Redland City Council Meeting Standing Orders

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Redland City Council Meeting Standing Orders

1 Preliminary

1.1 Introduction

These Meeting Standing Orders are adopted by Council to support compliance with the statutory meeting framework established under the *Local Government Act 2009* and *Local Government Regulation 2012*, including the Model Meeting Procedures made under section 150F of the *Local Government Act 2009*. They operate as a supporting document to the GOV-017-P Statutory and Non-Statutory Meetings of Council Policy and provide a detailed procedural framework for the conduct of Council meetings and Standing Committee meetings.

1.1.1 These Meeting Standing Orders apply to Council statutory meetings, including General (Ordinary) Meetings, Special Meetings, Post-Election Meetings and Standing Committee Meetings. They support the efficient, orderly and transparent conduct of Council business by setting out how Councillors, Council officers and the community may participate in meetings.

1.1.2 These Meeting Standing Orders do not apply to meetings of Council's Audit and Risk Management Committee or Councillor Briefings and Workshops.

1.1.3 Council may, by resolution, suspend a provision of these Meeting Standing Orders, except where the provision reflects a mandatory requirement of the Model Meeting Procedures. A separate resolution is required for each suspension and must clearly specify the provision to be suspended, the purpose of the suspension and its duration.

1.1.4 Where a matter arises during a Council meeting that is not addressed by these Meeting Standing Orders, Council may determine the matter by resolution. The resolution may be moved without notice but must otherwise comply with these Meeting Standing Orders.

2 Meetings of Council

2.1 Time of General and Special Meetings

2.1.1 Council may, by resolution, fix the dates, times and locations for General Meetings and must meet at least once in each month, unless Council considers it would be impracticable or unnecessary to do so, in accordance with section 257 of the *Local Government Regulation 2012*.

2.1.2 If Council has not fixed the date and time for a General Meeting by resolution, the Chief Executive Officer must fix the date and the time for the meeting.

2.1.3 Council must, at least once in each year, publish a notice of the days and times when its General Meetings will be held.

2.1.4 The Chief Executive Officer must call a Special Meeting of Council where:

(a) Council resolves that a Special Meeting be held.

(b) The Chief Executive Officer receives a written request from the Mayor, or at least three Councillors.

2.1.5 A written request for a Special Meeting must:

(a) Propose the day and time for the meeting.

(b) State the business to be conducted at the meeting.

(c) Briefly explain why the business cannot wait until the next available General Meeting.

2.2 Agenda and Notice of Meetings

2.2.1 The Chief Executive Officer is responsible for preparing the agenda for each Council meeting. The agenda must include:

(a) Items required under these Meeting Standing Orders to be included on the agenda.

(b) Any matter resolved by Council to be included.

(c) Reports submitted by Council officers in accordance with Council's internal procedures.

(d) Valid Notices of Motion received from Councillors within the required timeframe.

(e) Any other item approved by the Chief Executive Officer for inclusion on the agenda.

2.2.2 The Chief Executive Officer may approve for inclusion on the agenda:

(a) Any reports from Council employees that are approved by a member of the Executive Leadership Team.

(b) Notices of Motion from Councillors, aligned with section 5.19 of these Meeting Standing Orders.

(c) Any other matter approved by the Chief Executive Officer for inclusion on the agenda.

2.2.3 Council must give written notice of a Council meeting, including any adjourned meeting, to each Councillor at least two days before the meeting is held, unless it is impracticable to give the notice within that time. The Notice of Meeting must:

(a) State the day and time of the meeting.

(b) Include the agenda for the meeting.

(c) For a Special Meeting, state the business to be conducted at the meeting.

2.2.4 The Notice of Meeting may be given to a Councillor or Committee member electronically.

2.2.5 Agendas for statutory meetings are to be provided to all Councillors at least two business days before the meeting, where practicable.

2.2.6 Council must make the agenda publicly available by 5:00pm on the next business day after the Notice of Meeting is given.

2.2.7 Any report related to a matter on the agenda that is made available to Councillors or Committee members, after the Notice of Meeting is given and before the meeting is held, must be made publicly available as soon as practicable, unless the report is confidential.

2.2.8 Once the agenda has been distributed to Councillors and published, it must not be amended except in accordance with the Meeting Standing Orders or by resolution of Council.

2.2.9 Council may, by resolution, accept a late item onto the agenda at the commencement of the meeting, only when the matter is urgent and cannot reasonably wait until the next General Meeting.

2.3 Committees

2.3.1 Committee meetings will be held at the times and places decided by the Committee.

2.3.2 Councillors are entitled to attend a Committee meeting irrespective of their membership of that Committee. Only those Councillors who are members of the Committee may vote on a matter before the Committee. The Chairperson may allow a non-member Councillor to address the meeting and ask questions, subject to the Committee's procedures.

3 Conduct of Statutory Meetings

3.1 Chairperson

The Mayor is the Chairperson of Council meetings in accordance with section 12 of the *Local Government Act 2009*. The Mayor may delegate the responsibility to chair a meeting to another Councillor in accordance with the Act.

3.1.1 The Mayor is the Chairperson of Council meetings and any Committee meeting for which the Mayor has been appointed as Chairperson, provided the Mayor is present at the meeting.

3.1.2 If the Mayor is absent or unavailable to chair a Council meeting, the meeting will be chaired by the Councillor to whom the Mayor has delegated the responsibility to chair the meeting.

3.1.3 If the Mayor is absent or unavailable to chair a Council meeting and has not delegated another Councillor to do so, the Deputy Mayor will be the Chairperson.

3.1.4 If the office of the Mayor is vacant, the Deputy Mayor acts as Mayor and Chairperson of Council meetings.

3.1.5 If the Mayor and Deputy Mayor are both absent or unavailable to chair the meeting, and no other Councillor has been delegated the responsibility, the Council may, by resolution, appoint one of the Councillors present to act as Chairperson for the duration of the meeting.

3.1.6 Council may appoint a Chairperson for a Standing Committee. The appointed Chairperson will chair meetings of that Committee.

3.1.7 If the Chairperson of a Committee is absent or unavailable to chair a committee meeting, another Councillor chosen by the Councillors present will be Chairperson of the committee meeting for the duration of the meeting.

3.2 Quorum

3.2.1 A quorum is a majority of Councillors. If the number of Councillors, including the Mayor, is an even number, one half of that number constitutes a quorum.

3.2.2 If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present, then by the Chief Executive Officer.

3.3 Procedure at Meetings

3.3.1 At a Council meeting:

(a) A matter is decided by a majority of the votes of the Councillors or Committee members present.

(b) Subject to conflicts of interest, each Councillor or Committee member present has a vote on each matter to be decided and if the votes are equal, the Chairperson has a casting vote, in accordance with section 254E(2)(b) of the *Local Government Regulation 2012.*

3.3.2 If a Councillor or Committee member present and entitled to vote fails to vote, the Councillor or Committee member is taken to have voted in the negative.

