



**Port Phillip City Council
Meeting Procedure Local Law No. 2/2019**

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PART A – INTRODUCTION

1. Title

- (1) This is the Port Phillip City Council Meeting Procedure Local Law No. 2 / 2019 and referred to in this document as “Local Law”.

2. Objectives

The objectives of this Local Law are to:

- (1) Provide clarity around the role and responsibilities of the Mayor, Deputy Mayor, Councillors and Council as a whole;
- (2) Ensure all Councillors understand their rights and obligations as participants in meetings of Council and understand the procedures required for raising matters for consideration by Council;
- (3) Ensure proceedings of and decision making by Council are transparent and understandable to all people who wish to participate in and observe meetings of Council;
- (4) Ensure participation in proceedings is accessible and balanced with Council’s primary decision making role;
- (5) Ensure proceedings and decision making are conducted according to the principles of procedural fairness and good governance;
- (6) Ensure proceedings and decision making occur in a safe and respectful environment and provides an equal opportunity for all to participate, with respect being accorded to the expression of differing views;
- (7) Create an environment that enables staff to provide high quality, frank and fearless advice to Council;
- (8) Ensure that proceedings and decision making are conducted in a consistent, efficient and effective manner;
- (9) Regulate the use and control of the Common Seal; and
- (10) Revoke Council’s Meeting Procedure Local Law Number 2/2009.

3. Authorising provision

This Local Law is made under section 91 and Part 5 of the *Local Government Act 1989*.

4. Commencement and end dates

- (1) This Local Law comes into operation on the day after it is made by resolution of Council.
- (2) Unless sooner revoked, this Local Law ends on the 10th anniversary of the day on which it commenced operation.

5. Revocation of Local Law No 2/2009

On commencement of this Local Law, Council’s Meeting Procedure Local Law No. 2/2009 is revoked.

6. Definitions and notes

(1) In this Local Law:

- (a) "Act" means the *Local Government Act 1989* (as amended from time to time);
- (b) "Agenda" means a document containing the date, time and place of a meeting and the business to be transacted at the meeting;
- (c) "Chair" means the chairperson of a meeting and includes an acting or temporary chairperson;
- (d) "Chief Executive Officer" means the person who is appointed by Council as its Chief Executive Officer and any person acting in the position;
- (e) "Common Seal" means the Common Seal of Council;
- (f) "Council" means the Port Phillip City Council;
- (g) "Council meeting" includes an Ordinary Council Meeting, a Special Council Meeting as defined under the Act and a meeting of a Special Committee established by Council pursuant to, and in accordance with, section 86(1) of the Act which is comprised solely of Councillors;
- (h) "Councillor" means a person who holds office as a member of Council as defined under the Act;
- (i) "Deputy Mayor" means a Councillor elected by Council as the Deputy Mayor;
- (j) "'Majority of the votes" means the votes cast by a majority of the Councillors present at a Council meeting at the time the vote is taken;
- (k) "Mayor" means the Mayor of Council as defined under the Act;
- (l) "Minutes" means the record of proceedings of a Council meeting;
- (m) "Municipality" means the municipal district of Council;
- (n) "Notice of Motion" means a notice setting out the text of a motion, which a Councillor proposes to move at a Council meeting;
- (o) "Offence" means an act or default contrary to this Local Law;
- (p) "Ordinary Council meeting" means a Council meeting which is not a Special Council meeting or a Special Committee meeting;
- (q) "Penalty units" means the value of a penalty unit as prescribed by the *Sentencing Act 1991*;
- (r) "Point of Order" means a matter raised under clause 56 of this Local Law;
- (s) "Special Committee" means a Special Committee established by Council pursuant to, and in accordance with, section 86(1) of the Act and which is comprised solely of Councillors;
- (t) "Special Committee meeting" means a meeting of a Special Committee;
- (u) "Special Council meeting" means a Special meeting of Council convened and held in accordance with, section 84, 84A or 85 of the Act;

(2) Unless the contrary intention appears, words in the singular include plural and words in the plural include singular.

PART B - ELECTION OF MAYOR, DEPUTY MAYOR AND TEMPORARY CHAIRS

7. Election of the Mayor

- (1) The Chief Executive Officer must facilitate the election of the Mayor in accordance with the provisions of the Act and this Local Law.
- (2) The order of business at the Council meeting to elect the Mayor is to be determined by the Chief Executive Officer. In the absence of any changes directed by the Chief Executive Officer, the order of business shall be:
 - (a) Welcome by Chief Executive Officer;
 - (b) Appointment of a Temporary Chairperson;
 - (c) Apologies;
 - (d) Declaration of Conflicts of Interest;
 - (e) Outgoing Mayoral address and outgoing Deputy Mayoral address;
 - (f) Term of Mayoral office;
 - (g) Election of the Mayor;
 - (h) Mayoral address;
 - (i) Election of Deputy Mayor;
 - (j) Deputy Mayoral address.

8. Method of voting

The election of the Mayor, Deputy Mayor and Temporary Chairperson must be carried out by a show of hands.

9. Procedure for election of the Mayor, Deputy Mayor and the Temporary Chairperson

- (1) The election of the Mayor will be conducted in accordance with the provisions of the Act and this clause.
- (2) The Chief Executive Officer must open the meeting at which the Mayor is to be elected.
- (3) The Chief Executive Officer will call for nominations for the appointment of a Temporary Chairperson.
- (4) Any nominations for the Temporary Chairperson must be made verbally by Councillors present at the meeting.
- (5) Under this clause any Councillor may refuse nomination, in which case the Councillor will not be eligible to be elected.
- (6) A nomination for the Temporary Chairperson requires a seconder.
- (7) If there is only one nomination, the Councillor nominated is deemed to be elected Temporary Chairperson.

