

Governance Rules

Summary of Changes

February 2023



TIS: 131450 (Translating and Interpreting Service) المترجم الفوري 翻译 مترجم شفاهى བཤམ་གྱི་མཁའ་མཛོད་འཕྲིན་

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*Please note other administrative changes have been made throughout the Governance Rules i.e., italicising definition words, formatting and renumbering.

Introduction	Proposed Change
4: Definitions	<ul style="list-style-type: none"> Inserted a new definition on informal meetings.
Chapter 1: Roles and Powers	Proposed Change
Entire Chapter	<ul style="list-style-type: none"> Removed the entire Chapter as the following information is contained in the Councillor Code of Conduct: <ul style="list-style-type: none"> Role of the Chief Executive Officer Role of a Council Role and Powers of the Mayor Role of the Deputy Mayor Intending to reference the following in the Councillor Code of Conduct when it is reviewed in 2024. <ul style="list-style-type: none"> Roles and Working Relationships Role of a Director *this was provided in the induction material Role of the Executive Leadership Team *this was provided in the induction material Role of the Audit and Risk Committee
Chapter 3: Election of Mayor and Deputy Mayor	Proposed Change
3: Election of the Mayor	<ul style="list-style-type: none"> Inserted additional wording to reflect that the election of the Mayor would occur at a Special Council Meeting in accordance with the Local Government Act 2020.
Chapter 4: Council Meeting Procedure	Proposed Change
16: Notice of Meeting New Rule (previously under Rule 25)	<ul style="list-style-type: none"> Inserted a new section to outline the process that must be followed for a notice of meeting Provided clarity that the notice of meetings would be published on Council’s website, social media platforms and the newspaper.
18: Calling Unscheduled	<ul style="list-style-type: none"> Inserted the words “Unscheduled” and/or “Special”

Chapter 4: Council Meeting Procedure		Proposed Change
Council Meetings (previously Rule 27)		
19: Adjourned Meetings (previously Rule 28)		<ul style="list-style-type: none"> Removed the previous Rule 28.1 as it is covered under 19.1
20: Meeting cancellation or postponement (previously Rule 29)		<ul style="list-style-type: none"> Removed previous Rule 29.3, as it is a duplicate of Rule 20.2
21: Delivery and Circulation of Agendas and notices (previously Rule 30)		<ul style="list-style-type: none"> Incorporated Rules 21.1 and 21.2. Removed previous Rule 30.1, as papers are now distributed electronically and therefore Rule 30.1 is no longer required.
34: Apologies and Absences		<ul style="list-style-type: none"> Removed Rule 34.9 as this is covered under the Local Government Act 2020 Removed the rest of the Rules as the Councillor Code of Conduct requires a Councillor to seek leave of absence through a Council meeting.
26: Time Limits for Meetings (previously Rule 36)		<ul style="list-style-type: none"> Removed the previous Rules 36.2, 36.5 and 36.7 as they were either a duplicate of an existing Rule and/or have been incorporated into the Rules within this section.
27: Council Meeting Quorum (previously Rule 37)		<ul style="list-style-type: none"> Removed previously Rule 37.1 as it is not required to be included in the Governance Rules
28: Inability to Maintain a Quorum (previously Rule 38)		<ul style="list-style-type: none"> Amended Rule 28.1 and removed previous Rule 38.2, as this is a duplicate of an existing Rule. Updated Rule 28.2 to make it clear on the options that Council may consider if a quorum cannot be maintained.
29: Agenda (previously Rule 39)		<ul style="list-style-type: none"> Amended Rule 29.1 to reflect that the Agenda should be determined in conjunction with the Mayor. Inserted a new Rule, 29.6, in relation to urgent business. Inserted a new Rule, 29.7, for late reports. In response to community feedback, provided clarity on the time limitations. Have inserted wording “by no later than 10am on the day of the <i>Council Meeting</i>”.