3.3.3 Council may, by resolution:

(a) Suspend a provision of these Meeting Standing Orders, subject to section 1.1.3.

(b) Overrule a decision, by motion of dissent, on a procedural decision made by the Chairperson.

4 Record of Meetings

4.1 Minutes of Meetings

4.1.1 The Chief Executive Officer must ensure minutes of each Council meeting are taken and maintained in accordance with section 254F of the *Local Government Regulation 2012.*

4.1.2 Minutes of each meeting must include:

(a) Each motion or matter decided at the meeting, including the resolution or decision made.

(b) The names of the Councillors or Committee members who are present at the meeting.

(c) If a division is called, list the names of all Councillors voting on the motion and how they voted.

(d) Each relevant report for the meeting, unless the report has already been made publicly available or contains confidential information.

4.1.3 Where Council grants a leave of absence, the leave must be recorded in the minutes.

4.1.4 Where a Councillor has not applied for a leave of absence, the Councillor will be recorded as absent in the minutes.

4.1.5 At each Council meeting, the minutes of the previous meeting must be confirmed by the Councillors or Committee members present.

4.1.6 A copy of the minutes of each Council meeting must be made publicly available by 5:00pm on the tenth day after the meeting is held, unless the minutes are sooner confirmed.

4.2 Recording of Meetings

4.2.1 Council will make audio or audio-visual recordings of the parts of Council meetings that are open to the public. Where a recording is made, Council will make it available to the public online at the earliest opportunity after the meeting has concluded, subject to any redaction required by law.

4.2.2 The Chief Executive Officer may redact or withhold part of a recording before publication where necessary to comply with legislation, protect personal information, or manage legal risk to Council.

5 Meeting Standing Orders and Procedures for Statutory Meetings

5.1 Order of Business

5.1.1 Council must proceed with business in the order shown on the agenda, unless Council resolves to alter the order of business.

5.1.2 The Chairperson will guide the meeting through the order of business and manage meeting processes in accordance with these Meeting Standing Orders. Where a process is prescribed by legislation or the Model Meeting Procedures, those requirements will prevail.

5.1.3 Unless otherwise resolved, the general order of business is:

(a) Declaration of Opening
(b) Record of Attendance and Leave of Absence
(c) Devotional Segment
(d) Recognition of Achievement

(e) Receipt and Confirmation of Minutes
(f) Public Participation
(g) Petitions and Presentations
(h) Motion to Alter the Order of Business
(i) Matters Outstanding from Previous Council Meeting Minutes
(j) Declaration of Interests
(k) Mayoral Minute
(l) Reports to Council
(m) Notice of Intention to Repeal or Amend Resolutions
(n) Notice of Motion
(o) Urgent Business without Notice
(p) Confidential Items
(q) Meeting Closure

5.1.4 Business not included on the agenda or not fairly arising from an item on the agenda, must not be considered unless Council resolves otherwise.

5.2 Declaration of Opening

5.2.1 The Chairperson opens the meeting by welcoming Councillors and members of the public to the Meeting. The Chairperson acknowledges the Traditional Custodians of the land.

5.3 Record of Attendance and Leave of Absence

5.3.1 Each Councillor present at a meeting will be recorded in the minutes as in attendance.

5.3.2 If a Councillor wishes to be absent from a Council meeting, the Councillor must apply to Council at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence, stating the reasons for their application.

5.3.3 The Council may, at its discretion, grant leave by considering the Councillor's application and the responsibilities of Councillors and the Local Government Principles under the *Local Government Act 2009*.

5.3.4 Section 162(1)(e)(ii) of the *Local Government Act 2009* provides that a Councillor's office becomes vacant if the Councillor is absent from two or more consecutive ordinary meetings of Council over a period of at least two months, unless the Councillor is absent with the Council's approval.

5.3.5 For the purpose of these Meeting Standing Orders, where a Councillor advises the Chairperson of an impending absence from a meeting, the Chairperson advises Council of the Councillor's absence and Council grants the leave, section 162(1)(e)(ii) of the *Local Government Act 2009* will be satisfied.

5.4 Remote Attendance by Councillors

For the purposes of section 254K of the *Local Government Regulation 2012*, a Councillor participating in meetings by audio link or audio-visual link is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. Council's preference is that cameras are on where practicable.

5.4.1 A Councillor must apply to participate in a Council or Committee meeting by audio link or audio-visual link, at least three business days before the meeting, or as soon as practicable.

5.4.2 Council delegates to the Chairperson of the relevant meeting the authority to determine applications for participation by audio link or audio-visual link, having regard to:

(a) The reasons provided by the Councillor.

(b) The Councillor's responsibilities.

(c) The Local Government Principles under the *Local Government Act 2009.*

(d) The effective conduct of the meeting.

5.4.3 If, during a meeting, the Chairperson is not satisfied that a Councillor attending by audio link or audio-visual link can hear, be heard by, or otherwise participate effectively in the meeting, the Chairperson may:

(a) Pause the meeting briefly to allow technical issues to be resolved within a reasonable time.

(b) Continue the meeting in the absence of the Councillor for that item if the meeting remains quorate.

5.4.4 A Councillor will not be treated as participating in the meeting until effective audio contact is restored.

5.4.5 If a closed session includes attendance by audio link or audio-visual link, a Councillor attending remotely must maintain confidentiality by ensuring no other person can hear the closed session discussion.

5.5 Devotional Segment

5.5.1 An invited person leads Council in a brief devotional segment.

5.5.2 The Chairperson and Councillors may acknowledge the passing of significant members of the Redland City community.

5.6 Recognition of Achievement

5.6.1 The Chairperson and Councillors may acknowledge members of the Redland City community who contribute to the advancement of the city.

5.7 Receipt and Confirmation of Minutes

5.7.1 The minutes of a previous Council meeting, whether a General Meeting or a Special Meeting, that have not previously been confirmed must be considered for confirmation at a General Meeting of Council.

5.7.2 When confirming the minutes, the Chairperson must call for a mover and seconder.

5.7.3 Discussion on the minutes is permitted only in relation to their accuracy as a record of proceedings.

5.7.4 If a Councillor considers that the minutes require amendment before confirmation, the Councillor may move a motion to amend the minutes. The amendment must be voted on and carried before the minutes are confirmed.

5.7.5 All Councillors present at the meeting may vote to confirm the minutes, including Councillors who:

(a) Were not present at the previous meeting.

(b) Had a Material Personal Interest or real or perceived Conflict of Interest in a matter considered, discussed or voted on at the previous meeting.

5.7.6 Once the minutes are confirmed by resolution, they cannot be altered. If Council needs to correct confirmed minutes, Council may pass a subsequent resolution recording the correction, but the original confirmed minutes remain unchanged.

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5.8 Public Participation

Council supports public participation in Council meetings where practicable, while ensuring meetings are conducted in an orderly, respectful and lawful manner.

