



SWAN HILL
Rural City Council

LOCAL LAW NO. 1

COUNCIL MEETING PROCEDURES



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SWAN HILL RURAL CITY COUNCIL

MEETING PROCEDURES LOCAL LAW

PART 1 PRELIMINARY PROVISIONS

1.1 TITLE

This Local Law be cited as the “Meeting Procedures Local Law”

1.2 OBJECTIVES

The purpose of this Local Law is to:

- a) provide for the peace order and good government of the municipal district;
- b) provide for the administration of Council powers and functions;
- c) regulate proceedings at Council Meetings, Committee Meetings and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of this Local Law are to apply;
- d) regulate proceedings for the election of the Mayor and Chairpersons of various Committees;
- e) promote and encourage community participation in the system of local government by providing mechanisms with the meeting arrangements, for the Council to ascertain the community’s views and expectations;
- f) regulate the use of the Common Seal; and
- g) prohibit unauthorised use of the Common Seal or any device resembling the Common Seal.

1.3 AUTHORITY TO MAKE THE LOCAL LAW

This Local Law is made pursuant to Sections 5, 91 and 111 of the Local Government Act 1989.

1.4 COMMENCEMENT DATE

This Local Law comes into operation on 1 January 2003.

1.5 REVOCATION DATE

Unless sooner revoked, this Local Law ceases to operate on 31 December 2011.

1.6 APPLICATION OF THE LOCAL LAW

Unless otherwise stated, this Local Law applies at all times throughout the entire municipal district.

1.7 REPEAL OF LOCAL LAW NO. 1

Local Law No. 1, the “Swan Hill Rural City Council Local Law No. 1 – The Council”, is repealed with effect from the coming into operation of this Local Law.

1.8 DEFINITION OF WORDS USED IN THIS LOCAL LAW

Unless inconsistent with the context of this Local Law, the following words and phrases are defined to mean:

Act	means the Local Government Act 1989.
Agenda	means a document containing the date, time and place of a meeting and a list of business to be transacted at the meeting.
Authorised Officer	means a person appointed by Council under Section 224 of the Act.
Chair	refers to the Chairperson.
Chairperson	the person who chairs a meeting of the Council.
Chamber	means the room in which Council meeting is conducted.
Chief Executive Officer	means the person who is the Chief Executive Officer of the Council or any person acting in that position.
Council	means the Swan Hill Rural City Council.
Clause	means a clause of this Local Law.
Committee	means either a Special Committee or an Advisory Committee.
Common Seal	means the Common Seal of the Council.
Councillor	means a Councillor of the Council.
Council Meeting	includes the Statutory Meeting.

Mayor	means the Mayor of the Council and any person acting as Mayor.
Meeting	means an Ordinary Meeting, a Special Meeting or a Committee Meeting.
Member	means a Councillor or a member of a Committee who is entitled to vote on motions (other than on matters in which he or she has a pecuniary interest) that are dealt with at meetings.
Minutes	means the record of proceedings of a Meeting.
Municipal District	means the area from time to time comprising the municipal district of the Council.
Notice of Motion	means a notice setting out the text of a motion which a member proposes to move at a Meeting.
Officer	means an employee of the Council.
Offence	means an act or default contrary to this Local Law.
Ordinary Meeting	means an Ordinary Meeting of Council.
Petition	means a letter or a document which is addressed to or is obviously intended for the Council and is signed by three or more persons.
Penalty Units	means the units prescribed in Section 110 of the Sentencing Act 1991.
Schedule	means a schedule of this Local Law.
Special Committee	means a Special Committee established by the Council under the Act.
Special Meeting	means a Special Meeting of the Council.
Statutory Meeting	means an annual meeting of Council held for the purpose of electing a Mayor.
Visitor	means any person other than a Councillor or member of Council staff present at a Meeting.
Written or In Writing	includes duplicated, lithographed, photocopies, printed and typed.

Unless the contrary intention appears:

Words in the singular include the plural and words in the plural include the singular.

