



CITY OF KINGSTON

MEETING PROCEDURE (AMENDMENT) LOCAL LAW NO. 8

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MEETING PROCEDURE (AMENDMENT) LOCAL LAW NO. 8

PART 1 INTRODUCTION

1. Title

This Local Law will be known as the “Meeting Procedure (Amendment) Local Law No. 8”.

2. Purpose Of This Local Law

The purpose of this Local Law to:

- (1) amend **the Council’s** Meeting Procedure Local Law in various respects; and
- (2) give effect to provisions introduced into the *Local Government Act* 1989 by the *Local Government Legislation Amendment (Miscellaneous) Act* 2012.

3. Authorising Provision

This Local Law is made under section 111(1) of the *Local Government Act* 1989.

4. Operation Date

This Local Law operates from the day after the day upon which it is made by **the Council**.

5. Revocation

Unless sooner revoked, this Local Law ceases to operate on the same day on which **the Council’s** Meeting Procedure Local Law (being Local Law No. 7 of 2009) ceases to operate.

6. Application

This Local Law applies and has operation throughout the whole of the municipal district.

7. Interpretation

Unless the contrary intention appears in this Local Law, the following words and phrases are defined as indicated:

“**the Council**” means Kingston City Council.

“**Principal Local Law**” means **the Council’s** Meeting Procedure Local Law (being Local Law No. 7 of 2009).

PART 2
AMENDMENT TO MEETING PROCEDURE LOCAL LAW

8. Amendment to Clause 21

(1) Delete clause 21(1) of the **Principal Local Law** and substitute:

- “(1) (a) A **notice of motion** must be **in writing**, signed by two (2) **Councillors** and lodged with the **Chief Executive Officer** by midday five (5) clear days before the date of the **meeting** nominated in the **notice of motion**.
- (b) Any **notice of motion** received after the time specified in paragraph (a) must, unless withdrawn **in writing**, be included on the next appropriate meeting **agenda**.
- (c) A **notice of motion** may be withdrawn at any time prior to the scheduled **meeting** at which the **notice of motion** is proposed.”

(2) Delete clause 21(2) of the **Principal Local Law** and substitute:

- “(2) (a) The **Chief Executive Officer** must arrange for every **notice of motion** received by him or her to be numbered and endorsed with the date and time of it being received, and for it to be kept or entered, in the order received, in a register of **notices of motion**.
- (b) Unless the **notice of motion** nominates a specific meeting date, the **Chief Executive Officer** must list the **notice of motion** (and if more than one, in the order they were received) on the next appropriate meeting **agenda**.”

(3) In the **Principal Local Law**, immediately after clause 21(4)(a) but before the heading to clause 22 insert:

- “(b) Any **notice of motion** may be amended and the mover and seconder may accept a proposed amendment and the mover may amend the motion prior to it being seconded.”

9. Amendment to Clause 22

(1) Delete the heading to clause 22 of the **Principal Local Law** and substitute:

“Motions to Rescind or Alter a Previous Resolution”.

(2) Delete clause 22(1) of the **Principal Local Law** and substitute:

- “(1) A **Councillor** may propose a **notice of motion** to rescind or alter a previous resolution provided:
- (a) the notice has been signed by three (3) **Councillors** and dated;

- (b) the resolution proposed to be rescinded or altered has not been acted on; and
 - (c) the **notice of motion** to rescind or alter a previous resolution is delivered, **in writing**, to the **Chief Executive Officer** no later than 5.00pm on the second working day following the meeting of **the Council** at which the resolution proposed to be rescinded or altered was made.”
- (3) Delete clause 22(3)(b) of the **Principal Local Law** and substitute:
 - “(b) is the subject of a **notice of motion** to rescind or alter a previous resolution which has been delivered to the **Chief Executive Officer** in accordance with sub-clause (1)(c),”
- (4) Delete clause 22(4) of the **Principal Local Law** and substitute:
 - “(4) If a **notice of motion** to rescind or alter a previous resolution is lost, a similar motion may not be put before **Council** for at least 3 months from the date it was last lost, unless **Council** resolves that the notice of motion be re-listed at a future **meeting**.”
- (5) Delete clause 22(5) of the **Principal Local Law** and substitute:
 - “(5) If a **notice of motion** to rescind or alter a previous resolution is not moved at the **meeting** at which it is listed, it lapses.”
- (6) Delete clause 22(6) of the **Principal Local Law** and substitute:
 - “(6) A **notice of motion** to rescind or alter a previous resolution listed on an **agenda** may be moved by any **Councillor** present but may not be amended.”

10. Amendment to Clause 28

Delete the heading to and text of clause 28 of the **Principal Local Law** and substitute:

“Formal/Procedural Motions

- 28. The form and effect of and procedure with respect to formal/procedural motions is set out in **Schedule 1**.”

11. Amendment to Clause 32

Delete the heading to clause 32 of the **Principal Local Law** and substitute:

“Casting Vote by the Chairperson”

12. Amendment to Clause 33

Delete the heading to and text of clause 33 of the **Principal Local Law** and substitute:

“Voting

- 33. (1) All voting on matters is by show of hands.

- (2) Where a **member** intends to abstain from voting on a matter the **member** must indicate to the **Chairperson** that he/she is abstaining from voting immediately before the vote is taken."

13. Amendment to Clause 34

Delete clause 34(4) of the **Principal Local Law** and substitute:

- "(4) When a **division** has been called, the **Chairperson** must ask **members** voting in the affirmative to stand, and then announce the names of those **members**. The **Chairperson** must then ask for those voting in the negative to stand and then announce the names of those **members**. The **Chairperson** must then ask for those abstaining from voting to stand and then announce the names of those **members**. The name of **members** voting in the affirmative and in the negative and members abstaining from voting must be recorded in the **minutes** of the **meeting**."

14. Amendment to Clause 41

- (1) Delete clause 41(7)(c) of the **Principal Local Law** and substitute:

- "(c) if there is more than one candidate, the **Councillors** present at the meeting vote for one of the candidates;"

- (2) Delete clause 41(7)(e) of the **Principal Local Law** and substitute:

- "(e) in the event that no candidate receives an absolute majority of the votes, the candidate with the fewest number of votes is declared to be a defeated candidate. The **Councillors** present at the **meeting** then vote for one of the remaining candidates;"

- (3) Delete clause 41(7)(h)(iii) of the **Principal Local Law** and substitute:

- "(iii) as many identical pieces of paper as there are **Councillors** who received an equal lowest number of votes must be placed in a receptacle. The word "Defeated" shall be written on one of the pieces of paper, and the **Councillor** who draws the paper with the word "Defeated" written on it must be declared a defeated candidate. The **Councillors** present at the **meeting** then vote for one of the remaining candidates."

15. Amendment to Clause 46

Delete the heading to clause 46 of the **Principal Local Law** and substitute:

"Role of the Chairperson"

16. Amendment to Schedule 1

- (1) In the heading to Schedule 1 to the **Principal Local Law**, immediately after the word "FORMAL" but before the word "MOTIONS" insert "/PROCEDURAL".

- (2) In the header row of the table in Schedule 1 to the **Principal Local Law**, immediately after the word “FORMAL” but before the word “MOTION” insert “PROCEDURAL”.