Chapter 4: Council Meeting Procedure

Proposed Change

30: Notice of Motion (previously Rule 40)	<ul style="list-style-type: none">In response to community feedback, updated the Rule regarding the grounds a Notice of Motion can be rejected. Previous Rules 40.6.3, 40.6.4, 40.6.5 and 40.6.6 have been removed as these matters can only be considered through a Council resolution. It has already been addressed in Rule 30.16 which requires a Notice of Motion to call for a Council report in relation to those matters and others.
32: Introducing a Report (previously Rule 42)	<ul style="list-style-type: none">Inserted a new Rule, Rule 32.2, to confirm that members of Council staff are not required to read the written report in full, unless Council resolves otherwise.
33: Moving a motion (previously Rule 43)	<ul style="list-style-type: none">Inserted a new Rule, Rule 33.7, on separation of motions.Removed the wording “and once on any Amendment” from Rule 33.8, as this is reflected in Rule 36.4.2.
35: Right of Reply (previously Rule 45)	<ul style="list-style-type: none">Inserted a new Rule to confirm that the mover of an amendment does not have the right of reply.
36: Moving an Amendment (previously Rule 46)	<ul style="list-style-type: none">Amended the Rules within this section to provide greater clarity on the process of moving an amendment.
38: Repeating Motion and/or Amendment New Rule	<ul style="list-style-type: none">Inserted a new Rule to allow for the Chair to request the minute taker to read the motion or amendment before the vote is taken.
52: Formal Motions	<ul style="list-style-type: none">Section removed as this is not required
46: Speaking Times (previously Rule 56 and titled <i>Time limits for Motions</i>)	<ul style="list-style-type: none">Removed former Rule 56.5 and incorporated this into Rule 46.4.
48: Procedural Motions (previously Rule 58)	<ul style="list-style-type: none">Inserted a new Rule to note that procedural motions have precedence on substantive motions and amendments.
48: Procedural Motion table	<ul style="list-style-type: none">Inserted a new procedural motion regarding the adjournment of a meeting for 10 minute breakAmended the other three motions to reflect that the motion cannot be moved by the Chair.

Chapter 4: Council Meeting Procedure	Proposed Change
54: Valid Points of Order (previously Rule 67)	<ul style="list-style-type: none"> Moved to the beginning of Division 7: Points of Order Updated to reflect the different points of order
55: Chair to Decide (previously Rule 64)	<ul style="list-style-type: none"> Updated the Rules in this section to reflect the process on how the Chair will decide on Points of Orders
Previous Rule 67: Procedure for Point of Order	<ul style="list-style-type: none"> Remove this Rule as it is reflected in 54.2
57: Effect of Ruling New Rule	<ul style="list-style-type: none"> Inserted a new Rule to reflect the process for a rule that is voted in favour or against the Point of Order.
58: Dissent from Chair's Ruling New Rule	<ul style="list-style-type: none"> Inserted new Rules around the dissent from Chair's ruling.
59: Petitions (previously Rules 68 to 73)	<ul style="list-style-type: none"> Amended most of the Rules within this section as details in some of the sub-Rules will be made publicly available on the Council website. In response to community feedback, inserted a new Rule 59.3 so an e-Petition is treated in the same manner as a written petition. In response to community feedback, provided clarity as to whether the formal objection is one objection from all of those who sign it or an objection for each signature.
62: Public question time (previously Rules 74 to 77)	<ul style="list-style-type: none"> Amended most of the Rules within this section to make the process clear Inserted a new Rule 61.4, to enable a person to provide the best method of contact in relation to a public question so a copy of the response could be provided.
65: Voting Method (previously Rule 81)	<ul style="list-style-type: none"> In response to community feedback, amended Rule 84.4 to include the Deputy Mayor.
70: Minutes approval	<ul style="list-style-type: none"> Amended 69.4 to note that a resolution of Council must confirm the minutes in their original or amended form Inserted a new Rule, 69.5, to note that the Minutes would be made available on the website within 2 business days of the Council Meeting they relate to. Inserted a new Rule, 69.7, to note that the Minutes are to