1.9 NOTICE TO COMPLY

- (a) An Authorised Officer may, by serving a notice, direct any relevant person to remedy any situation which constitutes an offence under this Local Law.
- (b) The notice to comply must state the date and time by which the situation must be remedied.
- (c) Any person who fails to remedy a situation in accordance with this Local Law shall be guilty of an offence.

Penalty: 20 Penalty Units

Infringement Notice Penalty: 15 Penalty Units

1.10 ALTERNATIVE TO PROSECUTION

An infringement notice may be issued by an Authorised Officer as an alternative to prosecution in respect of offences against this Local Law.

1.11 INFRINGEMENT NOTICES

- (a) An Authorised Officer may serve a Local Law Infringement Notice.
- (b) The penalty for an Infringement Notice shall be:
 - (i) The amount indicated as the Infringement Notice penalty at the foot of the provision, or
 - (ii) If no Infringement Notice penalty is indicated, 1 penalty unit.
- (c) A person issued with an Infringement Notice is entitled to disregard the notice and defend the prosecution in Court.
- (d) To avoid prosecution the penalty indicated must be paid within 28 days from the date of issue of such notice and paid to the Council Office, Splatt Street, Swan Hill or Herbert Street, Robinvale.

1.12 WAIVER OF INFRINGEMENT NOTICE

Council, or a person authorised by the Council may, following consideration of correspondence from any person issued with an Infringement Notice, waive the said notice.

1.13 SETTING OF FEES AND CHARGES

The Council may from time to time by resolution determine the fees and charges to apply under this Local Law which may include an administrative or processing fee or charge and the Council must make public notice of its resolution or set or alter fees and charges.

1.14 WAIVER OF FEES

The Council may waive, reduce or alter any fee or charge with or without conditions.

PART 2 COMMON SEAL

2.1 PURPOSE

The purpose of this Part is to regulate the use of the Common Seal and prohibit unauthorised use of the Common Seal or any device resembling the Common Seal as required by Section 5(3)(c) of the Act.

2.2 COMMON SEAL – AUTHORITY FOR USE

The Common Seal is to be used only on the authority of the Council in respect of any legal matter (contract, mortgage, loan etc) and in respect of any reference (or other ceremonial matter) and such authority may take the form of direction or confirmation.

2.3 KEEPING THE COMMON SEAL

The Chief Executive Officer must keep the Common Seal in safe care.

2.4 AFFIXING THE COMMON SEAL

The Seal can only be affixed in company with three signatures. The three signatures shall be that of two Councillors and the Chief Executive Officer. In respect of ceremonial matters, the Mayor will be accorded the position of prime witness.

2.5 PENALTIES FOR UNAUTHORISED USE

Apart from the official use of the Seal as outlined, no person may use the Common Seal or any device resembling the Common Seal without the authority of the Council. Any person or organisation who wishes to seek the authority of the Council shall do so in writing.

Penalty: 20 Penalty Units.

PART 3 ELECTION OF MAYOR

3.1 PURPOSE

The purpose of this Part is to regulate the proceedings for the election of the Mayor and Deputy Mayor pursuant to Section 71 of the Act.

3.2 PRESIDING OFFICIALS

The Chief Executive Officer will preside at the election of an Acting Chairman. The Acting Chairman will then preside at the election of the Mayor.

3.3 VOTING METHOD

All councillors are eligible to stand for election to the office of Mayor.

Voting shall be by secret ballot with the Chief Executive Officer to be the returning officer.

Candidates for the election of Mayor may address Council for up to five minutes prior to the election of Mayor being conducted.

In determining the election of Mayor, the following process will apply:

- (a) Where only one nomination is received, that Councillor must be declared elected.
- (b) Where two nominations are received, the Councillor with the majority of votes cast will be declared elected.
- (c) Where there are two or more nominations and all votes cast are equally divided between two or more nominees, the election must be determined by lot.
- (d) Where there are more than two nominations received and the result has not been determined under paragraphs (b) or (c), the nominee with fewest number of votes cast must be eliminated (and if there is more than one nominee with an equal number of the fewest votes then a lot will determine the successful nominee in this instance) and the names of the remaining nominees must be put to the vote again, and
- (e) The procedure in paragraph (d) must be repeated until the circumstances in paragraph (c) apply or until there are only two nominees remaining in which case a further vote must be taken and the nominee with the majority will be declared elected, or if there is an equal division of votes, the election must be determined by lot.

