



# **Policy and Legislation Committee Agenda**

***27 January 2021***

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

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**CITY OF BUSSELTON**

**MEETING NOTICE AND AGENDA – 27 JANUARY 2021**

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**TO: THE MAYOR AND COUNCILLORS**

**NOTICE** is given that a meeting of the Policy and Legislation Committee will be held in the Committee Room, Administration Building, Southern Drive, Busselton on Wednesday, 27 January 2021, commencing at 11.00am.

The attendance of Committee Members is respectfully requested.

**DISCLAIMER**

Statements or decisions made at Committee meetings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Committee meeting.



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**MIKE ARCHER**

**CHIEF EXECUTIVE OFFICER**

21 January 2021

CITY OF BUSSELTON

AGENDA FOR THE POLICY AND LEGISLATION COMMITTEE MEETING TO BE HELD ON 27 JANUARY 2021

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1. **DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

2. **ATTENDANCE**

**Apologies**

3. **PUBLIC QUESTION TIME**

4. **DISCLOSURE OF INTERESTS**

5. **CONFIRMATION AND RECEIPT OF MINUTES**

5.1 **Minutes of the Policy and Legislation Committee Meeting held 9 December 2020**

**RECOMMENDATION**

**That the Minutes of the Policy and Legislation Committee Meeting held 9 December 2020 be confirmed as a true and correct record.**

**6. REPORTS**

Nil

## 7. GENERAL DISCUSSION ITEMS

### 7.1 STANDING ORDERS AND MEETING PROCESSES

In an effort to continuously improve Council decision making processes, Governance Services have undertaken a review of Council meeting process against the City's Standing Orders. The following matters have been identified for discussion, in order to provide clarity and / or propose potential changes to meeting processes:

- Clause 10.8 with respect to amending a motion:

*The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.*

Officers seek to clarify the application of this clause in instances where a member wishes to amend a motion.

- Clause 10.15 with respect to the effect of an amendment:

*If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and a further amendment may be moved, subject to the limitation on the number of amendments in clause 10.9.*

The effect of the above is that the original motion is automatically amended by the amendment and becomes the substantive, with the same mover and seconder.

This is supported by the definition of a substantive motion as:

*an original or an original motion as amended but does not include an amendment or a procedural motion.*

Officers wish to discuss and clarify the application of this clause when an amendment is carried.

- Moving of amendments versus alternative motions:

Clause 5.10 (5) requires, as far as practicable, a member who wishes to move a motion that is different to the recommendation in a matter that would otherwise be in the adoption by exception resolution, to give notice of the motion by 3pm on the day before the meeting.

We call this 'pulling an item' and we then move the item into an items for debate sheet.

With respect to **alternative motions** clause 10.18 (6) states:

*Where a member has identified an item for exclusion from the adoption by exception resolution under clause 5.10(5), and includes a motion that is different to the employee recommendation, that motion is taken to be a foreshadowed Alternative Motion and is to be the substantive motion that if first considered by Council.*

Note that this does not apply to Committee Recommendations. Under the Standing Orders, they are moved first.

An alternative motion is defined at clause 10.18(1):

*An alternative substantive motion that negates the terms and intent of a substantive motion that is being considered, or is to be considered, by the Council*

With respect to an **amendment**, clause 10.11 of the Standing Orders states that:

*An amendment must add, delete, or substitute words to the substantive motion*

Further, clause 10.12 states:

*An amendment to a substantive motion cannot negate the original intent of the original motion*

The Standing Orders also states that:

- a member may move an amendment to a motion during debate;
- no more than three amendments may be proposed to a substantive motion unless the presiding member determines that further amendments are permitted;
- where an amendment is moved to a substantive motion, a second or subsequent amendment is not to be moved until the first has been withdrawn, carried or lost.

In light of the above, officers wish to discuss the current process of foreshadowing and moving amendments.

Officers also wish to clarify the difference between an amendment and an alternative motion.

7.2 LOCAL LAW REVIEW PROGRAMME

Officers will brief the Committee in relation to the local laws scheduled for review commencing 2021.



8. **NEXT MEETING DATE**

9. **CLOSURE**