



## **WEIPA TOWN AUTHORITY POLICY**

### **WTA Meeting Protocols**

<b>Policy Number:</b>	<b>WTA – P – WTA03</b>	<b>Date Adopted:</b>	<b>20/06/2008</b>
<b>Version:</b>	<b>02</b>	<b>Review Date:</b>	<b>Jun-2012</b>

## **INTENT**

The Weipa Town Authority (WTA) Meeting Protocols Policy outlines the written rules for the orderly conduct of all WTA meetings other than a post election meeting.

It has been developed in line with the *Rio Tinto Alcan & Weipa Town Authority Management Protocols* (the Protocol), paragraph 5.3(a-f)(k) 'Meeting Protocols', and the Local Government Act 1993 (the Act) Chapter 6 General Operations of Local Governments.

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## **POLICY**

1. Application of Schedule 1 – Standing Orders
  - 1.1. The following Standing Orders provide rules for the conduct of meetings other than a Post election meeting of the WTA.
  - 1.2. Any provision of these Standing Orders may be suspended by resolution of any meeting of WTA. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
  - 1.3. Where at a WTA meeting a matter arises which is not provided for in these Standing Orders, such matter will be determined by resolution of WTA upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

### **PART 1: PROCEDURES FOR MEETINGS OF THE WTA**

2. Meeting Frequency
  - 2.1. WTA Meetings will be held at least monthly (the Act s.444).
3. Place of Meetings
  - 3.1. All meetings will be held in the Council Chambers, unless the WTA, by resolution, nominates another place for a particular meeting (the Act s.445)
4. Notice of meetings (the Act s.450 & the Protocol s.5.3(b))
  - 4.1. Written notice of each meeting of the WTA must be given to each WTA Member at least 2 days before the day of the meeting unless it is impracticable to give the notice.
  - 4.2. The notice must specify the day and time of the meeting and, for a special meeting, the objective of the meeting. (The only business that may be



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conducted at a special meeting is the business specified in the notice of meeting).

5. Public Notice of Meeting (the Act s.464 & the Protocol s.5.3(a) & (b))
  - 5.1. The WTA must, at least once in each year, publish in the local newspaper a notice of the days and times when its ordinary meetings, and the ordinary meetings of its standing committees, will be held. The communication will ensure that members of the community are given every opportunity to participate in democratic decisions.
  - 5.2. The WTA will display in a conspicuous place in its public office a notice of the days and times when—
    - 5.2.1. its meetings will be held; or
    - 5.2.2. meetings of its committees will be held.
  - 5.3. The WTA will immediately notify any change to the days and times mentioned in subsection (1) or (2) in the same way as the days and times were previously notified.
  - 5.4. A list of the items to be discussed at a meeting mentioned in subsection (2) will be open to inspection at the time the agenda for the meeting is made available to WTA Members.
  - 5.5. Subsection (4) does not affect the right to discuss or deal with, at any meeting, items arising after the agenda for the meeting is made available to WTA Members.
6. Adjournment of meetings
  - 6.1. The majority of the WTA Members present at a meeting of the WTA may adjourn the meeting to a later hour of the same day or to a later day (the Act s.449(1))
7. Meeting Quorum
  - 7.1. The quorum of the WTA is four members, being the majority of its Members. 'Members' of the WTA means each elected member, the appointed Traditional Owner member, and the two Rio Tinto Alcan representatives. (the Act s.446 & the Protocol s.5.3(e))
  - 7.2. Business may be conducted at a meeting of the WTA only if a quorum is present (the Act s.447(1))
  - 7.3. If a quorum is not present within 30 minutes after the time appointed for a meeting, the meeting may be adjourned to a later hour or another day within 14 days after the day of adjournment by:
    - 7.3.1. a majority of the WTA Members present, or



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7.3.2. if only 1 Member is present, the WTA Member, or

7.3.3. if no WTA Members are present the CEO (the Act s.449(2)).

#### 8. Minutes

8.1. The WTA must keep minutes of its proceedings (the Act s.448 & 461(1)).

8.2. The minutes must contain the names of WTA Members or committee members present at the meeting (the Act s.461(2)(a)).

8.3. At each meeting, the minutes of the previous meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, as the first business at every ordinary meeting of the WTA, in order that such minutes may be confirmed by the WTA Members (the Act s.461(3)(a)).

8.4. No discussion will be permitted with respect to such minutes except with respect of their accuracy as a record of the proceedings.

8.5. The confirmed minutes must be signed by the person presiding at the later meeting (the Act s.461(3)(b)).

#### 9. Presiding Officer

9.1. Unless otherwise resolved by the WTA, the elected Chair will preside at a meeting of the WTA.

9.2. At those meetings at which the Chair normally presides, if the Chair is absent or unavailable to preside, the Deputy Chair will preside.