PART 4 MEETING PROCEDURES

4.1 PURPOSE

The purpose of this Part is to regulate proceedings at meetings of the Council, Special Committees and other Committees as provided under Part 4, Division 2 of the Act.

4.2 QUORUM

A quorum is:

- for any Council Meeting, a majority of the whole number of Councillors able to hold office.
- for any Advisory Committee, a majority of the number of appointees where all members of the Advisory Committee are Councillors.
- for any Special Committee, a majority of the number of appointees where all members of the Special Committee are Councillors.
- for any Committee (Advisory Committee or Special Committee or Task Group operating as an Advisory Committee) not composed entirely of Councillors, as determined by the Council except where no decision is made, the quorum shall be a majority of the whole number of voting appointees.

4.3 BUSINESS TO BE CONDUCTED AT AN ORDINARY MEETING

No business shall be conducted at an Ordinary Meeting of Council unless it is business for which notice has been given either by inclusion in the agenda, or in any report accompanying the same, or by way of notice of motion.

4.4 AGENDA

The agenda for any Ordinary Meeting shall be posted or delivered to each Councillor of the municipality at least two clear days before the time fixed for the holding of the meeting.

Copies of the agenda or business for other meetings, not including Special Meetings, shall be sent to every member 48 hours before the time fixed for the holding of the meeting.

4.5 ORDER OF BUSINESS

The order of business will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.

Once the agenda has been sent to Councillors, the order of business for that meeting or the addition or deletion of items from the order of business may only be altered by the resolution of the Council.

4.6 CONFIRMATION OF MINUTES

At every meeting of Council or Committee, the minutes of the preceding meeting shall be dealt with as follows:

- a) If the minutes have been delivered to each Councillor and committee member at least 48 hours before the meeting, a motion must be passed for confirmation of the minutes; or
- b) If the minutes have not been so delivered, the minutes must be read and a motion shall be passed for confirmation of the minutes.

No discussion is permitted on the minutes except as to accuracy as a record of proceedings.

If a Councillor is dissatisfied with the accuracy of the minutes, he/she must:

- i. State the item(s) with which they are dissatisfied, and
- ii. Propose a motion clearly outlining the alternative wording to amend the minutes.

Once confirmed, the chairperson must sign the minutes.

4.7 PETITIONS, MEMORIALS AND JOINT LETTERS

All petitions shall be tabled at the next Ordinary Meeting of the Council following upon receipt of the petition, except where the Council determines by a two-thirds majority of those present that the matter is one of urgency and shall be dealt with at the meeting at which it is presented.

4.8 CORRESPONDENCE

The correspondence received by the municipality shall be dealt with by the Chief Executive Officer or by other persons as directed by the Chief Executive Officer.

Unless otherwise directed by the Council, the Chief Executive Officer shall determine what inward and outwards correspondence shall be placed before the Council for its decision or information, and the Chief Executive Officer shall determine which is the appropriate committee or body to receive advice by way of correspondence.

4.9 PROCEDURE FOR MOVING MOTIONS OR AMENDMENTS

4.9.1 Motions

- (i) The mover must state the nature of the motion. The motion shall relate to a matter before the Chair.

Motions must be clear and unambiguous, and not be defamatory or objectionable in language or nature. The Chairperson may require a motion to be put in writing.

- (ii) The Chairperson must call for a seconder unless the motion is a formal motion or is a call to enforce a point of order.
- (iii) If there is no seconder, the motion lapses.
- (iv) If there is a seconder, then the Chairperson must call the mover to address the meeting.
- (v) After the mover has addressed the meeting, the seconder may address the meeting. The seconder may choose not to speak at this time and reserve the right to address the meeting at a later stage of the debate.
- (vi) After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting) the Chairperson must call upon any Councillor who wishes to speak against the motion.
- (vii) If no Councillor speaks against the motion, then the Chairperson may put the motion or call any other member to speak.

