

**GOLD COAST CITY COUNCIL**



LOCAL LAW No 1  
(MEETINGS)

"REPEALED" (GAZETTE 9/12/2008)

**GOLD COAST CITY COUNCIL  
LOCAL LAW (MEETINGS) NO. 1**

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## **GOLD COAST CITY COUNCIL LOCAL LAW NO 1 (MEETINGS)**

### **PART 1 - PRELIMINARY**

#### **Citation**

1 This local law may be cited as Local Law No 1 (Meetings).

#### **Object**

2 The object of this local law is to provide for the orderly and proper conduct of local government meetings.

#### **Definitions**

3 In this local law -

“**Authorised Person**” means a person authorised by the Chief Executive Officer for the purposes of enforcing and maintaining order at a meeting.

“**CEO**” means the local government’s Chief Executive Officer;

“**chairperson**” of the local government or a committee means the person presiding at a meeting of the local government or committee;

“**ordinary meeting**” of the local government means -

- (a) a post election meeting; or
- (b) a periodic meeting the local government is required to hold under section 444 of the Act;

“**post election meeting**” means the meeting required under section 442 of the Act;

“**statutory notice of meeting**” means a notice of meeting to be given under section 450 of the Act (Notice of meetings).

## **PART 2 - MEETINGS OF THE LOCAL GOVERNMENT**

### **DIVISION 1 - TIME OF MEETINGS**

#### **Days, Times and Place of Ordinary Meetings**

- 4 (1) The days and times of ordinary meetings will be as resolved at the post election meeting and from time to time thereafter.
- (2) All ordinary meetings will be held at the public office unless otherwise resolved at an ordinary meeting.
- (3) If there is no resolution fixing the date and time for an ordinary meeting, the CEO must fix the date and time for the meeting.
- (4) Before the CEO fixes the date and time for an ordinary meeting, the CEO must, if practicable, consult with the mayor about the proposed date and time for the meeting.

#### **Special Meetings**

- 5 (1) The CEO must call a special meeting of the local government if -
- (a) the special meeting is required by a resolution of the local government;
- or
- (b) a written request for the special meeting is lodged with the CEO under subsection (2).
- (2) A written request for a special meeting of the local government must -
- (a) be signed by the mayor or 3 or more councillors; and
- (b) specify the object of the special meeting; and
- (c) propose a day and time for the holding of the special meeting.

- (3) The CEO calls a special meeting by giving written notice of the date and the time of the meeting, and the business to be conducted at the meeting, to each councillor.<sup>1</sup>

<sup>1</sup>The notice must be given, if practicable, at least 2 days before the day of the meeting (see section 450(1) of the Act). The only business that may be conducted at a special meeting is the business specified in the notice of meeting (see section 450(3) of the Act).

## **DIVISION 2 - AGENDA FOR MEETINGS**

### **Agenda for Meetings**

- 6 (1) The CEO must ensure that each statutory notice of meeting includes an agenda listing the items to be discussed at the meeting.
- (2) The agenda must include -
- (a) items required under the Act or a local law to be included on the agenda; and
  - (b) items that are by resolution of the local government to be included on the agenda; and
  - (c) items whose inclusion on the agenda is requested by a councillor.
- (3) A councillor who wants an item of business included on the agenda for a particular meeting must give written notice of the nature of the business to the CEO at least 3 days before the notice of meeting is given.

## **DIVISION 3 - CONDUCT OF MEETINGS**

### **Presiding Officer**

- 7 (1) The mayor must preside at a meeting of the local government.
- (2) If the mayor is absent or unavailable to preside, the deputy mayor must preside.

- (3) If both the Mayor and Deputy Mayor are absent or unavailable to preside, and the council has previously appointed someone else to preside (because it was known in advance that the Mayor and Deputy Mayor would be absent or unavailable), the person so appointed must preside.
- (4) If the Mayor and Deputy Mayor are absent or unavailable to preside and subsection (3) does not apply, the members present must appoint a member to preside at the meeting.