- (8) If there is more than one nomination, a vote must be taken to elect one of the Councillors nominated. The process used for the election of a Temporary Chair will be the same as used for the election of the Mayor.
- (9) Before nominations for the office of Mayor are invited by the Temporary Chairperson, the Council may resolve that the term of the Mayor is to be for two years. In the absence of a resolution the default term is one year.
- (10) Any nominations for the office of Mayor must be made verbally by Councillors present at the meeting.
- (11) A nomination for Mayor requires a seconder.
- (12) If there is only one nomination, the Councillor nominated is deemed to be elected Mayor.
- (13) If there are two nominations received, a vote must be taken to elect one of the Councillors nominated.
- (14) Where there are two nominations, the Councillor who receives a majority of the votes will be declared elected Mayor.
- (15) Where there are two nominations and the two nominees have an equality of votes, the election must be determined by lot where the nominee whose name is drawn out will be declared elected Mayor.
- (16) Where there are more than two nominations and the result has not been determined by a majority of the votes, the nominee with the least number of votes cast will be eliminated. If there is more than one nominee with the least number of votes cast then it will be determined by lot with the person whose name is drawn out being eliminated. The names of the remaining nominees will then be put to the vote again.
- (17) The procedure will be repeated until one nominee receives a majority of the votes and will be declared elected or, if there is an equality of votes, then the election must be determined by lot where the nominee whose name is drawn out will be declared elected Mayor.
- (18) The procedure for the election of the Deputy Mayor will be the same as for the election of the Mayor.

PART C - COUNCIL'S COMMON SEAL

10. Use of Common Seal

- (1) The purpose of this Part is to regulate the use of the Common Seal and to prohibit the unauthorised use of the Common Seal or use of any device resembling the Common Seal.
- (2) The Chief Executive Officer must keep the Common Seal in safe custody at all times.
- (3) Council's Common Seal must only be used with the authority of Council granted either generally or specifically and every document to which the Common Seal is affixed must be signed jointly by the Mayor and the Chief Executive Officer.
- (4) Subject to clause 10(3), the sealing clause shall be:

THE COMMON SEAL of Port Phillip City)
Council was hereunto affixed in the)
presence of:)

Mayor

Chief Executive Officer

- (5) A person using the Common Seal or any device resembling the Common Seal without the authority of Council will be guilty of an Offence.

Note: See clause 70 Offences.

PART D - MEETING PROCEDURES

DIVISION 1 – NOTICE OF MEETINGS AND DELIVERY OF AGENDAS

11. Date, starting time and place of Council meetings

- (1) Council by resolution must fix the dates, times and places of Council meetings.
- (2) Council may by resolution alter the date, time and place of Council meetings and must provide reasonable notice of this change to the public.
- (3) The Chief Executive Officer, after consultation with the Mayor, in the case of an administrative matter or an emergency situation, may alter the location of or cancel a Council meeting by giving such notice to the Councillors and the public as is practicable.
- (4) The agenda will include notice that a Council meeting may have a short break approximately every two hours.

12. Notice of meeting

- (1) The agenda for any Council meeting (other than a Special Council meeting called in urgent circumstances) must be sent to every Councillor at least two clear working days before the meeting.
- (2) At least seven days' notice of a Council meeting must be given to the public by advertising on Council's website and in a local newspaper generally circulating within the municipality.
- (3) If urgent or extraordinary circumstances prevent Council from giving at least seven days' notice, then Council must give as much public notice as is practicable and specify in the minutes of the meeting the circumstances preventing it from complying with clause 12(2).

DIVISION 2 – CHAIRING

13. Chairing of Council meetings

- (1) The Mayor must take the Chair at all Special Council meetings and Ordinary Council meetings at which the Mayor is present.
- (2) If the Mayor is not in attendance at a Special Council meeting or an Ordinary Council meeting, the Deputy Mayor or, in the absence of the Deputy Mayor, a Councillor appointed by resolution must take the Chair.
- (3) If the Mayor, Deputy Mayor or the Councillor appointed by resolution under clause 13(2), as the case may be, is not in attendance at a Special Council meeting or an Ordinary Council meeting, Council must elect one of the Councillors as Chair for that meeting.
- (4) At least annually Council by resolution will appoint a Councillor to be the Chair of each Special Committee. If Council resolves that the role of Chair is to be rotated between Councillors, the Chief Executive Officer, in consultation with the Mayor, will determine an annual schedule of Chair appointments for each Special Committee meeting. If required, the Chief Executive Officer can make administrative adjustments to this schedule.
- (5) If the appointed Chair is not in attendance at a Special Committee meeting, the Special Committee must elect one of the Councillors as Chair for that meeting.

DIVISION 3 – QUORUMS

14. Quorum – Council meetings

- (1) The Quorum for any Council meeting is the presence of a majority of the Councillors.
- (2) A Council meeting cannot commence, continue, or resume without a quorum.

15. Failure to raise a quorum

- (1) If a quorum is not present within 30 minutes of the time appointed for the commencement of an Ordinary Council meeting or a Special Committee meeting, the Chair of the meeting or, if there are no Councillors present, the Chief Executive Officer or, in his or her absence, the person authorised to deputize for the Chief Executive Officer, may adjourn the meeting for a period not exceeding 21 days from the date of the adjournment. Where an adjournment is other than on the same day, the Chief Executive Officer must, as far as practicable, give all Councillors written notice of the adjourned meeting and give public notice (if time permits) and publish details on Council's website.
- (2) If the meeting is not adjourned in accordance with clause 15(1), the meeting lapses and the undisposed business of the meeting must, unless it has been disposed of at a Special Council meeting, be included as part of the agenda for the next appropriate Ordinary Council meeting or Special Committee meeting.
- (3) If a quorum is not present within 30 minutes of the time set for a Special Council meeting, then the meeting immediately lapses for lack of a quorum and cannot be adjourned.

16. Inability to Maintain a quorum

If a quorum ceases to be present at any time during a Council meeting then no business can be legally transacted until a quorum is formed again. If a quorum ceases to be present for a time greater than 10 minutes after a Council meeting has begun, the meeting lapses.

17. Inability to maintain a quorum due to conflicts of interest from Councillors

If during any Council meeting it becomes apparent to the Chair that it will not be possible to maintain a quorum due to the number of Councillors who have disclosed a conflict of interest in an item of business and will be unable to vote, that item of business will lie on the table and be considered at the next available Council meeting when a quorum can be reached or alternatively until the Chief Executive Officer has received an exemption from the Minister administering the Act.

DIVISION 4 – BUSINESS OF MEETINGS

18. Order of business

- (1) The following order of business must be followed at an Ordinary Council meeting and a Special Committee meeting unless Council or the Special Committee resolves otherwise:
 - (a) Welcome and Acknowledgement of Country;
 - (b) Apologies;
 - (c) Confirmation of the Minutes of previous meetings;
 - (d) Declarations of conflicts of interest;
 - (e) Sealing schedule (Ordinary Council meetings only);

- (f) Petitions and Joint Letters (Ordinary Council meetings only) and Deputations;
 - (g) Public Question Time;
 - (h) Councillor Question Time;
 - (i) Presentation of reports;
 - (j) Notices of Motion (Ordinary Council meetings only);
 - (k) Reports by Councillor delegates (Ordinary Council meetings only);
 - (l) Urgent Business; and
 - (m) Confidential Matters.
- (2) The following order of business must be followed at a Special Council meeting unless Council resolves otherwise:
- (a) Welcome and Acknowledgement of Country;
 - (b) Apologies;
 - (c) Declarations of conflicts of interest;
 - (d) Presentation of reports; and
 - (e) Confidential Matters.