5.8.1 A member of the public, whether an individual or deputation, may address a Council meeting only if invited to do so by the Chairperson.

5.8.2 A person or deputation seeking to address a Council meeting must submit a written request by midday on the Monday before the meeting.

5.8.3 The request must identify the subject matter to be addressed and demonstrate that the matter relates to Redlands and is otherwise compliant with these Meeting Standing Orders.

5.8.4 The Chief Executive Officer, or delegate, must assess requests for compliance with these Meeting Standing Orders and provide advice to the Chairperson.

5.8.5 The Chairperson may, at their discretion, refuse an application, including where:

(a) The subject matter is outside Council's jurisdiction to implement.

(b) The request does not comply with these Meeting Standing Orders.

(c) The request contains misleading, unlawful, offensive or defamatory material.

(d) The request would require the disclosure of private or confidential information.

(e) The subject matter has been substantially addressed previously or elsewhere on the meeting agenda, and the Chairperson considers further participation would not assist Council's consideration.

(f) The applicant has addressed Council on the same subject within the previous 12-months.

5.8.6 If a request is approved, the Chief Executive Officer, or delegate, will notify the applicant in writing and arrange a suitable time for the address.

5.8.7 Public participation is limited to 15 minutes in total, unless Council resolves to extend the time. Individual speakers must not speak for more than five minutes each.

5.8.8 For a deputation of three or more people, no more than three speakers may address the meeting unless Council resolves otherwise.

5.8.9 Any member of the public addressing Council must:

(a) Stand while speaking, unless unable to do so.

(b) Act and speak with decorum.

(c) Be respectful and courteous.

(d) Keep comments relevant to the approved subject matter.

(e) Ensure any reference to Councillors, Council employees, organisations or other people is relevant, respectful, factual and not defamatory, offensive or abusive.

5.8.10 Any member of the public addressing Council must not:

(a) Interrupt or obstruct the proper conduct of the meeting.

(b) Use offensive, threatening, insulting or defamatory language.

(c) Make personal remarks against Councillors, Council employees or members of the public.

(d) Disclose, or seek to disclose, confidential information.

(e) Raise a matter that has not been approved by the Chairperson.

5.8.11 The Chairperson may terminate an address at any time if:

(a) The approved time has expired.

(b) The purpose of the address has been sufficiently explained.

(c) The speaker is not addressing the approved subject matter.

(d) The speaker uses offensive, insulting, defamatory or abusive language.

(e) The speaker disrupts the orderly conduct of the meeting.

(f) The Chairperson considers it necessary to preserve good order.

5.8.12 If a member or deputation who is not an approved speaker interjects or attempts to address the meeting, the Chairperson may terminate the deputation.

5.8.13 The Chairperson may invite public participation during a meeting where the Chairperson considers it appropriate and the matter is relevant to the business before Council.

5.9 Petitions and Presentations

Petitions

A petition is a formal means by which members of the community may raise a matter of concern and request Council's consideration or action.

5.9.1 For a petition to be accepted and presented to a meeting, it must be submitted in accordance with Council's approved petition process and meet the following eligibility criteria:

(a) Be in legible writing or typewritten and contain a minimum of 10 signatures.

(b) Be supported by each petitioner through a signature or electronic endorsement that enables the petitioner to be identified and their support for the petition to be verified.

(c) Include the name, full address and contact details of the Principal Petitioner (the key contact).

(d) Include the name, address and postcode of all petitioners.

(e) Include the details of the specific request/matter on each page (within word or character limit as specified on the form).

(f) Be about a subject within which Council has the power to act.

(g) Be reasonable, factually correct, respectful and not contain any offensive language.

(h) Not identify or refer to individuals, Councillors, Council employees, organisations, or members of the public.

(i) Not address a matter previously considered and responded to by Council through a petition within the previous 24 months.

(j) Not apply for a grant of public money.

5.9.2 Council will only collect personal information that is reasonably necessary for the consideration of a petition and will manage such information in accordance with the *Information Privacy Act 2009* (Qld) and *Public Records Act 2023*.

5.9.3 A petition to be presented at a meeting must be received by the Chief Executive Officer at least seven days before the meeting at which it is proposed to be presented.

5.9.4 The Chief Executive Officer may determine whether a petition complies with these Meeting Standing Orders.

5.9.5 A petition that does not comply with these Meeting Standing Orders may be treated as correspondence and managed in accordance with relevant Council processes.

Presentation of Petition

5.9.6 On presenting a petition at a meeting, no debate is to occur.

5.9.7 A Councillor must move one of the following motions:

(a) That the petition be received and referred to the Chief Executive Officer for consideration and future Council briefing.

(b) That the petition be received as an operational matter and referred to the Chief Executive Officer.

5.9.8 Council will respond to the principal petitioner within 10 business days of the meeting at which the eligible petition was presented.

Presentations

5.9.9 Presentations are provided by Councillors to inform the Council of an event, conference or other matter relevant to the Councillor's official duties or Council functions.

5.10 Motion to Alter the Order of Business

5.10.1 The Chairperson will request any motions to alter the order of business.

5.11 Matters Outstanding from Previous Council Meeting Minutes

5.11.1 The Chief Executive Officer will provide an update on any matters outstanding from previous meetings of Council.

5.12 Declaration of Interests

Council adopts the requirements for managing Material Personal Interests (section 150EE) and real or perceived Conflicts of Interest (section 150EF) in accordance with the *Local Government Act 2009* and the Model Meeting Procedures, as amended from time to time.

Where there is any inconsistency between these Meeting Standing Orders and the legislative requirements or the Model Meeting Procedures, the legislative requirements or Model Meeting Procedures prevail.

5.13 Material Personal Interest

5.13.1 A Councillor who has a Material Personal Interest in a matter to be discussed at a meeting must:

(a) Inform the meeting of the details of the Material Personal Interest.

(b) Leave the place where the meeting is being held, including any area set aside for the public to view the meeting, and stay away from the place while the matter is being discussed and voted on, unless the Councillor is participating under Ministerial approval.

5.13.2 A Councillor who has a Material Personal Interest may request, through the Chairperson, that Council defer consideration of the matter to allow the Councillor the opportunity to apply for Ministerial approval to participate in deciding the matter.

5.13.3 Council may, by resolution, defer the matter to a later meeting.

5.13.4 The following information must be recorded in the minutes of the meeting:

(a) The name of the Councillor who has the Material Personal Interest.

(b) The nature of the Material Personal Interest, as described by the Councillor.

(c) Whether the Councillor took part in the meeting, or was at the place during the meeting, under Ministerial approval.

5.14 Conflict of Interest

5.14.1 A Councillor who has a real or perceived Conflict of Interest in a matter to be discussed at a meeting must deal with the conflict in a transparent and accountable way.

5.14.2 A Councillor who has a real or perceived Conflict of Interest must:

(a) Inform the meeting of the Councillor's personal interests in the matter.