4.9.2 Amendments

A motion having been moved and seconded and spoken to by the mover and seconder, may be amended by leaving out, or inserting words, which must be relevant to the original motion, and framed so as to complement it as an intelligible and consistent whole.

4.9.3 Speaking to a Motion or Amendment

A Councillor may speak once on a motion, and once on any amendment, except for the mover of the motion who has a right to reply (but not the mover of an amendment), after which the motion must be put to the meeting for decision.

A Councillor may be permitted by the Chairperson, or by resolution, to speak more than once to explain that the Councillor has been misrepresented or misunderstood.

A Councillor calling the attention of the Chairperson to a point of order is not regarded as speaking to the motion or the amendment.

4.9.4 Speaking Times

Unless a motion for extension of time has been carried, the maximum speaking times will be:

- The mover of the motion – 5 minutes;
- The mover of the motion when exercising the right of reply – 2 minutes;
- Any other Councillor – 3 minutes.

4.9.5 Alteration/Withdrawal of Motion or Amendment

No motion or amendment may be altered or withdrawn without the consent of the meeting.

4.9.6 Order of Motions and Amendments

Amendments must be dealt with one at a time.

An amendment must not be considered until any previous amendment is decided upon.

4.9.7 Urgent Business

The Council may resolve to admit an item considered to be urgent business, being a matter not otherwise brought before the Chair, provided at least two-thirds of the Councillors present so agree.

4.10 ADDRESSING THE MEETING

Councillors and officers must designate each other by their official titles.

A Councillor must address the Chairperson to move a motion, amendment, or take part in debate, or to present a point of order.

Once acknowledgement by the Chairperson, the Councillor has the floor and must not be interrupted unless called to order.

4.11 VOTING

4.11.1 By Show of Hands

When called upon by the Chairperson, all Councillors present must vote by a show of hands, unless Council has resolved to vote by secret ballot.

4.11.2 How Determined

Questions will be decided, unless otherwise provided, by the majority present.

The Chairperson will put the question first in the affirmative, then in the negative, and shall declare the outcome.

4.11.3 Separation of Motion

Where a motion contains more than one part, a Councillor may request the Chairperson to put the motion to the vote in separate parts.

4.11.4 Casting Vote

Where there is an equal division of votes on any question, excepting clause 3.3, the Chairperson shall exercise a second or casting vote.

4.12 DIVISION

If a division is called by a Councillor, the vote must be taken by Councillors voting in the affirmative first holding up their hands, and those voting in the negative holding up their hands. The Chairperson must declare the result.

The Chief Executive Officer shall record in the minutes the names of Councillors and whether they voted for or against.

4.13 POINTS OF ORDER

The Chairperson is the arbiter of all points of order.

A point of order may be taken on the grounds that the matter is:

- (i) Outside Council's power;
- (ii) Contrary to the Local Laws of the Council;
- (iii) Irrelevant;
- (iv) Defamatory;
- (v) Improper;
- (vi) Contrary to relevant parliamentary forms and usages.

A Councillor raising a point of order must:

- (a) State the point of order; and
- (b) The provision or rule in the Act or this Local Law or any practice or precedent constituting the point of order.

A councillor raising a point of order must be given precedence over any other Councillor who is speaking who then must remain silent until the point of order is ruled on by the Chair.

The Chairperson may adjourn the meeting to consider a point of order, otherwise he or she must rule on it as soon as it is raised.

All other matters before the Council are to be suspended until the point of order is decided.

4.14 NOTICES OF MOTION

Notices of Motion are to be given in writing to the Chief Executive Officer in sufficient time to permit the Chief Executive Officer to give notice in the manner and time required for the meeting.

All Notices of Motion must be dated and numbered by the Chief Executive Officer in the order received.

Where, in the opinion of the Chief Executive Officer, a draft Notice of Motion is contrary to standard or desirable management practices, or will infringe upon the good conduct of meetings or the good governance of the municipality, the Chief Executive Officer will be empowered to treat the draft Notice of Motion as correspondence under Clause 4.8 of this Local Law.