#### **Order of Business**

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

#### **Procedure at Meetings**

- 9 (1) The procedure for dealing with business must be in accordance with the Local Law Policy (Meetings) or, where the Local Law Policy (Meetings) does not provide for a particular matter, as decided by the chairperson of the meeting.
- (2) However, the local government may by resolution -
  - (a) suspend its Local Law Policy (Meetings); or
  - (b) overrule a decision made by the chairperson on a procedural question.

#### **Admission of Non-Members to Debate etc**

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

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**PART 3 - MEETINGS OF LOCAL GOVERNMENT COMMITTEES**

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**DIVISION 1 - TIME OF MEETINGS****Times and Places of Ordinary Meetings**

**11** (1) A committee may, by resolution, fix dates, times and places for its meetings<sup>1</sup>.

<sup>1</sup>See Section 457(1) of the Act.

- (2) If there is no resolution fixing the date, time and place for a committee meeting, the CEO may fix the date, time and place for the meeting.
- (3) Before the CEO fixes the date, time and place for a committee meeting, the CEO must, if practicable, consult with the chairperson of the committee.

**Special Meetings**

**12** (1) The CEO must call a special meeting of a committee if -

- (a) the special meeting is required by a resolution of the local government;  
or
- (b) a written request for the special meeting is lodged with the CEO under subsection (2).

(2) A written request for a special meeting of a committee must -

- (a) be signed by the chairperson or a majority of the members of the committee, or, where the number of members of the committee is four (4) or less, by two (2) members of the committee; and
- (b) specify the object of the special meeting; and
- (c) propose a day, time and place for the holding of the special meeting.



## **DIVISION 2 - NOTICE OF MEETINGS**

### **Notice of Meetings**

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

## **DIVISION 3 - CONDUCT OF COMMITTEE MEETINGS**

### **Function of Committees**

- 14** (1) The function of a committee is to consider, report upon and make recommendations to the council in respect of matters comprised within or related to the business with which that committee is charged by the council<sup>1</sup>.

<sup>1</sup>However, a committee can also exercise powers of the council if those powers have been delegated to it under section 472(2)(b) of the Act.

- (2) The reports and recommendations of every committee must, except where power has been delegated to the committee to implement its decisions, be submitted to the council for consideration.
- (3) This section does not limit the power of the council itself to deal with any matter which has been referred to or delegated to a committee.

### **Transfer of Business**

- 15** (1) The council may, by resolution, from time to time change any business with which any standing committee is charged including transferring such business to another of the standing committees<sup>1</sup>.

<sup>1</sup>Powers of council which have been delegated to a committee may also be withdrawn from that committee and delegated to another committee under Section 472 of the Act.

- (2) The council may, from time to time, refer any matter to any of the standing committees or to any special committee constituted for the purpose and may at any time withdraw, extend or modify any reference to a committee or transfer any reference from one standing committee to another.

### **Chairperson**

- 16** (1) The chairperson of a committee must preside at a meeting of a local government committee.
- (2) In the absence of the chairperson the deputy chairperson must preside at the meeting.
- (3) If neither the chairperson nor deputy chairperson are available, the members present may appoint a chairperson for the meeting.

### **Procedure at Meetings**

- 17** (1) The procedure for dealing with business at committee meetings must be:-
- (a) in accordance with the Local Law Policy (Meetings) in so far as it states procedure specifically for committee meetings;
- (b) where there is no relevant procedure under (a), in accordance with the procedure which applies to a meeting of the local government (including procedure specified for such meetings in the Local Law Policy (Meetings) ); and
- (c) where there is no relevant procedure under (a) or (b), as determined by the chairperson on the meeting.
- (2) However, despite subsection (1), the local government may by resolution vary the procedure for a committee meeting (or committee meetings generally).

### **Quorum**

- 18** A committee quorum shall be a majority of the committee membership, however, where a committee membership excluding any ex officio members is four (4) or less the quorum shall be two (2) members.

### **Committee - Lack of a Quorum - Adjournment**

- 19 If on the expiration of fifteen minutes after the time at which any committee meeting is appointed to be held a quorum is not present, the meeting will not take place and will stand adjourned until the day and the time fixed for the next ordinary Meeting of the committee, unless the chairperson convenes a special meeting of the committee for the transaction of the business standing adjourned.