(b) If the Councillor participates in the meeting in relation to the matter, inform the meeting of how the Councillor intends to deal with the real or perceived Conflict of Interest.

5.14.3 If a quorum cannot be formed because the Councillor proposes to exclude themselves from the meeting to manage their Conflict of Interest, the Councillor does not contravene these Meeting Standing Orders merely by participating and voting in the meeting in relation to the matter.

5.14.4 If a Councillor has a Conflict of Interest in a matter, and proposes to exclude themself from the meeting, the Chairperson may ask the Councillor if the Councillor has considered another way to manage their Conflict of Interest.

5.14.5 If a Councillor is reconsidering whether to remain in the meeting, the Councillor may consider the following:

(a) How their participation in the meeting may affect public trust.

(b) How close their relationship is to the related party, if the conflict arises because of a related party.

(c) How the benefit or loss the Councillor or related party may receive from the decision compares to that of others in the community.

(d) Whether the Councillor has skills, knowledge or expertise that may help Council make the best decision in the public interest.

5.14.6 If the Councillor decides to participate in the discussion, the Councillor must inform the meeting of their personal interests and the steps they will take to manage the Conflict of Interest in the public interest.

5.14.7 The minutes of the meeting must record:

(a) The name of the Councillor who has the real or perceived Conflict of Interest.

(b) The nature of the personal interest, as described by the Councillor.

(c) How the Councillor dealt with the real or perceived Conflict of Interest.

(d) If the Councillor voted on the matter, how the Councillor voted.

(e) How the majority of Councillors at the meeting voted on the matter.

5.15 Loss of Quorum Due to Interests

5.15.1 If one or more Councillors leave a meeting because of a Material Personal Interest or real or perceived Conflict of Interest, and this results in a loss of quorum for deciding the matter, Council may resolve to deal with the matter by:

(a) Delegating the consideration and decision on the matter under section 257 of the *Local Government Act 2009*, unless the matter cannot be delegated.

(b) Deferring the matter to a later meeting when a quorum can be formed.

(c) Deciding not to deal with the matter and taking no further action in relation to the matter, unless the *Local Government Act 2009* or another Act provides that Council must decide the matter.

Refer Appendices 3 and 4 - Declaring and Managing Interests

5.16 Mayoral Minute

5.16.1 The Mayor may, by signed minute, introduce a matter within Council's jurisdiction or official cognisance that is not on the agenda.

5.16.2 Where practicable, a Mayoral Minute should identify any relevant background information and operational implications associated with the proposed motion.

5.16.3 A Mayoral Minute may be moved by the Mayor from the chair without being seconded.

5.16.4 Where practicable, the Mayor will distribute the Mayoral Minute to the Chief Executive Officer and Councillors prior to the meeting.

5.16.5 A Mayoral Minute may be introduced by the Mayor at any time during the meeting, although it will usually be introduced at the relevant place in the agenda.

5.16.6 A motion proposed by the Mayoral Minute, if adopted by Council, becomes a resolution of Council.

5.16.7 If the Mayor is absent from the meeting, the Chairperson may present a Mayoral Minute on behalf of the Mayor, if authorised by the Mayor, or where the Mayor has provided the signed minute.

5.16.8 An Acting Mayor chairing the meeting may also introduce a Mayoral Minute in their capacity as Acting Mayor.

5.17 Reports to Council

5.17.1 Reports submitted for consideration by Council may be presented by the Chief Executive Officer, General Managers or other authorised officers.

5.18 Notice of Intention to Repeal or Amend Resolutions

5.18.1 A Notice of Intention to Repeal or Amend a Resolution must be signed by a Councillor and lodged with the Chief Executive Officer at least eight business days before the meeting at which the notice is intended to be considered. This allows the statutory notice required under section 262 of the *Local Government Regulation 2012* to be given to each Councillor at least five clear business days before the meeting at which the proposal is to be considered.

5.18.2 Councillors present at the meeting at which a Notice of Motion to Repeal or Amend a Resolution is moved may defer consideration of that motion. The deferral may not be longer than three months.

5.18.3 Where a motion to repeal or amend a resolution is defeated, a motion to the same, or like effect, must not be moved until at least three months after the date on which the relevant motion was defeated.

5.19 Notice of Motion (Business)

5.19.1 A Notice of Motion allows a Councillor to propose a matter for inclusion on a meeting agenda for debate and decision by Council and is subject to these Meeting Standing Orders.

5.19.2 A request for a Notice of Motion to be included on the agenda for a General Meeting must be submitted to the Chief Executive Officer 12 clear days before the meeting at which the motion is to be considered.

5.19.3 A properly made Notice of Motion must be submitted to the Chief Executive Officer seven clear days before the General Meeting at which the motion is to be considered.

5.19.4 A Notice of Motion with the same information and intent as a previous Notice of Motion, cannot be submitted until at least three months following the previous Notice of Motion.

5.19.5 Where practicable, a Notice of Motion should identify any relevant background information and operational implications associated with the proposed motion.

5.20 Urgent Business Without Notice

5.20.1 A Councillor may seek to propose a motion as an urgent item of business at a meeting. The Councillor must explain the nature of the urgency and answer questions about the urgency, after which the Chairperson will seek a resolution of Council to allow the matter to proceed.

5.20.2 If that motion is lost, the matter will not proceed at that meeting.

5.20.3 If the motion is carried, the motion will require another Councillor to second it before it is presented and debated.

5.20.4 Wherever possible, a Councillor must provide a copy of a proposed motion under urgent business to all other Councillors as soon as practicable before the meeting.

5.21 Confidential Items/Closed Meetings

A resolution to close the meeting to the public cannot be made if a quorum is lost. In those circumstances, Council must deal with the matter in accordance with the provisions relating to the loss of quorum due to interests.

5.21.1 Council may resolve that all or part of a General Meeting or a Committee Meeting be closed to the public if the Councillors or members consider it necessary to discuss one or more of the following matters under section 254J(3) of the *Local Government Regulation 2012*:

(a) The appointment, discipline or dismissal of the Chief Executive Officer.

(b) Industrial matters affecting employees.

(c) The local government's budget.

(d) Rating concessions.

(e) Legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

(f) Matters that may directly affect the health and safety of an individual or a group of individuals.

(g) Negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

(h) Negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*.

(i) A matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

5.21.2 To take a matter into a closed session, Council must first pass a resolution to do so.

5.21.3 A resolution to close all or part of a meeting to the public must:

(a) Identify the matter that is to be discussed.

(b) Include an overview of what is to be discussed while the meeting is closed.

(c) State why the meeting should be closed while the matter is considered.

5.21.4 Council or a Committee must not make a resolution, other than a procedural resolution, in a part of a meeting that is closed to the public.

5.21.5 Any decision on a matter considered in closed session must be made after the meeting has been reopened to the public, unless the decision is a procedural resolution.