19. Removing or adding agenda items

The Chief Executive Officer with the consent of the Mayor, and a Councillor with the leave of Council, can at any time after the agenda has been distributed remove or add any matter to it and give such notice as is practicable.

20. Changes to the order of business

- (1) The order of business for a Council meeting may be altered by resolution of Council.
- (2) The Chair of a Council meeting, at their discretion, may change the order of business within "Presentation of Reports" to take into account particular agenda items where there is public interest.

21. Confirmation of minutes

- (1) The minutes of any Special Council meeting or Ordinary Council meeting must be submitted to the next Ordinary Council meeting for confirmation where practicable.
- (2) The minutes of any Special Committee meeting must be submitted to the next Special Committee meeting for confirmation.
- (3) If a copy of the minutes of the previous meeting has been circulated to all Councillors at least two clear working days before the Council meeting at which they are to be confirmed, then the motion for confirmation must be put without the reading of the minutes.
- (4) If no Councillor indicates opposition to the content of the minutes, the Chair must, after receiving a mover and seconder, put the matter to a vote and declare the minutes to be confirmed. There must be no discussion on the minutes except as to their accuracy as a record of the proceedings.
- (5) If a Councillor is dissatisfied with the accuracy of the minutes he or she must:
 - (a) State the item or items with which he or she is dissatisfied; and

- (b) Propose a motion clearly indicating the alternative language necessary to amend the minutes.
- (6) A resolution confirming the minutes of a previous Council meeting includes any confidential minutes as applicable to that meeting.
- (7) Council may resolve to defer the confirmation of minutes until later in the Council meeting or until the next Council meeting as appropriate.
- (8) Once the minutes are confirmed by resolution they are then to be signed by the Chair of the Council meeting at which they were confirmed.

22. Disclosure of conflicts of interest

- (1) A Councillor must, if he or she is attending a Council meeting, disclose any conflict of interest which that Councillor has in an item of business in accordance with the Act. Additionally, if the Councillor is aware of the conflict, the Councillor may disclose the conflict at the time specified in the agenda under "Declaration of Conflicts of Interest".
- (2) If the Mayor discloses a conflict of interest in an item being considered at a Special Council meeting or an Ordinary Council meeting, then the Deputy Mayor must chair the meeting for the duration of Council's consideration of the item. If the Deputy Mayor is unable to chair the item then Council will elect a temporary Chair in accordance with Part B of this Local Law.
- (3) If the Chair discloses a conflict of interest in an item being considered at a Special Committee meeting, then the Mayor must chair the meeting for the duration of the Special Committee's consideration of the item. If the Mayor is unable to chair the item then the Deputy Mayor will chair the item. If the Deputy Mayor is unable to chair the item then the Special Committee will elect a temporary Chair in accordance with Part B of this Local Law.

23. Petitions and Joint Letters

- (1) A petition or joint letter must be lodged with the Chief Executive Officer at least seven days prior to the Council meeting at which it is to be considered to allow inclusion into the agenda.
- (2) A petition or joint letter submitted for inclusion in the agenda for an Ordinary Council meeting shall:
 - (a) be in legible and permanent writing and signed by at least 5 people;
 - (b) have the full name, address and signature of all individual signatories;
 - (c) not be defamatory, indecent, abusive or objectionable in language or content;
 - (d) not relate to matters beyond the powers of Council;
 - (e) include the whole of the petition or request on each page;
 - (f) any page that contains signatures, must also include the whole of the petition or request; and
 - (g) consist of single-sided pieces of paper and must not be pasted, stapled, pinned or otherwise affixed to any other piece of paper.
- (3) The Chief Executive Officer may accept electronic petitions received via online websites if he or she is satisfied that the petition is authentic and from a legitimate website and provided that the electronic petition has been closed and a copy has been forwarded to Council.
- (4) Nothing in this clause shall prevent the Chief Executive Officer from determining that a petition or

joint letter that does not fully comply with clause 23(2) will be submitted to an Ordinary Council meeting for consideration. However, any petition or joint letter that materially does not comply with the requirements of clause 23(2) will not be accepted by the Chief Executive Officer.

- (5) The Chief Executive Officer must arrange for petitions and joint letters to be submitted to the next practicable Ordinary Council meeting following their receipt.
- (6) Only the wording of the request and the number of signatories will be included in the agenda for the Ordinary Council meeting at which it will be considered. The agenda will also include an officer's recommendation and may also include an officer's comment. The agenda will note if the document received is an electronic online petition.
- (7) If the petition or joint letter relates to any item already on the agenda for the Ordinary Council meeting at which the petition or joint letter is submitted, the Chair may decide that the Petition or joint letter will be dealt with in conjunction with that agenda item.
- (8) If the petition or joint letter relates to:
 - (a) a planning matter which is the subject of a public notification process under the *Planning and Environment Act 1987*; or
 - (b) a statutory matter which is the subject of a public submission process under section 223 of the Act,

the petition or joint letter will be treated as a joint submission in relation to the planning matter or the statutory matter (as the case may be).

- (9) A petition or joint letter may nominate a person to whom a reply must be sent, but if no person is nominated or if it is not obvious who the intended contact person is, Council may reply to the first signatory who appears on the petition or joint letter.

24. Deputations

- (1) A deputation wishing to be heard at an Ordinary Council meeting or a Special Committee meeting must make a written request to the Chief Executive Officer by midday on the day that is at least seven days prior to the meeting. The request must include the name and address of a contact person.
- (2) The Chief Executive Officer must inform the Chair of this request and, unless otherwise directed by the Chair, must list the hearing of the deputation at the next appropriate Ordinary Council meeting or Special Committee meeting.
- (3) If a deputation is listed for hearing, the Chief Executive Officer must give the person specified in the request written notice of the time, date and place of the hearing.
- (4) No more than three speakers may address the meeting on behalf of the deputation unless the meeting resolves otherwise. Notwithstanding this, the Chair may allow another speaker to clarify a point if called upon to do so.