### **Tenure of Committee Membership**

- 20 (1) Subject to any resolution to the contrary, if a committee is appointed for a particular purpose or for a limited time, the committee is abolished and appointment of Members to the committee is terminated upon the fulfilment of that purpose or the expiration of that time.
- (2) If any Member of a committee is absent from three consecutive meetings without having obtained leave of absence from the council or the committee the Member's continued membership of that committee shall be referred to council for determination.

### **Vacancies on Committees**

- 21 (1) The council may fill a vacancy in a committee at its first meeting after such vacancy has arisen.
- (2) Subject to any law prescribing a quorum, the existence of a vacancy or vacancies upon a committee does not affect the validity of any of the acts or proceedings of the committee.

## **PART 4 - MAINTENANCE OF GOOD ORDER**

### **Acts of Disorder by Members of the Local Government or a Committee**

- 22 (1) A member of the local government or a committee commits an act of disorder at a meeting of the local government or the committee if the member -
- (a) obstructs or interrupts the proper conduct of the meeting; or
  - (b) uses indecent or offensive language; or
  - (c) makes a statement reflecting adversely on the reputation of the local government or the committee; or

- (d) makes an intemperate statement reflecting adversely on the character or motives of a member or officer of the local government or the committee, including a statement which impugns the character of a councillor or which implies improper motives by another councillor; or
- (e) refuses or wilfully fails to comply with a direction given by the chairperson of the meeting; or
- (f) at a meeting contravenes or breaches any relevant provision of the Local Law Policy “Code of Conduct for Councillors” as may be determined by council from time to time.
- (2) If a member of the local government or a committee has, in the chairperson’s opinion, committed an act of disorder, the chairperson may direct the member to make a retraction or apology.
- (3) If the member does not comply immediately with a direction under subsection (2), the chairperson may immediately move a motion (a “**suspension motion**”) that the member be suspended for the remainder of the meeting or a lesser time fixed by the chairperson.
- (4) If the chairperson moves a suspension motion -
- (a) the motion must be put to the vote immediately and the only discussion allowed shall be the right of reply of the councillor to whom the motion refers, together with such other speakers as the chairperson allows; and
- (b) if the motion is passed, the member must immediately leave the meeting place and must remain away for the period of the suspension.
- (5) If a member contravenes subsection (4)(b), an authorised person may, at the request of the chairperson, exercise reasonable force to remove the member, and to keep the member away, from the meeting place.

- 23 (1) A person who is not a member of the local government or a committee must not interrupt or obstruct the proper conduct of a meeting of the local government or a local government committee.

Maximum penalty: 50 penalty units.

- (2) If a person (other than a member) interrupts or obstructs the proper conduct of a meeting of the local government or a local government committee, the chairperson may ask the person to withdraw from the meeting place.
- (3) A person asked to withdraw from a meeting place under subsection (2) must immediately withdraw from the place and must remain away until the end of the meeting or for a lesser period fixed by the chairperson.

Maximum penalty: 50 penalty units.

- (4) If a person contravenes subsection (3), an authorised person may, at the request of the chairperson, exercise reasonable force to remove the person, and keep the person away, from the meeting place.

## PART 5 - RECORD OF MEETINGS

### Minutes of Meetings

- 24 Minutes of a meeting of the local government or a committee must include -

- (a) a copy of any report adopted by the meeting; and
- (b) a copy of any other documentary material necessary for a proper understanding of the proceedings of the meeting.

### Audio and Video Recording of Meetings

- 25 (1) The local government may direct that an audio or video recording of a meeting of the local government or a local government committee be made for the purpose of verifying the accuracy of the minutes of the meeting.

- (2) An audio or video recording made under this section -
- (a) may only be used for the purpose of verifying the accuracy of the minutes of the meeting; and
  - (b) after being used for that purpose, must be destroyed or dealt with as directed by the local government.

## **PART 6 - LOCAL LAW POLICIES**

### **Local Law Policies**

- 26** The local government may make local law polices about:-
- (a) the procedure for dealing with business at meetings of the local government and committees;
  - (b) requirements for the standard of conduct and behaviour by councillors at meetings of the local government and committee meetings (a “Code of Conduct for Councillors”); and
  - (c) any other matter which this law requires or permits to be detailed or prescribed in a local law policy.