Chapter 4: Council Meeting Procedure		Proposed Change
		be stored on Council's EDMS (electronic document management system) in accordance with the <i>Public Records of Victoria Act 1973 (Vic)</i> .
Previous Rule 88: Minutes Availability		<ul style="list-style-type: none"> Removed this entire Rule as it is a repeat of Rule 70: Minutes approval
74: Chair may adjourn disorderly meeting		<ul style="list-style-type: none"> Added the words "as the <i>Chair</i> thinks proper" to the Rule as it is at the discretion of the Chair to determine when the meeting should be adjourned to.
Chapter 7: Disclosure of Conflict of Interest Procedure		Proposed Change
87: Introduction (previously Rule 104)		<ul style="list-style-type: none"> Amended the Introduction to reflect the current provisions under the <i>Local Government Act 2020</i>.
88: Disclosure of a Conflict of Interest at a Meeting (previously Rule 105)		<ul style="list-style-type: none"> Amended Rule 88.1 so it includes the type of conflict of interest i.e., ensures that the Councillor discloses whether it is a material or general conflict of interest.
89: Disclosure of a Conflict of Interest at a Community Asset Committee Meeting (previously Rule 106)		<ul style="list-style-type: none"> Amended Rule 89.1 so it includes the type of conflict of interest i.e., ensures that the Councillor discloses whether it is a material or general conflict of interest.
90: Disclosure of a Meeting Conducted under the Auspices of Council (previously Rule 107)		<ul style="list-style-type: none"> Amended Rule 90.1 so it includes the type of conflict of interest i.e., ensures that the Councillor discloses whether it is a material or general conflict of interest.
92: Disclose of Conflict of Interest by Members of Council Staff in the Exercise of a Delegated Power (previously Rule 109)		<ul style="list-style-type: none"> Amended Rule 92.1 so it includes the type of conflict of interest i.e., ensures that the Councillor discloses whether it is a material or general conflict of interest.
93: Disclosure by a Member of Council Staff in the Exercise of a Statutory Function		<ul style="list-style-type: none"> Amended Rule 93.1 so it includes the type of conflict of interest i.e., ensures that the Councillor discloses whether it is a material or general conflict of interest.

(previously Rule 110)

Chapter 8: Election Period Policy	Proposed Change
96: Published material (previously Rule 113)	<ul style="list-style-type: none">• Replaced the word ‘publications’ with ‘communications material’ in Rules 96.2 and 96.3)• Removed the words ‘and books’ in Rule 96.3.1• Inserted ‘advertorials’ in Rule 96.3.3• Replaced the word ‘publications’ with ‘content’ in Rule 96.3.8
100: Social Media (previously Rule 117)	<ul style="list-style-type: none">• Replaced the word ‘publication’ with ‘post’ in Rule 100.1 and inserted Instagram and LinkedIn.
101: Media Releases & Advice (previously Rule 118)	<ul style="list-style-type: none">• Amended the Rules to reflect local, state and/or federal election
103: Attendance at functions and events (previously Rule 120)	<ul style="list-style-type: none">• Amended Rule 103.1 to reflect local, state and/or federal election
105: Council branding (previously Rule 122)	<ul style="list-style-type: none">• Removed the words ‘or social media brand’ as this is the same as Council’s logo.
107: Councillor candidates commenting on Council issues (previously Rule 129)	<ul style="list-style-type: none">• Moved this so it follows <i>Candidate’s access to information</i>
Previous Rule 127: Functions and Events	<ul style="list-style-type: none">• Deleted this Rule as it has been incorporated into another section of the Rules
Previous Rule 128: Media Advice and Releases	<ul style="list-style-type: none">• Delete the Rule as it has been incorporated into another section of the Rules