9.3. If both the Chair and the Deputy Chair are absent or unavailable to preside, a WTA Member chosen by the WTA Members present at the meeting will preside at the meeting.

#### 10. Order of Business

10.1. The order of business will be determined by resolution of the WTA from time to time. The order of business may be altered for a particular meeting where the WTA Members at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.

10.2. Unless otherwise altered, the order of business will be as follows:

10.2.1. Attendances

10.2.2. Apologies

10.2.3. Confirmation of Minutes

10.2.4. Chair Business

10.2.5. Administration & Finance





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- 13.2. The Chair, introduces such matters for consideration at a Meeting by signed minute. The matter takes precedence over all other matters for consideration at the meeting.
14. Public Nomination of Agenda Items (the Protocol s.5.3(d))
- 14.1. The general public will have the right, at least two weeks prior to a meeting of the WTA, to nominate agenda items for discussion at the next scheduled WTA meeting. The nomination must be in writing, clearly identifying the person or people nominating the issue.
- 14.2. If the request requires investigation, the WTA will have the right to defer the placing of the request on the Agenda until such time as a report from the investigation becomes available. The WTA must not unreasonably delay the inclusion of agenda items nominated by the general public
15. Petitions
- 15.1. Any petition presented to a meeting of WTA will be in legible writing or typewritten and contain a minimum of ten (10) signatures.
- 15.2. A petition may be presented to a meeting of the WTA by a WTA Member who before presenting the petition, will, as far as practicable, become acquainted with the subject matter of the petition. A WTA Member, on presenting a petition to a meeting will:
- 15.2.1. state the nature of the petition; and
- 15.2.2. read the petition.
- 15.3. A petition may be forwarded or handed to the CEO who will present it at the first ordinary meeting of WTA.
- 15.4. Where a WTA Member presents a petition to a meeting of WTA no debate on or in relation to it will be allowed and the only motion which may be moved is that:
- 15.4.1. the petition be received; or
- 15.4.2. the petition be received and referred to a committee or officer for consideration and a report to the WTA; or
- 15.4.3. the petition not be received as it was deemed invalid.
16. Deputations
- 16.1. A deputation wishing to attend and address a meeting of WTA will apply in writing to the CEO not less than seven (7) clear days before the meeting.
- 16.2. The CEO, on receiving an application for a deputation will notify the Chair who will determine whether the deputation may be heard. The CEO will



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inform the deputation of the determination. Where it has been determined the deputation may be heard, a convenient time will be arranged for that purpose, and a time period allowed.

- 16.3. For deputations comprised of three or more persons, only three persons will be at liberty to address WTA unless the WTA Members at the meeting determine otherwise by resolution. A deputation will be given adequate opportunity to explain the purpose of the deputation.
- 16.4. If a member of the deputation other than the appointed speakers interjects or attempts to address the WTA, the Chair may finalise the deputation.
- 16.5. The Chair may terminate an address by a person in a deputation at any time where:-
  - 16.5.1. the Chair is satisfied that the purpose of the deputation has been sufficiently explained to the WTA Member at the meeting; or
  - 16.5.2. the person uses insulting or offensive language.

## **PART 2: MOTIONS**

### **17. Motions**

- 17.1. A motion brought before a meeting of the WTA in accordance with the Act or this Policy will be received and put to the meeting by the Chair. The Chair may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 17.2. The Chair may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chair may put the motion to the vote without discussion.
- 17.3. When a motion has been moved and seconded, it will become subject to the control of the WTA and will not be withdrawn without the consent of the WTA.

### **18. Absence of Mover of Motion**

- 18.1. Where a WTA Member who has given notice of a motion is absent from the meeting of the WTA at which the motion is to be considered, the motion may be:
  - 18.1.1. moved by another WTA Member at the meeting; or
  - 18.1.2. deferred to the next meeting.

### **19. Motion to be seconded**





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officers, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

#### 22. Method of taking vote (the Protocol s.5.3(f))

- 22.1. Before any matter is put to the vote, the Chair may direct the motion or amendment to be read by the minute secretary. The Chair will, in taking the vote on a motion or amendment put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote of WTA Members present (the Act s.447(2)(b)).
- 22.2. The WTA will vote by a show of hands as directed by the Chair (the Act s.447(2)(a))
- 22.3. Each WTA Member present has a vote on each question to be decided and, if the votes are equal, the WTA Member presiding has a casting vote (the Act s.447(2)(c)).
- 22.4. If a WTA Member present fails to vote, the WTA Member is taken to have voted in the negative (the Act s.447(2)(d))
- 22.5. Any WTA Member may call for a division on a question. If a division is taken, the minute secretary will record the names of WTA Members voting in the affirmative and of those voting in the negative (the Act s.461(2)(b)). The Chair will declare the result of a vote or a division as soon as it has been determined.
- 22.6. WTA Members have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 22.7. Except upon a motion to rescind or alter it, the resolution will not be discussed after the vote has been declared.
- 22.8. If a report contains distinct recommendations, the decision of the WTA may be taken separately on each recommendation.