A Notice of Motion lapses if the proposer is not in attendance.

A Notice of Motion that has been lost, and any similar motion, must not be put before the Council for at least three months from the date it was lost.

4.15 REVOCATION OR ALTERATION OF PREVIOUS RESOLUTIONS

A Councillor may propose a motion to rescind a decision of the Council provided the previous motion has not been acted upon.

A written Notice of Motion to revoke or alter a previous resolution:

- (a) Must be given to the Chief Executive Officer in sufficient time to enable two clear days' notice to all Councillors.
- (b) Must be deemed withdrawn if not moved at the next meeting at which business may be transacted.
- (c) If it is a second or subsequent notice to revoke or alter an earlier resolution, must not be accepted by the Chief Executive Officer until a period of three months has elapsed after the date of the meeting at which the first or last motion or revocation or alteration was dealt with.

A decision will be deemed to have been acted upon once its details have been formally communicated to person(s) affected by, or reliant on, the decision, or where a statutory procedure has been carried out as a result of that decision.

4.16 SUSPENSION

Council may suspend from a meeting, and for the balance of the meeting, any Councillor whose actions have disrupted the business of the Council and impeded its orderly conduct.

4.17 REMOVAL FROM CHAMBER

The Chairperson, or the Council in the case of a suspension, may ask any authorised officer or member of the police force to remove from the Chamber any person who has committed an offence against this Part.

4.18 OFFENCES

It is an offence for a person:

- (a) being a Councillor, to fail to withdraw an expression considered by the Chairperson to be offensive or disorderly, and satisfactorily apologise when called upon twice by the Chairperson to do so;
- (b) not being a Councillor, if guilty of any improper or disorderly conduct, fail to leave when requested by the Chairperson to do so;
- (c) fail to obey a direction of the Chairperson in relation to the conduct of the meeting and the maintenance of order;
- (d) being a Councillor, to fail to leave the Chamber on suspension;
- (e) wilfully or negligently act contrary to any provision of this Part.

Penalty: 10 penalty unit.

4.19 PUBLIC PARTICIPATION

At every ordinary meeting of the Council, time may be allocated to enable a member of the community to address the Council concerning a matter on the agenda for the meeting, unless the Council resolves to allow a new matter to be raised.

Public participation may not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89(2) of the Act.

The Chairperson may allocate up to 5 minutes to each person who wishes to address the Council having regard to:

- (i) The nature of the matter to be discussed;
- (ii) Priorities in relation to other business;
- (iii) Other members of the community present who also wish to address Council;
- (iv) Whether such an opportunity has already been provided to the person.

The Council may decide to defer discussion to a later date and the views of the person addressing the Council should be sought concerning that other date.

4.20 COMMITTEES

The first Committee Meeting shall be convened within two months of its appointment, and thereafter by order of the Council, or by written order of the Chairperson of the Committee, or of any two members of the Committee.

Committees may allow members of the public to attend meetings. The Chief Executive Officer or an officer assigned by the Chief Executive Officer shall attend all Committee Meetings.

4.21 FORMAL MOTION

The Council will recognise seven formal motions, which do not require a seconder.

(i) Lay the Question on the Table

Laying the question on the table may be moved by a person who has not moved, seconded or spoken to the matter before the meeting where the person wishes to adjourn further debate until such time as the Council might desire to take the question from the table.

(ii) Proceed to Next Item of Business

Proceeding to the next item of business may be moved by a person who has not moved, seconded, or spoken to the matter before the meeting. The proposal is not to be debated and may not be amended. If moved in respect of an amendment and agreed to by the Council, the Council then moves to the substantive motion.

(iii) The Question Not Now be Put

The formal motion expressed in the terms "That the question be not now put" may be moved in respect of a substantive motion only by a person who has not moved, seconded or spoken to the matter. This formal motion is able to be debated if the Chairperson exercises a discretion and accepts the formal motion. The defeat of the formal motion directs the Chairperson to place the substantive motion immediately before the Council without there being any discussion or further amendment.