25. Sealing schedule

A listing of documents requiring a resolution of Council to affix the common seal of Council will be included in the agenda where appropriate. Officers will provide a description of the document to be sealed and any relevant supporting information.

26. Public Question Time

- (1) At all Ordinary Council meetings and Special Committee meetings, there must be an opportunity for members of the public to ask questions to the meeting during Public Question Time.
- (2) No public questions can be asked during any period when a meeting is closed to members of the public in accordance with the Act.
- (3) Public Question Time will not be included in the agenda of any Ordinary Council meeting or Special Committee meeting during a local government election “caretaker” period.
- (4) During Public Question Time members of the public can ask questions on general matters other than those relating to a topic that is on the agenda. Questions may be asked of Council and may not be directed to individual Councillors.
- (5) A person proposing a question will be requested to state their name and the suburb in which they live.
- (6) A Councillor, through the Chair, may ask clarifying questions of a member of the public who has spoken or of officers in respect to issues raised by the member of the public. The Chair has the right to limit the number of clarifying questions asked by Councillors.
- (7) All requests from the public to ask questions during Public Question Time must be received in writing and the question must be stated on the prescribed form, prior to Council having heard all questions from members of the public under agenda item “Public Question Time”. Members of the public are encouraged to pre-register their questions to enable officers more time to provide a full and complete response.
- (8) A member of public can speak for three minutes or at a longer time at the discretion of the Chair.
- (9) A question from a member of the public may be disallowed by the Chair if the Chair has determined that:
 - (a) the person who has requested to ask the question is not present in the gallery and has not requested another member of the public who is present to speak on their behalf;
 - (b) the question is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - (c) the question is repetitive and deals with a subject matter that has already been answered;
 - (d) the question is aimed at embarrassing a Councillor or officer or any other person;
 - (e) the question relates to a matter which will be, or is likely to be, considered by Council or the Special Committee in a closed meeting;
 - (f) the question relates to a matter beyond the powers or functions of Council or the Special Committee.
- (10) The Chair, or a Councillor through the Chair, may call for an officer to respond to any questions raised by members of the public and Councillors. The Chair or an officer may take a public question on notice. If a public question is taken on notice, a written copy of the response will be sent to the person who asked the question and the question and the officer response will also be placed on Council’s website.

27. Councillor Question Time

- (1) At all Ordinary Council meetings and Special Committee meetings, during Councillor Question Time, there must be an opportunity for Councillors to ask questions of officers without notice.
- (2) The Chair may disallow a question of officers if the Chair believes that:
 - (a) the question is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - (b) the question is repetitive and deals with a subject matter that has already been answered;
 - (c) the question is aimed at embarrassing an officer or any other person;
 - (d) the question relates to a matter which will be, or is likely to be, considered by Council or the Special Committee in a closed meeting;
 - (e) the question relates to a matter beyond the powers or functions of Council or the Special Committee.
- (3) The Chair may call for an officer to respond to any questions raised by Councillors. The officer may take a question on notice. If a Councillor question is taken on notice, a written copy of the response will be sent, as a minimum, to the Councillor who asked the question and the question and the officer response will also be placed on Council's website.

28. Public comment and questions on agenda items

- (1) At all Council meetings, there must be an opportunity for members of the public to ask questions or make comment on specific agenda items prior to Council going into formal debate. Members of the public are encouraged to pre-register their questions in advance of the meeting to enable officers more time to provide a full and complete response.
- (2) A member of the public can speak for three minutes or at a longer time at the discretion of the Chair. The Chair reserves the right to limit the speaking time to two minutes for a particular item if there are five or more speakers.
- (3) All requests to ask a question or make a comment on a specific agenda item must be received in writing on the prescribed form prior to Council formally considering the item.
- (4) The Chair may disallow public questions or comments if the Chair believes that they are repetitive in nature.

29. Councillors speaking to the meeting and the right to ask questions

- (1) A Councillor, through the Chair and subject to this Local Law, has a right to speak on any matter before Council.
- (2) A Councillor must not be interrupted except by the Chair or upon a Point of Order.
- (3) The Chair may request a Councillor to come to the conclusion of their speech if the Chair believes the Councillor has had adequate time to raise all issues pertinent to the question before Council.
- (4) A Councillor must not deviate from the subject matter of the motion or amendment when speaking to it.
- (5) Any Councillor wishing to seek clarification about a motion or amendment to aid debate and their final decision making can do so through the Chair prior to and during formal debate.

- (6) The Chair may call for an officer to respond to any questions raised by Councillors. The officer may take a question on notice. If a Councillor question is taken on notice, a written copy of the response will be sent, as a minimum, to the Councillor who asked the question and the officer response will also be placed on Council's website.
- (7) The Chair has the right to limit the number of questions including clarifying questions asked by Councillors and direct that debate be commenced or resumed.
- (8) The Chair may disallow a comment or a question asked by a Councillor or an officer if the Chair believes it:
 - (a) Will be embarrassing for the officer;
 - (b) Will draw the officer into the debate;
 - (c) Is repetitive in nature; or
 - (d) Is objectionable in language, nature or tone.

30. Reports by Councillor delegates

- (1) A Councillor who is Council's appointed delegate to an internal committee or an external body may provide a verbal or written report to Council on the recent deliberations of that committee or body.

31. Urgent Business

At an Ordinary Council meeting and a Special Committee meeting, the Chief Executive Officer or any Councillor may raise an item of Urgent Business. If it is determined that a report or matter, of which no notice is included in the agenda for that meeting, is a matter which cannot wait for the next scheduled meeting, then the meeting must carry a resolution to consider the matter as Urgent Business. If the meeting has carried a resolution, then the meeting will consider the Urgent Business item in accordance with its standard meeting procedure outlined in this Local Law.

32. Confidential Matters

- (1) Any Council meeting must be open to members of the public unless there will be consideration of a matter that is required to be considered in a meeting that is closed to the members of the public in accordance with the relevant provisions of the Act.
- (2) The Council meeting must resolve to close the meeting to members of the public and the reasons given for this closure must be recorded in the minutes. The Council meeting must also resolve to re-open the meeting to members of the public once the confidential matter has been considered and dealt with.
- (3) The Chief Executive Officer may designate in writing that a report and / or an attachment to that report is confidential in accordance with the Act as the Chief Executive Officer considers that the matter will likely be considered at a closed Council meeting. Council may carry a resolution that the report and / or an attachment to that report designated as confidential by the Chief Executive Officer, is not confidential.
- (4) If a Council meeting considered a confidential matter in a closed meeting, Council may carry a resolution that the report, resolution or attachment is no longer confidential.
- (5) At least twice yearly the Chief Executive Officer will present a report to Council detailing all reports, attachments to reports and resolutions previously considered in a closed meeting of Council and / or designated confidential by the Chief Executive Officer. This will enable Council to review these confidential items and carry a resolution that a report, resolution or attachment is no longer confidential either in full or in part.

