LG301

LOCAL GOVERNMENT ACT 1995

City of Gosnells

STANDING ORDERS AMENDMENT LOCAL LAW 2021

Under the powers conferred by the Local Government Act 1995, and under all other powers enabling it, the Council of the City of Gosnells resolved on 8 June 2021 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation
This local law is the City of Gosnells Standing Orders Amendment Local Law 2021.

1.2 Commencement
This local law comes into operation 14 days after the date of its publication in the Government Gazette.

1.3 Principal local law amended
This local law amends the City of Gosnells Standing Orders Local Law 2016.

PART 2—AMENDMENT

2.1 City of Gosnells Standing Orders Local Law 2016 amended.
This local law amends the City of Gosnells Standing Orders Local Law 2016 as published in the Government Gazette on 1 December 2016.

2.2 Clause 4.8 amended
Insert a new clause (6) as follows—

(6) Where Council has made a decision on a matter raised through a petition, a further petition dealing with the same, or in the opinion of the CEO substantially the same, matter cannot be presented to Council within a period of 12 months from the date of the Council decision.

2.3 Clause 10.8 amended
(1) In clause 10.8(1) delete the words “primary motion” and replace with the words “substantive motion or an amendment”.
(2) Delete clause 10.8(2).
(3) Renumber clause (3) to (2).

2.4 Part 10 amended
(1) In the heading for Part 10, after the words “Procedural motions” insert the words “and motions concerning behaviour under the Code of Conduct”.
(2) Insert a new clause 10.11 as follows—

10.11 Motions concerning behaviour under the Code of Conduct
(1) A motion concerning a complaint about a breach of the Code of Conduct shall—
   a. be moved by the Councillor who made the complaint; or
   b. if the complaint was made by a person who is not a Councillor, moved by any Councillor.
(2) If a motion moved under sub-clause (1) lapses for want of a mover or seconder, the complaint is taken to have been dismissed.
(3) There is to be no debate on a motion moved and seconded under sub-clause (1).
(4) A motion moved and seconded under sub-clause (1) cannot be amended.
(5) If a motion under sub-clause (1) is moved and seconded then lost, the complaint is taken to have been dismissed.
(6) If the motion moved and seconded under sub-clause (1) is carried, the Councillor who moved the motion shall then move a motion in relation to whether further action is warranted and, if so, what action.
(7) If a motion moved under sub-clause (6) lapses for want of a seconder, Council is taken to have determined that no further action is warranted in respect of the breach and no further motion may be moved.
(8) If a motion moved under sub-clause (6) is seconded, subject to sub-clause (10), there is to be no debate on the motion.
(9) A motion moved and seconded under sub-clause (6) cannot be amended other than to address comments made under sub-clause (10).
(10) If a motion moved under sub-clause (6) is seconded, the Councillor found to have breached the Code is to be provided with the opportunity to comment on the proposed action.
(11) Any comment made by a Councillor under sub-clause (10) is to be limited to whether or not they view the proposed action as acceptable.
(12) If a motion moved under sub-clause (6) is lost, Council is taken to have determined that no further action is warranted in respect of the breach and no further motion may be moved.


The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

DAVID GOODE, JP, Mayor.
IAN COWIE, PSM, Chief Executive Officer.