(iv) The Motion be Now Put

The closure may be moved in the terms "That the motion be now put" by any person who has not moved, seconded or spoken to the matter, and can be moved while another person is speaking. This

formal motion is not able to be debated if the Chairperson exercises a discretion and accepts the formal motion.

(v) Adjournment of Debate

Adjournment of debate on any matter may be moved by a person who has not moved, seconded or spoken to the matter. This formal motion may be debated, and may be amended only in respect of time, place or date of adjournment.

(vi) Adjournment of Meeting

Adjournment of a meeting may be determined upon by the meeting and such a proposal is not able to be debated. Defeat of this formal motion shall result in the Council proceeding to the next item of business.

(vii) Gag the Speaker

A gag may be moved in the terms "That the speaker no longer be heard" by a person who has not moved, seconded or spoken to the matter. This formal motion is not able to be debated if the Chairperson exercises a discretion and accepts the motion. If the motion is successful, the Chairperson may invite further debate from other Councillors who have not spoken, provided that the mover of the motion shall always have the right of reply.

4.22 DOCUMENTS

4.22.1 Right Of Access To Documents

A councillor can obtain access to any municipal documents relevant to the motion under discussion by either:

- (i) Requiring the document to be produced at the meeting if it is available at the time and place of the meeting, or;
- (ii) Providing written notice, not less than 24 hours prior to the meeting, of the requirement for the documentation to be produced at the meeting.

4.22.2 Confidentiality of Accessed, and Privileged, Documentation and Information

A Councillor shall not disclose information obtained under this clause, or any other information that is received in the course of their service as a Councillor, to any person not entitled, or authorised, to receive the information. The provisions of this clause includes information declared to be privileged or commercial in confidence, or where unauthorised

dissemination of the information breaches, or is subject to, the provision of the Privacy Act

A councillor who fails to comply with this clause will be guilty of an offence.

Penalty: 10 Penalty Units.

4.23 SUSPENSION OF REGULATIONS

Any of the clauses under this Part may be suspended by motion, following upon notice of motion, or by the unanimous determination of the meeting.

4.24 SUSPENSION OF STANDING ORDERS

The provisions of this Local Law may be suspended for a particular purpose by resolution of the Council.

The suspension of such provisions (standing orders) should be used to enable full discussion of any issue without the constraints of formal meeting procedure. The purpose therefore is to enable the formalities of meeting procedure to be disposed off whilst an issue is discussed, and should not be used purely to dispense with the processes and protocol of the government of the Council.

Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary.

4.25 APPLICATION OF COMMITTEES

This Part applies to Committees of Council and Corporations, with appropriate modifications.

4.26 VALIDATION

No resolution or other action or proceeding passed or made at a meeting of the Council, or a Committee of the Council, shall be invalidated by any defect irregularity deficiency of notice or time or non-compliance with the Local Law, provided that a discovery of each defect, irregularity or deficiency or non-compliance, such resolution or other action or proceedings is declared to be valid by a resolution passed by Council, or Committee of Council, as the case may be and, if such declaration is made, the resolution or other action of proceeding in question shall be deemed to have been valid, from the moment when such resolution or other action or proceeding was passed or made.

ATTACHMENT 1

“FORMAL MOTIONS”

FORMAL MOTION	FORM OF MOTION	MOVER	EFFECT IF CARRIED	EFFECT IF LOST
(i) Lay the question on the table	“That the question lay on the table”	A person who has not moved, seconded, or spoken to the matter before the meeting.	Motion (and amendment if applicable) will “lay on the table” and not be further discussed or voted on until: (i) Council resolves to take the matter from the table at the same meeting, or (ii) The matter is placed on an agenda for a future meeting, and Council resolves to take the question from the table.	Debate continues unaffected.
(ii) Proceed to next item of business	“That Council proceed to next item of business” Note: This motion may not be debated, and may not be amended.	A person who has not moved, seconded, or spoken to the matter before the meeting.	If carried in respect of: (i) An amendment, the meeting considers the motion without reference to the amendment, or (ii) A motion, no discussion or vote occurs on the motion, until it is placed on an agenda for a future meeting.	Debate continues unaffected.