DIVISION 5 - VOTING

33. Voting – how determined

- (1) To determine a motion or an amendment to a motion before a Council meeting, the Chair will:
 - (a) first call for those in favour of the motion;
 - (b) then those opposed to the motion; and will then declare the results to the meeting.
- (2) The question is determined in the affirmative by a majority of the Councillors or members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question.

34. Casting vote

Where the Chair has a casting vote in accordance with the Act, he or she is not prevented from changing his or her original vote when exercising the casting vote. A Chair's casting vote can be exercised irrespective of whether the Chair has originally abstained from voting on the matter.

35. Voting – by show of hands

Voting on any matter will be by show of hands.

36. Vote to be taken in silence

Except that a Councillor may demand a division, Councillors must remain silent while a vote is being taken.

37. Motion to be read again

Before any matter is put to the vote, a Councillor may request the motion or amendment be read again. The Chair will request the mover to restate the motion or amendment.

38. Recount of Vote

The Chair may direct that the vote be re-counted as often as may be necessary to be satisfied of the result.

39. Declaration of vote

- (1) The Chair must declare the result of the vote as soon as it is taken.
- (2) When declaring the vote, the Chair will indicate whether the motion was carried, tied or lost and in the case of the vote being carried unanimously will state this for the record to be included in the minutes.

40. Procedure for a division

- (1) The request by a Councillor for a division must be made to the Chair either immediately prior to or immediately after the vote has been taken, but cannot be requested after the Council meeting has moved to the next item of business.
- (2) No Councillor is prevented from changing his or her original vote when voting on the division.
- (3) When a division is called for, the Chair will:
 - (a) first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise his/her hand.

The Chair will then state, and the Chief Executive Officer (or any person authorised by the Chief Executive Officer to attend the meeting and take the minutes of such meeting) must record in the minutes, the names of those Councillors voting in the affirmative; and

- (b) then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise one of his/ her hand. The Chair will then state, and the Chief Executive Officer (or any person authorised by the Chief Executive Officer to attend the meeting and take the minutes of such meeting) must record in the minutes, the names of those Councillors voting in the negative.

- (4) The Chair will then declare whether the motion is carried or lost.

DIVISION 6 – MOTIONS AND DEBATE

41. Councillors may propose a Notice of Motion

Councillors may propose a matter to be listed on the agenda for an Ordinary Council meeting by lodging a Notice of Motion in accordance with the procedures outlined in clause 42.

42. Notices of Motion

- (1) A Notice of Motion must be in writing on the prescribed form, signed and dated by the Councillor and lodged with the Chief Executive Officer by 3pm on the day that is at least seven days prior to the next scheduled Ordinary Council meeting to allow the Chief Executive Officer to include the full text of the Notice of Motion and any supporting information on the agenda of the next appropriate Ordinary Council meeting.
- (2) Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the Notice of Motion and, if more than one, in the order they were received, on the agenda for the next Ordinary Council meeting.
- (3) If a Councillor who has lodged a Notice of Motion is absent from the Ordinary Council meeting at which the Notice of Motion is to be considered, or fails to move the motion when called upon to do so by the Chair, any other Councillor may move the Notice of Motion.
- (4) If a Councillor proposing the Notice of Motion wishes to make minor changes to the Notice of Motion, he or she, with the consent of the Chair, may do so prior to it being seconded.
- (5) During formal debate of the Notice of Motion, another Councillor can put forward an amendment to the Notice of Motion, which must be dealt with in accordance with this Local Law.
- (6) If a Notice of Motion is not moved at the Ordinary Council meeting at which it is listed, then it lapses.

43. Rescission or alteration Notice of Motion

- (1) A Councillor may propose a Notice of Motion to rescind or alter a previous resolution of Council provided:
 - (a) it has been dated and signed by at least two Councillors;
 - (b) the resolution proposed to be rescinded or altered has not been acted on; and
 - (c) the Notice of Motion to rescind or alter a previous resolution of Council has been lodged with the Chief Executive Officer in accordance with section 42(1) of this Local Law.

- (2) A Notice of Motion to rescind or alter a previous resolution of Council must also set out:
- (a) the resolution to be rescinded or altered; and
 - (b) the meeting and date at which the resolution was made.
- (3) On receipt of a Notice of Motion to rescind or alter a previous resolution of Council, the Chief Executive Officer will advise the Mayor. The Mayor or at least three Councillors may call a Special Council meeting to be held within seven days or earlier, to consider the Notice of Motion. If a Special Council meeting is not called, the Notice of Motion will be placed on the agenda for the next Ordinary Council meeting.
- (4) A resolution will be deemed to have been acted on if:
- (a) its content or substance has been formally communicated in writing by the Chief Executive Officer or his/her delegate to a person whose rights or interests are materially affected by it; or
 - (b) a statutory process has been commenced; or
 - (c) work has been commenced,

so as to vest enforceable rights in or obligations on Council or any other person.

- (5) The Chief Executive Officer or an appropriate officer must defer implementing a resolution which:
- (a) has not been acted on; and
 - (b) is the subject of a Notice of Motion to rescind or alter it which has been delivered or sent to the Chief Executive Officer in accordance with this clause 43,

unless deferring implementation of the resolution would, in the Chief Executive Officer's opinion, have the effect of:

- (c) placing Council at significant legal, financial or other risk; or
 - (d) robbing the resolution of its efficacy.
- (6) A Notice of Motion to rescind or alter a previous resolution of Council, if lost, cannot be brought back to Council, until a period of one month has elapsed. If a Councillor proposes to reintroduce a Notice of Motion to Council after a period of one month has elapsed, it must be proposed in accordance with the requirements outlined in clause 43(1).

44. Rescission or alteration Notice of Motion, if not moved

If a Notice of Motion to rescind or alter a previous resolution of Council is not moved at the Ordinary Council meeting at which it is listed, it is deemed to be withdrawn.

