperson may put the motion to the vote without discussion and the vote can occur.
- 7.1.5 No more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.
- 7.2 Absence of Mover of Motion
 - 7.2.1 Where a councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
 - a) moved by another councillor at the meeting, or
 - b) deferred to the next meeting
- 7.3 Motion to be seconded
 - 7.3.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded.
 - 7.3.2 Procedural motions are an exception to this rule and do not need to be seconded.
- 7.4 Amendment of Motion
 - 7.4.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
 - 7.4.2 Where an amendment to a motion is before a meeting of the Council, no other amendment to the motion will be considered until after the first amendment has been voted on.
 - 7.4.3 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.
- 7.5 Speaking to motions and amendments
 - 7.5.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
 - 7.5.2 The chairperson will manage the debate by allowing the councillor who proposed the motion the option of speaking first on the motion. The chairperson will then call on any other councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all councillors who wish to speak have had the opportunity.
 - 7.5.3 A councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.
 - 7.5.4 The mover of a motion or amendment shall have the right to reply. Each councillor shall 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.
 - 7.5.5 Each speaker shall be restricted to not more than five (5) minutes unless the chairperson rules otherwise.

- 7.5.6 Where two or more councillors indicate they may wish to speak at the same time, the chairperson shall determine who is entitled to priority.
- 7.5.7 In accordance with section 254H of the *Local Government Regulation 2012* (LGR), if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.
- 7.6 Method of taking vote
- 7.6.1 The chairperson will call for all councillors in favour of the motion to indicate their support. The chairperson will then call for all councillors against the motion to indicate their objection.
- 7.6.2 A councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minutes of the meeting will record the names of councillors voting in the affirmative and of those voting in the negative. The chairperson will declare the result of a vote or a division as soon as it has been determined.
- 7.6.3 Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.
- 7.6.4 Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.
- 7.7 Withdrawing a motion
- 7.7.1 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 meeting for its withdrawal.
- 7.8 Repealing or amending resolutions
- 7.8.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.
- 7.8.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.
- 7.9 Procedural motions
- 7.9.1 A councillor at a meeting of the local government may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:
- a) that the question/motion be now put before the meeting
 - b) that the motion or amendment now before the meeting be adjourned
 - c) that the meeting proceeds to the next item of business
 - d) that the question lie on the table
 - e) a point of order
 - f) a motion of dissent against the chairperson's decision
 - g) that this report/document be tabled
 - h) to suspend the rule requiring that (insert requirement)
 - i) that the meeting stands adjourned

- 7.9.2 A procedural motion, that 'the question be put', may be moved and where the procedural motion is carried, the chairperson shall 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.
- 7.9.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- a) a further motion may be moved to specify such a time or date
 - b) the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting
- 7.9.4 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 shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 7.9.5 A procedural motion, that the question lie on the table, shall only be moved where the chairperson or a councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The 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.
- 7.9.6 Any councillor may ask the chairperson to decide on a 'point of order' where it is believed that another councillor:
- a) has failed to comply with proper procedures
 - b) is in contravention of the Local Government Act/Regulations
 - c) is beyond the jurisdiction power of Council
- 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 shall be suspended. The chairperson shall determine whether the point of order is upheld.
- Upon the question of order suddenly arising during the process of a debate, a councillor may raise a point of order, and thereupon the councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.
- 7.9.7 A councillor may move 'a motion of dissent' in relation to a ruling of the chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made shall proceed as though that ruling had not been made. Whereas a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
- 7.9.8 The motion, 'that this 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 other 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.

7.9.9 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. A motion to suspend a rule shall specify the duration of such a suspension.

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

8. QUESTIONS

- 8.1 A councillor may at a Council meeting ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 8.2 A councillor 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.
- 8.3 The chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a councillor may move a motion that the chairperson’s ruling be disagreed with, and if such motion be carried the chairperson shall allow such question.

9. MEETING CONDUCT

- 9.1 General conduct during meetings
- 9.1.1 After a meeting of the Council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the chairperson.
- 9.1.2 Councillors will speak to each other or about each other during the Council meeting by their respective titles (‘mayor’ or ‘councillor’), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.
- 9.1.3 No councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another councillor.
- 9.1.4 When the chairperson speaks during the process of a debate, the councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the chairperson may be heard without interruption.
- 9.2 Disorder
- 9.2.1 The chairperson may adjourn the meeting of the Council, where disorder arises at a meeting other than by a councillor. On resumption of the meeting, the chairperson will move a motion to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

10. ATTENDANCE AND NON-ATTENDANCE

- 10.1 Attendance of public and the media at meeting

An area shall be made available at the place where any meeting of Council 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 under work, health and safety legislation in that area shall be permitted to attend the meeting. When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.

10.2 Closed session

Council and standing committee meetings may resolve that a meeting be closed to the public if its councillors consider it necessary to discuss any of the following matters:

- a) Appointment, dismissal or discipline of the CEO
- b) industrial matters affecting employees
- c) the Council's budget
- d) rating concessions
- e) legal advice obtained by the Council, including legal proceedings that may be taken by or against the Council
- f) matters that may directly affect the health and safety of an individual or a group of individuals
- g) negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council
- h) negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967*
- i) a matter that the Council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.

10.3 A Council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.

10.4 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the Council must;

- a) delegate the consideration and decision on the matter, pursuant to section 257 of the LGA unless the matter cannot be delegated
- b) decide by resolution to defer the matter to a later meeting when a quorum may be available,
- c) decide by resolution not to decide the matter and take no further action in relation to the matter.

10.5 None of the above will be considered, discussed, voted on or made during a closed session. If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

10.6 To take a matter into a closed session the Council must abide by the following:

- a) pass a resolution to close the meeting
- b) the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- c) if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
- d) not make a resolution while in a closed meeting (other than a procedural resolution).

11. TELECONFERENCING OF MEETINGS

- 11.1 If a councillor wishes to be absent from a Council meeting place during a meeting, the councillor must apply to the chairperson to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the councillor becomes aware of their intended absence. The chairperson may allow a councillor to participate in a Council or committee meeting by teleconference.
- 11.2 A councillor taking part by teleconference is taken to be present at the meeting if the councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the councillor must be recorded in the minutes as present at the meeting.
- 11.3 Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

12 VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

13 COMMUNICATION AND DISTRIBUTION

- 13.1 Council will make available to the public, the Standing Orders Policy on our website at www.mountisa.qld.gov.au.

14 DEFINITIONS

- a) **Officer** – A Mount Isa City Council employee or contractor.
- b) **Teleconferencing** – Is 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.

ASSOCIATED LEGISLATION, POLICIES AND FORMS

- *Local Government Act 2009*
- *Local Government Regulations 2012*
- *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020*
- Model Meeting Procedures
- Code of Conduct for Councillors
- Deputation Request Form