Attachment cont'd

FORMAL MOTION	FORM OF MOTION	MOVER	EFFECT IF CARRIED	EFFECT IF LOST
(iii) The question not now be put	"That the question not now be put"	A person who has not moved, seconded, or spoken to the matter before the meeting.	Debate continues unaffected	If defeated, the Chair will put the substantive motion to the vote, without any further debate, discussion or amendment.
(iv) The motion now be put	"That the motion be now put" Note: This motion, can be moved while another person is speaking. This motion cannot be debated.	A person who has not moved, seconded, or spoken to the matter before the meeting.	The Chair will put the substantive motion without any further discussion, debate of amendment.	Debate continues unaffected.
(v) Adjournment of debate at a later hour and/or date	"That the debate be adjourned until (time) (date)" Note: This motion may only be amended in respect of time, place or date.	A person who has not moved, seconded or spoken to the matter before the meeting.	The matter will be adjourned until a time, and/or a date identified in the motion.	Debate continues unaffected.
(vi) Adjournment of meeting to a later hour and/or date	"That the meeting be adjourned until (time), (date)" Note: This motion may not be debated.	Any person	Meeting is adjourned until time/date identified in the motion.	Meeting continues unaffected.

Attachment cont'd

FORMAL MOTION	FORM OF MOTION	MOVER	EFFECT IF CARRIED	EFFECT IF LOST
(vii) Gag the speaker	<p>“That the speaker can no longer be heard”.</p> <p>Note: This matter may not be debated.</p>	A person who has not moved seconded or spoken to the matter before the meeting.	The Chairperson may invite further debate from other Councillors who have not spoken. The mover of the motion retains the right of reply.	Meeting continues unaffected.

ATTACHMENT 2

PENALTIES FOR INFRINGEMENT IN RESPECT OF THIS LOCAL LAW

ITEM		PENALTY UNITS
1.9	Failure to remedy a situation in accordance with this Local Law: Infringement Notice penalty:	20 15
2.5	Unauthorised use of Common Seal	20
4.18(a)	A Councillor failing to withdraw an expression considered by the Chairperson to be offensive or disorderly, and satisfactorily apologise when call upon twice by the Chairperson to do so.	10
4.18(b)	A person other than a Councillor, guilty of any improper or disorderly conduct, fail to leave when requested by the Chairperson to do so.	10
4.18(c)	Failure to obey a direction of the Chairperson in relation to the conduct of the meeting and maintenance of order.	10
4.18(d)	A Councillor failing to leave the chamber on suspension.	10
4.18(e)	Wilfully or negligently act contrary to the provision of Part 4 of this Local Law.	10
4.22	A Councillor failing to maintain confidentiality of a document.	10

The Penalties and Sentences Act provides that the value of each penalty unit is \$100.00.



ATTACHMENT 3

SWAN HILL RURAL CITY COUNCIL – INFRINGEMENT NOTICE

Date of Notice: No. of Notice:

To: Surname or
 Organisation
 Other Names
 Address

I, (full name of authorised officer) being a duly authorised officer of the above Council have reason to believe that you have committed an offence against the Local Laws of the Council. The nature of the alleged offence and the amount of penalty is indicated by the ticked box below:

Local Law Number	Clause/Section Number	Name of Infringement	Applicable Penalty Units

Other particulars of alleged offence:

Date: Time: Location:

If you pay the penalty indicated within 28 days from the date of this notice to the Swan Hill Rural City Council:

by cheque or money order for the FULL AMOUNT posted to PO Box 488, Swan Hill

this matter will not be brought to Court and no conviction will be recorded.

You are entitled to disregard this infringement notice and defend the prosecution for the offence in Court.

Should you wish to make any submission concerning this infringement notice contact should be made with the Chief Executive Officer.

(Signed by Authorised Officer)

* *the Penalties and Sentences Act provides that the value of each penalty unit is \$100.00 (or in the alternative the amount of penalty could be stated).*