5.21.6 Councillors, committee members and Council officers must maintain the confidentiality of any confidential information considered in a closed session, unless authorised or required by law to disclose it.

5.21.7 If a closed session includes attendance by audio link or audio-visual link, a Councillor attending remotely must maintain confidentiality by ensuring no other person can hear the closed session discussion, in accordance with section 171(3) of the *Local Government Act 2009*.

5.21.8 If the matter is known in advance, the agenda should identify that the matter is proposed to be considered in closed session, state the topic to be discussed, and provide a brief explanation of why it may be necessary to close the meeting.

5.21.9 The minutes of a meeting of Council must record:

(a) The nature of the matter considered in closed session.

(b) The reason for discussing the matter in closed session.

5.22 Meeting Closure

5.22.1 The Chairperson must close the meeting after all items of business have been completed. The time of closure must be recorded in the minutes.

6 Motions and Process

6.1 Motions to be Moved and Seconded

6.1.1 A motion must be moved by a Councillor and seconded by another Councillor before it may be debated, except where these Meeting Standing Orders provide otherwise.

6.1.2 An amendment to a motion must be moved and seconded before it may be debated.

6.1.3 If a motion or amendment (other than a procedural motion) is not seconded, it lapses and must not be debated or voted on.

6.1.4 Procedural motions do not require a seconder unless these Meeting Standing Orders provide otherwise.

6.1.5 With the permission of the Chairperson, a Councillor who moves a motion or amendment may speak in support of the motion or amendment before it is seconded.

6.1.6 Once a motion has been moved and seconded, it is before Council and may only be withdrawn with Council's consent.

6.1.7 A motion brought before a meeting of Council in accordance with the *Local Government Act 2009*, the *Local Government Regulation 2012* or these Meeting Standing Orders must be received by the Chairperson, unless the Chairperson rules the motion out of order.

6.1.8 The Chairperson may require a motion or amendment to be stated in full or provided in writing before it is received.

6.1.9 The Chairperson may rule a motion or amendment out of order if it is vague, unlawful, outside Council's jurisdiction, defamatory, vexatious, frivolous, or otherwise inconsistent with these Meeting Standing Orders.

6.1.10 The Chairperson may call motions in the order in which they appear on the agenda. Where no objection is raised to a motion being treated as a formal motion, and the motion is moved and seconded, the Chairperson may put the motion to the vote without debate.

6.1.11 A Councillor may propose an amendment to a motion before the meeting. Any amendment must be dealt with before the substantive motion is put to the vote.

6.2 Absence of Mover of Motion

6.2.1 Where a Councillor who has submitted a Notice of Motion is absent from the meeting at which the Notice of Motion is to be considered, the motion may be moved by another Councillor or deferred to a future meeting.

6.3 Foreshadowed Motions

6.3.1 A Councillor may foreshadow an alternative motion during debate on a motion before the meeting. A foreshadowed motion has no procedural effect unless the motion before the meeting is lost, withdrawn or otherwise disposed of. If the motion before the meeting is lost, withdrawn or otherwise disposed of, the foreshadowed motion may then be moved and seconded in accordance with these Meeting Standing Orders.

6.4 Amendment of Motion

6.4.1 An amendment to a motion must maintain or further clarify the intent of the original motion and must not contradict the motion.

6.4.2 Where an amendment to a motion is before the meeting, no other amendment to the motion may be considered until the first amendment has been decided.

6.4.3 Minor wording changes may be made to an amended motion with the agreement of the proposer, provided the changes do not alter the intent of the amendment.

6.4.4 Where a motion is amended, the original motion must not be reintroduced as a subsequent amendment to the amended motion.

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6.5 Speaking to Motions and Amendments

6.5.1 The mover of a motion or amendment must present it and state that it is moved. With the permission of the Chairperson, the mover may speak to the motion before it is seconded.

6.5.2 The Chairperson will manage debate by allowing the mover of the motion to speak first. The Chairperson may then call on Councillors who wish to speak against the motion and then alternatively for and against the motion, as available, until all Councillors who wish to speak have had an opportunity to do so.

6.5.3 A Councillor may request further information from the Chairperson before or after a motion or amendment is seconded.

6.5.4 A motion or amendment may only be withdrawn by the mover with the consent of Council. The motion of withdrawal must be put and determined without debate. If the Council consents to the withdrawal, the motion or amendment is taken to be withdrawn and no further discussion may occur on that motion or amendment.

6.5.5 The mover of a motion or amendment has a right of reply. Each Councillor may speak no more than once to the same motion or amendment, except as a right of reply. Once the right of reply has been delivered, the debate ends.

6.5.6 Each speaker may speak for no more than five minutes unless the Chairperson rules otherwise.

6.5.7 Where two or more Councillors indicate they wish to speak at the same time, the Chairperson will determine who is entitled to priority.

6.5.8 In accordance with section 254H of the *Local Government Regulation 2012*, where Council makes a decision that is inconsistent with advice or a recommendation provided by an adviser, the Chief Executive Officer must ensure the minutes record the reasons for that decision if:

(a) The decision is about entering into a contract the total value of which is more than the greater of the following:

- $200,000 exclusive of GST.
- 1% of Council's net rate and utility charges as stated in Council's most recently adopted annual report.

(b) The decision is inconsistent with:

- A policy of Council.
- The approach ordinarily followed by Council for that type of decision.

6.5.9 For this section, a *policy* means a policy previously adopted by Council resolution and still in force.

***Note**: This provision does not prevent Council from departing from advice or recommendations. It requires the reasons for doing so to be recorded in the minutes in the circumstances outlined above.*

Practical examples

This requirement may apply where:

- Council resolves to award a contract valued above the prescribed threshold to a supplier other than a supplier recommended by Council officers or an external adviser.
- Council decides not to adopt a recommendation provided by a technical, legal, financial or other professional adviser in relation to a significant contract.

- Council decides to approve funding for a proposal that does not meet the eligibility criteria set out in an existing Council policy.
- Council chooses not to follow its usual practice for a particular type of decision, such as waiving a fee that is ordinarily charged, providing financial assistance outside an established grants process, or taking a different procurement approach to that normally used for similar projects.

In these circumstances, Council may still make the decision it considers appropriate, however, the reasons for the decision must be recorded in the minutes where section 254H of the *Local Government Regulation 2012* applies.

6.6 Procedural Motions

6.6.1 A Councillor may, during debate on a matter, move any of the following procedural motions without a seconder:

(a) That the motion be now put.

(b) That the motion or amendment now before the meeting be adjourned.

(c) That the meeting proceeds to the next item of business.

(d) That the motion lie on the table.

(e) A point of order.

(f) A motion of dissent against the Chairperson's decision.

(g) That this report or document be tabled.

(h) That a specified requirement of these Meeting Standing Orders be suspended, subject to section 1.1.3.

(i) That the meeting stands adjourned.