#### 23. Rescinding or altering resolutions

- 23.1. A resolution of the WTA may not be altered or rescinded unless written notice of intention to propose the repeal or amendment is given to each WTA Member at least 5 days before the meeting at which the proposal is to be made. At the meeting to decide the proposal, the proposal is taken to have been defeated unless it is agreed to by a majority of all councillors (the Act s.451)



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23.2. Where a motion to rescind or alter a resolution is lost, a motion of the same or like effect will not be moved until at least three months after the date on which the first mentioned motion to rescind or alter was lost.

23.3. WTA Members present at the meeting at which a motion to rescind or alter a resolution is put, may defer consideration of that motion. Such deferral will not be longer than three months.

#### 24. Procedural motions

24.1. A WTA Member at a meeting of the WTA may, during the debate of a matter at the meeting, move, as a procedural motion, without the need of a seconder the following motions:

24.1.1. that the question/motion be now put

24.1.2. that the motion and amendment now before the meeting be adjourned

24.1.3. that the meeting proceed to the next item of business

24.1.4. that the question lie on the table

24.1.5. a point of order

24.1.6. a motion of dissent against a point of order

24.1.7. that this report/document be tabled

24.1.8. that the WTA be resolved into a committee of the whole

24.1.9. that the meeting stand adjourned

24.2. A procedural motion, that the question be put, may be moved when no other WTA Member at the meeting wishes to speak to the motion or amendment before the meeting. Where such a procedural motion is carried, the Chair will immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion will continue.

24.3. The procedural motion, that the motion and amendment now before the meeting be adjourned, may specify a time or date, to which the debate will be adjourned.

Where no date or time is specified,

24.3.1. a further motion may be moved to specify such a time or date; or

24.3.2. the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.



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- 24.4. Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter subject of the motion will cease and may be considered again by the WTA on the giving of notice in accordance with this Policy.
- 24.5. A procedural motion, that the question lie on the table, will only be moved where the Chair or a WTA Member requires additional information on the matter before the meeting (or the result of some other action of the WTA or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the WTA will proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 24.6. Any WTA Member may ask the Chair to decide on a 'point of order' where it is believed that another WTA Member has:
- 24.6.1. failed to comply with proper procedures,
  - 24.6.2. is in contravention of the Local Laws or *Local Government Act*, or
  - 24.6.3. is beyond the jurisdiction power of the WTA.

Points of order cannot be used as a means of contradicting a statement made by the WTA Member speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved will be suspended subject to clause 11.2 of this policy. The Chair will determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a WTA Member may rise to a point of order, and thereupon the WTA Member against whom the point of order is raised, will immediately be seated and so will the WTA Member who rose to order when the point of order was submitted.

Notwithstanding anything contained in this Policy to the contrary, all questions or order at any time arising will, until decided, suspend the consideration and decision of every other question.

- 24.7. A WTA Member may move 'a motion of dissent' in relation to a ruling of the Chair on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chair was made will proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it will be restored to the business paper and be dealt with in the normal course of business.



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- 24.8. The motion, ‘that this report/document be tabled’, may be used by a WTA Member to introduce a report or other document to the meeting. On tabling the document it ceases to be a confidential document and is available for public scrutiny.
- 24.9. A procedural motion, “to suspend the rule requiring that ...”, may be made by any WTA Member in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of such a suspension.
- 24.10. The resolution that the WTA proceed into Closed Session must specify the nature of the matters to be considered and these matters must be in accordance with Section 463 of the Act. The Chair may direct any persons improperly present to withdraw immediately. WTA must not make a resolution (other than a procedural resolution) in a closed session. WTA must resolve to move out of closed session so that a resolution can be passed on the matters considered in Closed Session.
- 24.11. A procedural motion, that the meeting stands adjourned, may be moved by a WTA Member at the conclusion of debate on any matter on the business paper or at the conclusion of a WTA Member’s time for speaking to matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the WTA will continue with the business before the meeting at the point where it was discontinued on the adjournment.
25. Conduct during Meetings
- 25.1. After a meeting of the WTA has been formally constituted and the business commenced, a WTA Member will not enter or leave from such meeting without first notifying the Chair.
- 25.2. WTA Members may stand and address the chair while moving any motion or amendment, seconding any motion or amendment or taking part in any discussion, placing or replying to any question, or addressing the WTA for any other purpose.
- 25.3. WTA Members will speak of each other during the WTA meeting by their respective titles, “Chair” or “WTA Member”, and in speaking of or addressing officers will designate them by their respective official or departmental title, and will confine their remarks to the matter then under consideration.
- 25.4. WTA Members will remain seated and silent while a vote is being taken except when demanding a division.
- 25.5. No WTA Member will make personal reflections on or impute improper motives to any other WTA Member.