45. Introducing a motion or an amendment

- (1) The procedure for moving any motion or amendment is:
- (a) the mover must state the motion or amendment without speaking to it;
 - (b) the motion or amendment must be seconded by a Councillor other than the mover. If the motion or amendment is not seconded, the motion or amendment will lapse for want of a seconder;

- (c) if a motion or an amendment is moved and seconded the Chair will ask if the mover would like to speak to the motion or amendment. The mover can speak at that time or reserve their right to speak to a later time in the debate;
 - (d) the Chair will then ask if the seconder would like to speak to the motion or amendment. The seconder can speak at that time or reserve their right to speak to a later time in the debate; and
 - (e) after the mover and seconder have been given the opportunity to speak, the Chair will then ask if there is any other Councillor wanting to speak to the motion or amendment.
- (2) The mover of a motion or an amendment put to a meeting must ensure that the motion is:
 - (a) Within the powers and functions of Council;
 - (b) Submitted in writing if so directed by the Chair;
 - (c) Except in the case of urgent business, relevant to the item of business on the agenda
 - (d) Not be defamatory; and
 - (e) Not be objectionable in language or nature.
 - (3) Any Councillor wishing to seek clarification about a motion or amendment to aid debate and their final decision making can do so through the Chair prior to and during formal debate.
 - (4) During formal debate, except for the mover of a motion who has a right of reply and that any Councillor may raise a Point of Order, a Councillor must not speak more than once to the same motion or amendment, unless purely for the purpose of seeking clarification.
 - (5) In the case of competition for the right to speak, the Chair must decide the order in which Councillors will be heard.

46. Right of reply

- (1) The mover of a motion, once all amendments to the motion have been decided, and once debate has been exhausted, may exercise a right of reply to matters raised during the debate.
- (2) After a right of reply has been exercised or the mover has indicated that they do not wish to exercise their right of reply, the debate is closed and the motion must be immediately put to the vote without any further discussion or debate.

47. Moving an amendment

- (1) A motion which has been moved and seconded may be amended by leaving out or adding words. Any words of a proposed amendment must be relevant to the subject of the motion.
- (2) An amendment cannot be the negative of, or substantially contrary to, the motion.
- (3) Any Councillor, except the mover and seconder of the motion and a Councillor who has already spoken to the motion, can move an amendment. No notice needs to be given of any amendment, however, if any Councillor intends to move an amendment, it must be done as the Councillor is given the opportunity to speak to the motion and it must be moved prior to the right of reply being exercised by the mover of the motion. It will not be deemed that a Councillor has spoken to the motion if that Councillor only states to the Chair that they wish to move an amendment.
- (4) The mover of an amendment has a right of reply.

- (5) A Councillor may address the meeting once on any amendment, whether or not they have spoken to the original motion, but their debate must be confined to the wording of the amendment.
- (6) Debate on the amendment must be restricted to the terms of the amendment.

48. How many amendments may be proposed

- (1) Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chair at any one time.
- (2) No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.
- (3) A Councillor cannot propose an amendment to an amendment. If a Councillor desires to vary the terms of an amendment they can foreshadow a further amendment in the event that the amendment before the meeting is lost.
- (4) A Councillor cannot propose an amendment affecting any part of a motion that came into being through the passing of an earlier amendment.

49. An amendment once carried

An amendment carried becomes part of the motion. If an amended motion is carried it becomes the resolution of Council.

50. Foreshadowing a motion or amendment

- (1) When a Councillor is speaking to a motion or an amendment, they may foreshadow that they intend to move a motion or amendment at a later stage in the meeting.
- (2) A motion or amendment foreshadowed must be prefaced with a statement that in the event a particular motion or amendment is lost or lapses a Councillor intends to move a motion or amendment.
- (3) A motion or amendment foreshadowed has no procedural standing and is merely a means to assist the flow of the meeting.
- (4) The Chief Executive Officer or his or her delegate will not record a foreshadowed motion or amendment in the minutes until the foreshadowed motion or amendment has been formally moved.

51. Withdrawal of a motion

Before any motion is put to the vote, it may be withdrawn by the mover with agreement of the seconder and with the leave of Council. If the majority of Councillors object to the withdrawal of the motion, it may not be withdrawn.

52. Chair may separate or allow motions to be moved en bloc

- (1) Where a motion contains more than one part, the Chair or Council by resolution may determine to put the vote in separate parts. Debate will not be permitted as to whether the motion be put to the vote in separate parts.
- (2) The Chair may allow items to be moved and seconded en bloc, which means putting a group of motions together and taking a single vote to pass the group of motions.

53. Alternate motions

- (1) A Councillor wishing to move an alternate motion other than an officer's recommendation, must read out or submit their alternate motion in writing.
- (2) A Councillor wishing to move an alternate motion must, at the least, read out the proposed changes to the original officer recommendation.
- (3) The Chair may adjourn the meeting while an alternate motion is being written or may request that Council defer the matter until the alternate motion has been written, allowing the meeting to proceed uninterrupted.
- (4) The Chair may request the Councillor to read out the alternate motion, or an alternate recommendation prepared by officers, to the Council meeting before the vote is taken.

54. Debate must be relevant to the motion or amendment

- (1) Debate must always be relevant to the motion or amendment before the Chair and, if not, the Chair will request the speaker to confine debate to the subject matter.
- (2) If after being told to confine debate to the motion or amendment before the Chair, the speaker continues to debate irrelevant matters, the Chair may disallow the speaker any further comment in respect of the matter before the Chair.
- (3) A speaker to whom a direction has been given under sub-clause 54(2) must comply with that direction.

DIVISION 7 – PROCEDURAL MOTIONS

55. Procedural Motions

- (1) Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the Chair.
- (2) All procedural motions require a seconder. The mover of a procedural motion does not have a right of reply. Procedural motions cannot be amended.
- (3) Notwithstanding any other provision in this Local Law, procedural motions must be dealt with in accordance with the procedures set out in Appendix 1 of this Local Law.

DIVISION 8 – POINTS OF ORDER

56. Points of Order

- (1) A Point of Order may be raised on the grounds that a motion, amendment or statement is:
 - (a) contrary to this Local Law;
 - (b) an act of disorder or conduct in contravention of the Councillor Code of Conduct;
 - (c) defamatory;
 - (d) irrelevant to the matter before Council;
 - (e) an error of fact;
 - (f) outside Council's power; or
 - (g) frivolous or vexatious.

- (2) A Councillor expressing a difference of opinion or contradicting a speaker is not grounds for raising a Point of Order.