6.6.2 Where a procedural motion that the 'motion be now put' is carried, the Chairperson must immediately put the motion under consideration to the vote. If the procedural motion is lost, debate on the motion resumes.

6.6.3 A procedural motion that the motion or amendment now before the meeting be adjourned may specify the time or date to which the debate is adjourned. If no time or date is specified, the matter must be included on the agenda for the next meeting unless Council resolves otherwise.

6.6.4 If a procedural motion that the meeting proceeds to the next item of business is carried, debate on the matter ceases. The matter may only be considered in accordance with these Meeting Standing Orders

6.6.5 A procedural motion that the motion lie on the table may be moved where the Chairperson or a Councillor requires additional information, or the result of another action, before the matter can be concluded. If carried, Council proceeds to the next item of business.

6.6.6 A procedural motion, that a matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

6.6.7 A Councillor may ask the Chairperson to decide on a point of order where the Councillor believes another Councillor has:

(a) Failed to comply with proper procedures.
(b) Contravened legislation.
(c) Acted beyond the jurisdiction of the meeting.

6.6.8 Examples of matters that may be raised as a point of order include:

(a) Not speaking to a motion.
(b) Contravening these Meeting Standing Orders.
(c) Repeating the same points already made.
(d) Contravening local laws.
(e) The time limit has expired.
(f) Language or tone is offensive.
(g) No quorum.

6.6.9 A point of order must not be used to contradict a statement made by a Councillor who is speaking.

6.6.10 Where a point of order is raised during debate, the Councillor speaking must immediately cease speaking. Consideration of the matter under debate is suspended until the Chairperson has ruled on the point of order.

6.6.11 The Councillor raising the point of order may briefly state the point before the Chairperson makes a ruling.

6.6.12 The Chairperson must determine whether the point of order is upheld.

6.6.13 A Councillor may move a motion of dissent against a ruling of the Chairperson on a point of order or procedural matter, except for a decision made under section 150K of the *Local Government Act 2009.*

6.6.14 If a motion of dissent is moved, further consideration of the matter must be suspended until the motion of dissent has been decided.

6.6.15 The mover of the motion of dissent may speak to the motion, and the Chairperson may respond before the motion is put to the vote.

6.6.16 If the motion of dissent is carried, the meeting proceeds as though the Chairperson's ruling had not been made.

6.6.17 If the Chairperson's ruling results in the matter being ruled out of order, and the motion of dissent is carried, the matter is reinstated and dealt with in the normal course of business.

6.6.18 A procedural motion to table a report or document may be used by a Councillor to introduce a report or other document to the meeting only if the report or document is not protected by confidentiality, legal privilege, information privacy or another legal restriction. Once tabled, the document is available for public scrutiny unless Council determines otherwise in accordance with the law.

6.6.19 A procedural motion to suspend a requirement of these Meeting Standing Orders may be moved by a Councillor to permit an action that would otherwise be prevented by a procedural rule. The motion must specify the requirement to be suspended and the duration or purpose of the suspension, subject to section 1.1.3.

6.6.20 A procedural motion that the meeting stands adjourned may be moved by a Councillor at the conclusion of debate on any matter on the agenda or at the conclusion of a Councillor's speaking time. The motion must be put without debate and must specify the time for the resumption of the meeting. On resumption, the meeting continues from the point at which it was adjourned.

6.7 Method of Taking Vote

6.7.1 Before any matter is put to the vote, the Chairperson may direct that the motion or amendment be presented again by the mover.

6.7.2 The vote must be taken by a show of hands, or by another method directed by the Chairperson.

6.7.3 The Chairperson must put the motion first in the affirmative and then in the negative by calling for the votes of Councillors in favour of the motion and then those against it.

6.7.4 The Chairperson may take the vote more than once if necessary to determine the result.

6.7.5 The Chief Executive Officer must record the result of the vote and, where a division is called, the names of Councillors voting in the affirmative and the negative.

6.7.6 The Chairperson must declare the result of the vote or division as soon as it has been determined.

6.7.7 Subject to the requirements for managing a Material Personal Interest or Conflict of Interest, a Councillor who is present and entitled to vote must vote on the matter.

6.7.8 If a Councillor who is present and entitled to vote does not vote, the Councillor is taken to have voted in the negative.

6.7.9 If a Councillor is participating by audio link or audio-visual link and technical difficulties prevent the Councillor from effectively participating in the vote, the Chairperson may pause the meeting for a reasonable period to allow the issue to be resolved. If effective participation cannot be restored and the meeting remains quorate, the meeting may proceed in the Councillor's absence for that matter.

6.7.10 For the avoidance of doubt, a Councillor who is not treated as participating in the meeting under section 5.4.4 of these Meeting Standing Orders is not taken to have failed to vote for the purpose of this section.

7 Conduct During Meetings

The Chief Executive Officer must ensure that all orders made for unsuitable meeting conduct or misconduct under the *Local Government Act 2009* are recorded in the Councillor Conduct Register.

7.1 Councillor Conduct During Meetings

7.1.1 Councillors must conduct themselves during meetings in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in the Code of Conduct for Councillors in Queensland. The Chairperson may observe, or be made aware of, possible unsuitable meeting conduct and may follow the Procedure for Unsuitable Meeting Conduct to manage the conduct.

7.1.2 After a meeting of Council has been formally constituted and business has commenced, a Councillor must not enter or leave the meeting without first notifying the Chairperson.

7.1.3 Councillors must set their mobile phone to silent mode and must leave the meeting to take or make any calls.

7.1.4 Councillors will address each other during the meeting by their respective titles, such as Mayor or Councillor.

7.1.5 When speaking to or about Council officers, Councillors will use the officer's official title or position title.

7.1.6 Councillors must confine their remarks to the matter under consideration.

7.1.7 A Councillor who is speaking must not be interrupted except on a point of order raised by the Chairperson or another Councillor.

7.1.8 Councillors participating by audio link or audio-visual link must raise their virtual hand and wait to be invited by the Chairperson to speak.

7.1.9 When the Chairperson speaks during debate, any Councillor speaking or seeking to speak must immediately cease speaking.

7.1.10 Councillors present must remain silent so the Chairperson can be heard without interruption.

7.1.11 Unsuitable meeting conduct by a Councillor or Chairperson must be dealt with in accordance with the relevant appendices to these Meeting Standing Orders.

Refer to Appendix 1 – Unsuitable Meeting Conduct by a Councillor and Appendix 2 – Unsuitable Meeting Conduct by a Chairperson.

7.1.12 A Councillor may, through the Chairperson, ask a question of another Councillor or Council officer regarding a matter under consideration at the meeting. Councillors should not ask questions, the answers for which have already been provided to the Councillor.

7.1.13 A Councillor or Council officer to whom a question is directed may answer the question immediately or request that the question be taken on notice.

7.1.14 The Chairperson may disallow a question that is irrelevant, repetitive, answered previously, inconsistent with good order or otherwise contrary to these Meeting Standing Orders.