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- 25.6. No WTA Member who is speaking will be interrupted except upon a point of order being raised either by the Chair or by a WTA Member.
- 25.7. When the Chair rises during the process of a debate, the WTA Member then speaking or offering to speak, will immediately be seated, and each WTA Member present will preserve strict silence so that the Chair may be heard without interruption.

#### **PART 3: QUESTIONS**

##### 26. Questions

- 26.1. A WTA Member may at a WTA meeting ask a question for reply by another WTA Member or an officer regarding any matter under consideration at the meeting. A question will be asked categorically and without argument and no discussion will be permitted at the meeting of the WTA in relation to a reply or a refusal to reply to the question. A WTA Member or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
- 26.2. A WTA Member who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 26.3. The Chair may disallow a question which is considered inconsistent with good order, provided that a WTA Member may move a motion that the Chair's ruling be disagreed with, and if such motion be carried the Chair will allow such question.

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

##### 27. Disorder

- 27.1. The Chair may, where disorder arises at a meeting of the WTA, adjourn the meeting. On resumption of the meeting, the Chair will move a motion, which will be put without debate, to determine whether the meeting will proceed. Where such a motion is lost, the Chair will declare the meeting closed, and any outstanding matters referred to a future meeting.

##### 28. Business of an objectionable nature

- 28.1. If at a meeting of WTA the Chair or a WTA Member considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of WTA, the Chair or another WTA Member may move a motion to declare a point of order that the matter not be considered further.



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#### **PART 5: ATTENDANCE AND NON-ATTENDANCE**

##### **29. Attendance of public media at meeting (the Protocol s.5.3(k))**

- 29.1. An area will be made available at the place where any meeting of the WTA is to take place for members of the public to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting.

##### **30. Public Participation at meetings**

- 30.1. Except when invited to do so by the Chair, a member of the public will not take or attempt to take part in the proceeding of a meeting.
- 30.2. In each Meeting, time may be required to permit members of the public to address the WTA on matters of public interest related to local government. The time allotted will not exceed fifteen minutes and no more than three speakers will be permitted to speak at any one meeting. The right of any individual to address the WTA during this period will be at the absolute discretion of WTA.
- 30.3. If any address or comment is irrelevant, offensive, or unduly long, the Chair may require the person to cease making the submission or comment.
- 30.4. For any matter arising from such an address, the WTA may take the following actions:
  - 30.4.1. refer the matter to a committee
  - 30.4.2. deal with the matter immediately
  - 30.4.3. place the matter on notice for discussion at a future meeting
  - 30.4.4. note the matter and take no further action.
- 30.5. During a debate on a motion, the Chair may invite submission, comments or questions from members of the public.
- 30.6. Any person addressing the WTA will stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 30.7. Any person who is considered by the WTA or the Chair to be unsuitably dressed, may be directed by the Chair or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.



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#### **PART 6: COMMITTEES**

##### **31. Reports by Committees**

- 31.1. All committee reports will be submitted to the WTA under the signature of the CEO or delegate of the CEO, and must be in accordance with the adopted Terms of Reference for that Committee.
- 31.2. If in a report of a Committee distinct recommendations are made, the decision of the WTA may be taken separately on each recommendation.

##### **32. Attendance of Committee Meetings**

- 32.1. Any WTA Member of the WTA may attend a meeting of a Committee and may address the Committee in accordance with the procedures established by the Chair of the Committee.
- 32.2. An area will be made available at the place where any committee meeting of the WTA is to take place for members of the public and representatives of the media to attend the meeting and as many people as reasonable can be accommodated in that area will be permitted to attend the meeting.

##### **33. Public in committee Meeting**

- 33.1. Any person not being a WTA Member of WTA will only take part in a Committee debate if so invited by Chair.
- 33.2. Any person or persons wishing to attend and address a Committee meeting, must make written application to the CEO not less than seven (7) clear days before the meeting. The matter must be in accordance with the Terms of Reference for that Committee. The Committee Chair in consultation with the Chair will determine whether such matter will be heard. A deputation or personal address will not exceed ten minutes unless otherwise agreed by the Chair. No more than two members of a deputation will address the Committee except in reply to questions from members of the Committee.

##### **34. Procedure not Provided For**

- 34.1. If an appropriate or adequate method of dealing with any matter is not provided for in the local law or standing orders, the method of dealing with the matter may be determined by resolution upon a motion which may be put without notice in conformity with the local law and standing orders.