57. Procedure for Point of Order

- (1) The Councillor raising the Point of Order must nominate the ground under sub-clause 56(1) relied upon to support the Point of Order being taken.
- (2) If called to order, the Councillor who is speaking must stop and remain silent until the Point of Order is decided upon, unless otherwise directed by the Chair.
- (3) The Chair may request a Councillor provide an explanation in respect to the Point of Order that the Councillor has raised.

58. Chair to decide Point of Order

- (1) The Chair when ruling on a Point of Order must state the provision, custom or practice which is relied upon in support of the ruling.
- (2) The Chair may adjourn the meeting to consider a Point of Order but must otherwise rule upon it as soon as it is raised.
- (3) All other matters before Council are to be suspended until the Point of Order is decided.
- (4) The decision of the Chair in respect of a Point of Order will be final and will not be open for discussion.
- (5) If the Chair upholds the Point of Order, the Chair may require a Councillor to withdraw the motion, amendment proposed or statement made, direct the Councillor to cease behaviour that is in contravention of this Local Law or the Councillor Code of Conduct, or direct the Councillor to confine their discussion to the subject matter.
- (6) If the Chair does not uphold the Point of Order, the meeting progresses unaffected.

DIVISION 9 – SUSPENSION OF STANDING ORDERS

59. Suspension of Standing Orders

- (1) The provisions of the Local Law may be suspended for a particular purpose by resolution of Council.
- (2) The Suspension of Standing Orders will be used to enable full discussion of any issues or for a specific process to be undertaken without the constraints of formal meeting procedure.
- (3) Once the discussion has taken place or the specific process has been undertaken and before any motion can be put, a motion to resume Standing Orders must be carried.
- (4) No motion may be accepted by the Chair or be lawfully dealt with during any Suspension of Standing Orders.

DIVISION 10 – MEETING ADJOURNMENTS

60. Adjourning the meeting

- (1) Once a Council meeting is declared open, the Chair or Council by resolution, may from time to time, adjourn the meeting:

- (a) if the meeting becomes disorderly and order cannot be restored;
 - (b) to allow for additional information to be presented to a meeting; and
 - (c) in any other situation where adjournment could aid the process of the meeting.
- (2) A Council meeting cannot be adjourned for a period exceeding 21 days from the date of the adjournment.

61. Notice for adjournment of meeting

- (1) If a Council meeting is adjourned, other than to a time that is later on the same day, the Chief Executive Officer will ensure that the agenda for the continuation of the adjourned Council meeting is identical to the agenda for the meeting which was originally adjourned.
- (2) Except where a Council meeting is adjourned to a time that is later on the same day, the Chief Executive Officer must give all Councillors notice of a new date for the continuation of the adjourned meeting and every reasonable attempt must be made to advise the public of the new meeting date.

DIVISION 11– MINUTES AND RECORDING OF MEETINGS

62. Recording of minutes

The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting and those minutes must record:

- (1) the date and time the meeting was commenced, adjourned, resumed and concluded;
- (2) the names of Councillors and whether they are present, absent, an apology, and if a Leave of absence was granted;
- (3) the names and titles of the officers in attendance;
- (4) any disclosure of a conflict of interest made by a Councillor or an officer;
- (5) arrival and departure times (including temporary departures) of Councillors during the course of the meeting;
- (6) each motion and amendment moved, including the mover and seconder of the motion or amendment;
- (7) the decision on each motion and amendment before the meeting indicating whether the motion was carried, lost, withdrawn, lapsed or amended;
- (8) where a division is called, the names of each Councillor and the way their vote was cast (either for, against or abstained);
- (9) a summary of each question asked at Public Question Time and Councillor Question Time and any officer responses provided;
- (10) a summary of public and Councillor questions taken on notice during Public Question Time and Councillor Question Time and questions from Councillors taken on notice during debate of an item;
- (11) a brief summary of any public comment made to an agenda item being as a minimum detailing if the officer recommendation is supported or not supported;

- (12) details of a failure to achieve a quorum and any adjournment whether as a result of that or otherwise;
- (13) the time and reason for any adjournment of the meeting or Suspension of Standing Orders; and
- (14) closure of the meeting to members of the public and the reason for such closure.

63. Live streaming and recording of Council meetings

- (1) All Council meetings are live streamed except where the meeting is closed to the public in accordance with the Act.
- (2) Archived live streamed recordings of Council meetings will be retained and available for public for viewing on Council's website.
- (3) Members of the public will be advised by appropriate venue signage that the meeting is being live streamed and by the Chair in the welcome and introduction to the meeting that the cameras will film and record Councillors and some officers at the meeting but care is taken to try and not to film or record images of members of the public.
- (4) Council meetings will also be audio taped by authorised officers of Council for the sole purpose of assisting officers in the preparation of the minutes.

DIVISION 12 – CONDUCT AND BEHAVIOUR

64. Ordering withdrawal of remark

- (1) Whenever any Councillor at any Council meeting makes use of any expression or remark that is disorderly or capable of being applied offensively to any other Councillor, officer or member of the public, the Councillor may be required by the Chair to withdraw the expression or remark and to make a satisfactory apology to the meeting.
- (2) The Chair may require a Councillor to withdraw any remark that is defamatory, indecent, abusive or offensive in language or substance.
- (3) A Councillor required to withdraw a remark must do so immediately without qualification or explanation.

65. Conditions of entry to a Council meeting and conduct of members of the public

- (1) All persons without City of Port Phillip identification may be requested to sign an attendance register prior to entering the area in which a Council meeting is to be, or is being, held.
- (2) Council may, on some or all occasions, conduct bag searches of some or all people attending Council meetings. This is done for security and safety reasons and to ensure that all who attend Council meetings are able to attend and to participate in a safe environment.
- (3) Members of the public may only address Council in accordance with this Local Law.
- (4) Members of the public must remain seated, not interject or take part in the debate and be silent during any debate and while any vote is taken.
- (5) Members of the public cannot directly distribute any item to a Councillor. Any item must firstly be given to a Council officer who will then determine if it is appropriate to distribute the item to some or all of the Councillors.