7.2 Attendance of Public and Media at Meetings

7.2.1 An area will be made available at the place where a Council meeting is held for members of the public and representatives of the media.

7.2.2 As many members of the public and representatives of the media as can reasonably be accommodated in that area will be permitted to attend the meeting.

7.2.3 When Council resolves to close all or part of a meeting to the public, members of the public and representatives of the media must be excluded from the closed session.

7.3 Public Conduct During Meetings

7.3.1 Members of the public and representatives of the media attending a Council meeting must comply with any reasonable direction given by the Chairperson to preserve good order. They must conduct themselves in a respectful and orderly manner.

7.3.2 A member of the public must not:

(a) Interrupt, obstruct or disrupt, or otherwise interfere with the proper conduct of the meeting.

(b) Speak unless invited to do so by the Chairperson.

(c) Use offensive, threatening, insulting, abusive or defamatory language.

(d) Make personal attacks against Councillors, Council employees or members of the public.

(e) Display signs, placards or other material in a way that obstructs the meeting or creates disorder.

(f) Record, photograph or publish meeting proceedings in a manner that disrupts the meeting, contravenes a lawful direction of the Chairperson, or risks the disclosure of confidential information.

(g) Behave in a way that may compromise safety, respectful participation or the orderly conduct of the meeting.

7.3.3 A person who has been invited to address the meeting must also comply with the public participation requirements in section 5.8 of these Meeting Standing Orders.

7.3.4 If a member of the public or representative of the media does not comply with this section, the Chairperson may:

(a) Warn the person.

(b) Direct the person to stop the conduct.

(c) Direct the person to leave the meeting place.

(d) Take any other action reasonably necessary to preserve good order.

7.3.5 A person directed to leave the meeting must immediately leave and remain away for the period reasonably determined by the Chairperson.

Redland City Council Meeting Standing Orders

Appendix 1 Procedure for dealing with Unsuitable Meeting Conduct by a Councillor

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the Code of Conduct for Councillors in Queensland. When dealing with an instance of unsuitable meeting conduct by a Councillor, the following procedures must be followed:

A1.1 The Chairperson must reasonably believe that the conduct of a Councillor during a meeting is unsuitable meeting conduct.

A1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson may consider the seriousness of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued.

A1.3 If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, the Chairperson can make an order in relation to the conduct under A1.8 below.

A1.4 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial action such as:

(a) Ceasing and refraining from exhibiting unsuitable meeting conduct.
(b) Apologising for their conduct.
(c) Withdrawing their comments.

A1.5 If the Councillor complies with the Chairperson's request for remedial action, the Chairperson may take no further action.

A1.6 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request could result in an order being issued.

A1.7 If the Councillor complied with the Chairperson's warning and request for remedial action, no further action is required.

A1.8 If the Councillor fails to comply with the Chairperson's request for remedial action or the Chairperson decided a warning was not appropriate under A1.6, the Chairperson may make one or more of the orders below:

(a) An order reprimanding the Councillor for the conduct.

(b) An order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.

A1.9 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.

A1.10 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent.

Note: *Contravention of an order to the meeting is misconduct and a notice must be given to the Independent Assessor (the Assessor) by a local government official (Councillor/Mayor or Chief Executive Officer) providing all the information about the matter for a preliminary assessment to be undertaken. This may attract disciplinary action under 150L(1)(c)(v) of the Local Government Act 2009. Following the completion of the meeting, the Chairperson must ensure the minutes of the meeting record the information about the unsuitable meeting conduct and be recorded in the Councillor Conduct Register with any order made against the Councillor, including the name of the Councillor.*

Redland City Council Meeting Standing Orders

Appendix 2 Procedure for dealing with Unsuitable Meeting Conduct by a Chairperson

The conduct of the Chairperson is Unsuitable Meeting Conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the Code of Conduct for Councillors in Queensland.

When dealing with an instance of Unsuitable Meeting Conduct by the Chairperson, the following procedures must be followed:

A2.1 If a Councillor at the meeting reasonably believes the conduct of the Chairperson during a meeting is unsuitable meeting conduct, the Councillor may raise the matter by way of a point of order.

A2.2 The Chairperson may take remedial action such as:

(a) Ceasing and refraining from exhibiting unsuitable meeting conduct.
(b) Apologising for their conduct.
(c) Withdrawing their comments.

A2.3 If the Chairperson does not take remedial action, the Councillor may move a procedural motion that the Chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is not required).

A2.4 The Councillors present at the meeting, excluding the Chairperson, must decide by voting on the resolution if the conduct is unsuitable meeting conduct.

A2.5 The Chairperson may remain at the meeting as Chairperson but must not vote on the motion as prescribed in section 150IA of the *Local Government Act 2009*. If the votes are equal, the motion is resolved in the negative.

A2.6 If it is decided that the Chairperson has engaged in unsuitable meeting conduct the Councillors will make an order reprimanding the Chairperson for the unsuitable meeting conduct.

A2.7 Following an order being made, the Chairperson returns to the business in the agenda and the meeting continues.

Note: *Details of any reprimand order is recorded in the minutes of the meeting. The local government's Chief Executive Officer is responsible to ensure details of any order made is updated in the local government's Councillor Conduct Register, including the name of the Chairperson engaging in unsuitable meeting conduct.*

Redland City Council Meeting Standing Orders

Appendix 3 Procedure for Managing Personal Interest

Councillors are ultimately responsible for managing and declaring any Material Personal Interest in matters to be discussed at a local government meeting, standing or advisory committee meeting.

A Councillor or their associate has a Material Personal Interest if they stand to gain a benefit or suffer a loss, either directly or indirectly depending on the outcome of a consideration of a matter at a meeting, Section 150ED of the *Local Government Act 2009* outlines several exceptions in relation to which personal interests of Councillors do not apply.

A3.1 If a Councillor has a Material Personal Interest in a matter to be discussed at a meeting the Councillor must:

A3.1.1 Inform the meeting of the details of the Material Personal Interest.

A3.1.2 Leave the place where the meeting is being held, including any area set aside for the public to view the meeting, and stay away from the place while the matter is discussed and voted on.

A3.1.3 A Councillor who has a Material Personal Interest in a matter may ask the Chairperson to defer the matter to allow the Councillor the opportunity to apply for Ministerial approval to participate in deciding the matter.

A3.2 In these circumstances, the matter may be deferred by resolution to a later meeting date.

A3.3 The following information must be recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by Regulation:

A3.3.1 The name of the Councillor who has the Material Personal Interest in a matter.

A3.3.2 The nature of the Material Personal Interest, as described by the Councillor.

A3.3.3 Whether the Councillor took part in the meeting, or was at the place during the meeting, under Ministerial approval.

Note: *Contravention of the requirements at A3.1 is misconduct that could result in disciplinary action being taken against a Councillor—see section 150L(1)(c)(iii) LGA. In addition, contravention of these requirements, including voting on a matter, with an intention to gain a benefit or avoid a loss for the Councillor or someone else is an offence attracting a maximum penalty of 200 penalty units or 2 years imprisonment.*

If a Councillor becomes aware that another Councillor is engaging in possible misconduct e.g. has a Material Personal Interest in a matter and is participating in a decision at a meeting about that matter, the Councillor or Chief Executive Officer, must notify the Assessor of the information about the Councillor's conduct. —see section 150R LGA.

Practical guidance – Declaring a Material Personal Interest

A3.4 A Councillor declaring a Material Personal Interest should provide enough information to enable the interest and how it will be managed to be recorded in the minutes.

A3.5 A Councillor may use wording similar to the following, provided it accurately reflects the Councillor's circumstances:

(a) "I declare that I have a Material Personal Interest in Item [number/name]. The nature of my interest is [briefly describe the nature of the interest].

A3.6 If Ministerial approval applies:

(b) "I have Ministerial approval to participate in deciding this matter and will comply with any conditions of that approval."

A3.7 The minutes must record:

(a) The Councillor's name.
(b) The nature of the Material Personal Interest, as described by the Councillor.
(c) Whether Ministerial approval applied.

Redland City Council Meeting Standing Orders

Appendix 4 Procedure for Managing Conflict of Interest

Councillors are ultimately responsible for informing of any Conflict of Interest (real or perceived), on matters to be discussed at local government meetings and standing or advisory committee meetings.

A Councillor has a Conflict of Interest (real or perceived) where a Councillor or their related party's interests might lead to a decision that is contrary to the public interest (other than the interests prescribed under section 150ED and section 150EF(2) of the LGA).

A4.1 If a Councillor has a Conflict of Interest (real or perceived) in a matter to be discussed at a meeting, the Councillor must deal with the Conflict of Interest in a transparent and accountable way. The Councillor must:

A4.1.1 Inform the meeting of the Councillor's personal interests in the matter.

A4.1.2 If the Councillor participates in the meeting in relation to the matter, advise how the Councillor intends to deal with the real or perceived conflict.

A4.2 If a quorum at the meeting cannot be formed because the Councillor proposes to exclude themselves from the meeting to manage their Conflict of Interest, the Councillor does not contravene these provisions merely by participating and voting in the meeting in relation to the matter.

A4.3 If a Councillor has a Conflict of Interest in a matter, and proposes to exclude themself from the meeting, the Chairperson may ask the Councillor if the Councillor has considered another way to manage their Conflict of Interest.

A4.4 If the Councillor who was proposing to be excluded from the meeting is reconsidering their decision on whether to remain in the meeting, the Councillor may consider the following in determining how they will manage the Conflict of Interest:

A4.4.1 How their participation in the meeting may affect the public trust?

A4.4.2 How close is their relationship to the related party if the conflict arises because of a related party?

A4.4.3 How will the benefit or loss, the Councillor or the related party stand to receive from the decision compare to that of others in the community?

A4.4.4 Does the Councillor have skills, knowledge or expertise that might help make the best decision in the public interest?

A4.5 If the Councillor decides to participate in the discussion, the Councillor must comply with A4.1 by informing the meeting of their personal interests and the steps they will take in managing the Conflict of Interest in the public interest.

A4.6 The following information must be recorded in the minutes of the meeting or, if minutes are not required for the meeting, in another way prescribed by Regulation:

A4.6.1 The name of the Councillor who has the real or perceived Conflict of Interest in a matter.

A4.6.2 The nature of personal interests as described by the Councillor.

A4.6.3 How the Councillor dealt with the real or perceived Conflict of Interest.

A4.6.4 If the Councillor voted on the matter, how the Councillor voted.

A4.6.5 How the majority of Councillors at the meeting voted on the matter.

Note: *Non-participation in a meeting is not the only way to appropriately deal with a real or perceived conflict of interest in a transparent and accountable way.*

Contravention of this section is misconduct that could result in disciplinary action being taken against a councillor, see section 150L(1)(c)(iii) of the LGA.

If a councillor becomes aware of information that another councillor has a conflict of interest in a matter and that councillor is participating in a decision at a meeting on the matter, the councillor or the chief executive officer must notify the Assessor of the information about the councillor's conduct—see section 150R LGA.

Practical guidance – declaring a real or perceived Conflict of Interest

A4.7 A Councillor declaring a real or perceived Conflict of Interest should provide enough information to enable the nature of the personal interests and how the conflict is managed to be recorded in the minutes.

A4.8 A Councillor may use wording similar to the following, provided it accurately reflects the Councillor's circumstances:

(a) "I declare that I have a real or perceived Conflict of Interest in Item [number/name]. The nature of my personal interests in the matter are [details].

A4.9 The Councillor should then advise how they propose to manage the conflict, for example:

(a) "I will leave the meeting while the matter is discussed and voted on."

(b) "I propose to remain in the meeting and participate in the matter. I consider that I can deal with the conflict in a transparent and accountable way because [brief explanation]."

A4.10 The minutes of the meeting must record:

(a) The Councillor's name.

(b) The nature of the personal interests, as described by the Councillor.

(c) How the Councillor dealt with the real or perceived Conflict of Interest.

(d) If the Councillor voted on the matter, how the Councillor voted.

(e) How the majority of Councillors voted.

Redland City Council Meeting Standing Orders

Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments (A4063988).

Requests to change the content of this document must be forwarded to relevant Service Manager(s).

Reviewed documents must be submitted to Governance Advisory Team to progress for registration, approval and publishing.

Version Information

Version Number	Date	Key Changes
1	November 2019	Meeting Standing Orders removed from policy itself and included as an 'appendix' to the policy – Reverted to Version 1 of Supporting Document
2	5 October 2020	Administrative changes in line with update to Policy Framework
3	10 June 2020	Updates to document in line with Item 13.2 of General Meeting – *Policy Framework Review 2019 – Amendment, Reclassification and Repeal of Policies* – refer minutes for summary of changes
4	28 October 2020	Administrative changes only, approved by General Manager Organisational Services.
5	21 August 2024	Full review adopted by Council – refer minutes for summary of changes.
6	15 October 2025	Full review adopted by Council – refer minutes for summary of changes.
7	October 2025	Administrative update only.
8	February 2026	Administrative changes to document: • Changed Appendix 9.1.3 reference from 9.1.2(a) to 9.1.2(b). • Formatting changes.
9	September 2026	• Comprehensive review to align with current legislative requirements, including the *Local Government Act 2009*, *Local Government Regulation 2012* and Model Meeting Procedures. • Restructured and simplified to improve clarity, reduce duplication and strengthen the procedural framework for Council and Standing Committee meetings. • Updated provisions for remote attendance, declarations of interest, public participation, petitions, motions, voting, closed meetings, meeting conduct and unsuitable meeting conduct appendices.