- (6) Members of the public are permitted silent use of their mobile telephones for texting and emailing but are not permitted to use mobile telephones for recording, talking or any usage that generates noise.
- (7) Members of the public cannot take photos, film or otherwise record proceedings of a Council meeting unless permission is granted by the Chair of the meeting.
- (8) Members of the public must extend due courtesy and respect to Council and the processes under which it operates and Councillors and officers present at the Council meeting and must take direction from the Chair whenever called on to do so.
- (9) If a member of the public is called to order by the Chair and thereafter acts in a manner which the Chair considers to be disorderly, riotous, indecent, offensive, threatening or insulting, the person is guilty of an Offence. The Chair may order the member of the public to be removed from the gallery or premises. If a member of the public fails to obey the direction of the Chair, the person will be guilty of an Offence. (Refer clause 70 Offences). Council will contact Victoria Police if necessary to deal with any overly disruptive, disrespectful or unsafe behaviour at Council meetings.
- (10) Unless permitted by the Chair, the following items are prohibited:
 - (a) Cameras;
 - (b) Posters and signs attached to sticks;
 - (c) Offensive material and / or material that unreasonably blocks the view of members of the public or access to the meeting venue; and
 - (d) Electronic audio/visual recording devices (unless authorised).
- (11) Council may refuse entry to a member of the public who does not comply with these conditions.
- (12) At the conclusion of a Council meeting, members of the public who are still present are required to leave the premises in a timely manner unless requested to remain by a Councillor or an officer.

66. Chair may remove a member of the public

- (1) The Chair may order and cause the removal of any member of the public who disrupts any Council meeting or fails to comply with a direction from the Chair.
- (2) A member of the public removed from a meeting must leave the premises or move to a public area of the premises where they can no longer disrupt the meeting.
- (3) A member of the public not complying with this clause will be guilty of an Offence. See clause 70 Offences.

PART E - SPECIAL AND ADVISORY COMMITTEES

67. Application of this Local Law to Special and Advisory Committees

- (1) This Local Law also applies to Special Committees unless otherwise specified.
- (2) Meeting procedures for all other committees of Council are to be determined by the respective committees.

PART F - MISCELLANEOUS

68. Procedure not provided in the Local Law

Where a situation has not been provided for in this Local Law, Council or the Special Committee may determine the matter by resolution.

69. Policies and guidelines

This Local Law is to be read in conjunction with Council's adopted Councillor Code of Conduct and its adopted Election Period Policy. Council may also adopt further policies and guidelines from time to time, for the purpose of exercising any discretions of this Local Law.

PART G - OFFENCES AND PENALTIES

70. Offences

It is an Offence:

- (1) For any member of the public to fail to obey a direction of the Chair relating to the conduct of the Council meeting and the maintenance of order.
- (2) For any member of the public to not leave the premises or move to a public area of the premises where they can no longer disrupt the meeting when directed to do so by the Chair.
- (3) For any person to use the Common Seal or any device resembling the Common Seal without authority.

71. Infringements and penalties

- (1) Where an Authorised officer reasonably believes that a person has committed an offence against this Local Law, the officer may, as an alternative to prosecution, issue to that person an infringement notice which complies with the requirements of the *Infringements Act 2006*.
- (2) A person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 28 days.
- (3) In relation to clauses 70(1) and (2) the fixed amount of an infringement notice penalty is 1 penalty unit with a maximum penalty of 5 penalty units if the matter is determined by a Court.
- (4) In relation to clauses 70(3) the fixed amount of an infringement notice penalty is 5 penalty units with a maximum penalty of 20 penalty units if the matter is determined by a Court.

THE COMMON SEAL of Port Phillip City)
Council was hereunto affixed in the)
presence of:)

Mayor

Chief Executive Officer



APPENDIX 1 – PROCEDURAL MOTIONS

Procedural Motions Table.

Procedural Motion	Form	Mover /Seconder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
1. Adjournment of debate to later hour and/or date.	That this matter be adjourned to “am/pm” and / or “date”.	Any Councillor who has not moved or seconded the motion or otherwise spoken to the motion.	(a) during the election of a Chair; (b) when another Councillor is speaking	Motion and amendment postponed to the stated time and / or date.	Debate continues unaffected.	Yes.
2. Adjournment of the debate indefinitely.	That this matter be adjourned until further notice.	Any Councillor who has not moved or seconded the motion or otherwise spoken to the motion.	(a) during the election of a Chair; (b) when another Councillor is speaking (c) when the matter is one in respect of which a call of the Council has been made (d) when the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and amendment postponed but may be resumed at any later meeting if on the agenda.	Debate continues unaffected.	Yes
3. The Closure.	That the motion be now put.	Any Councillor who has not moved or seconded the motion or otherwise	During nominations for Chair.	Motion or amendment in respect of which the closure is carried is	Debate continues unaffected.	No

Procedural Motion	Form	Mover /Seconder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
		spoken to the motion.		put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion.		
4. Laying question on the table	That the question lie on the table.	Any Councillor who has not moved or seconded the motion or otherwise spoken to the motion.	<p>(a) during the election of a Chair;</p> <p>(b) when the matter is one in respect of which a call of the Council has been made</p> <p>(c) when the motion would have the effect of causing Council to be in breach of a legislative requirement</p>	<p>Motion or amendment is not further discussed or voted upon until:</p> <p>(a) Council resolves to take the question from the table at the same meeting;</p> <p>(b) the matter is placed on a future agenda and Council resolves to take the question from the table.</p> <p>Any question that lies on the table as a result of a successful formal motion lapses at the next general election and the Chief Executive Officer will report on each to the first Ordinary Council</p>	Debate continues unaffected.	No

Procedural Motion	Form	Mover /Seconder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
5. Alter the order of business.	That the item listed as ## on the agenda be considered before / after the item listed as ##.	Any Councillor.	During debate.	meeting after the general election. Alters the order of business for the meeting.	Items are considered in the order as listed in the agenda.	No.
6. Suspension of Standing Orders.	That Standing orders be suspended to ## (reason).	Any Councillor.	During debate.	The rules of the meeting are temporarily suspended for the specific reason given in the motion.	Meeting continues unaffected.	No.
7. Resumption of Standing Orders.	That Standing Orders be resumed.	Any Councillor.	When Standing Orders have not been suspended.	The temporary suspension of the rules of the meeting is removed.	The meeting cannot continue.	No.
8. Consideration of confidential matters.	That in accordance with Section 77(2)(a) of the <i>Local Government Act 1989</i> (as amended), the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 89(2) of the	Any Councillor.	N/A	The meeting is closed to members of the public.	The meeting continues to be open to members of the public.	Yes.

Procedural Motion	Form	Mover /Secondder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on motion
	Act, for the reasons indicated (insert grounds).					
9. Reopening of meeting.	That the meeting be reopened to members of the public.	Any Councillor.	When the meeting has not been closed to members of the public	The meeting is reopened to members of the public.	Meeting remains closed to members of the public.	No.