Attachment - Table of amendments

General things amended include; numbering, dates, removal of gender references, grammatical updates,

Current General Rule – Meeting Procedure	Proposed Draft General Rule – Meeting Procedure
Part 2 – Conduct of Meetings 6.1 Date, time and place of meetings The dates, times and places of Council Meetings are within the discretion of Council. Council may, by resolution, at a Meeting alter the day and time upon which any Meeting shall be held. A Meeting must start within 30 minutes of the advertised start time. A Meeting may not continue after 10.30pm unless a Majority of Councillors present vote in favour of its continuance. In the absence of such continuance, a Meeting must stand adjourned to a time, date and place announced by the Chairperson immediately before the standing Meeting is adjourned. 6.2 Notice of Meeting The Chief Executive Officer must give notice including on Council's website of the date, time and place of a meeting giving adequate time for members of the municipal community to make arrangements to attend the meeting or view the meeting via the livestream unless urgent or extraordinary circumstances prevent compliance with this clause. The Chief Executive Officer must ensure that the agenda for any	 6. Conduct of meetings 6.1 Council meeting format Subject to this Governance Rule, Council and delegated committee meetings may be held: a) in person, that is, where Councillors and other attendees are physically present in the Council Chamber. b) In hybrid form, that is, where Councillors and other attendees are physically in the Council Chamber, with one Councillor or attendee(s) joining and participating using an electronic means of communication, namely a video conferencing system or any other venue as resolved by Council. c) fully remotely, that is, where all the Councillors and other attendees join using a video conferencing system. 6.2 Determination of meeting format Council meetings will be conducted in person except as provided in Part 5. Council may, by resolution, determine that a specific meeting or meetings will be conducted: a) in person
Meeting is provided to every Councillor or delegated committee member with adequate time for Councillors or members to prepare adequately for the meeting. 6.3 Attendance at meetings	b) by electronic means of communication.6.3 Meetings conducted in person
In accordance with section 66(1) of the Act, all Meetings of Council	·
must be open to members of the public unless section 66(2) of the Act applies.	At meetings conducted in person, a Councillor must physically attend the meeting unless their request to participate by electronic means of communication has been granted in accordance with clause 74.
Council may resolve, in accordance with section 66(2) of the Act, that its Meeting be closed to members of the public because:	
a) the meeting is to consider confidential information; or	
b) security reasons; or	

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it is necessary to do so to enable the meeting to proceed in an orderly manner.	
 6.4 Business to be transacted No business shall be transacted at a Council Meeting unless it appears on the agenda. Notwithstanding the above, an item of business which has: a) been referred to Council by a delegated committee which has met since the agenda was prepared; or b) arisen since the preparation of the agenda, and is of such importance that deliberation by Council cannot be delayed, may be considered by Council only if admitted in accordance with the provisions of clause 57 – Urgent Business. 	
Additional point in Clause 8.2 (g)	g) The Chairperson may defer an item of business in respect of which there is, or is likely to be, a disclosure of a conflict of interest by one or more Councillors and/or absence that will cause a quorum to be lost, and direct the Chief Executive Officer to include that item of business on an Agenda for a future Meeting. This does not require a resolution of Council.
Additional point in Clause 16. e)	e) record movers and seconders;
Inclusion of a paragraph in Clause 22. Presentations	Presentations may also include an acknowledgement of the passing of prominent community members.
Time frames of Clause 23 Petitions extended	
One week	10 business days
23. Public Question Time	24. Public Question Time
There shall be a public question time at every Council Meeting to enable members of the public to address questions to Council. Questions may be delivered to the Civic Centre or submitted electronically through Council's website. All such questions must be received by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer no later than 5pm on the day prior to the advertised date of the Council Meeting. Questions are limited to a maximum of two questions per individual. Questioners are expected to disclose any personal or professional	There shall be a public question time at every Council Meeting to enable members of the public to submit questions to Council. Procedures which allow for public questions to be asked at a Council Meeting are available on Council's website. Public Question Time will not be held during: a) Any period when a meeting is closed to the public in accordance with section 66 of the Act or b) A Local Government election or caretaker period as defined in Council's election period policy.

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interests in the subject matter of their questions on the question forms available at the Civic Centre or on Council's website.

All such questions must be received in writing and must include the name of the person asking the question. Where there are more than two questions received from any person, the Chief Executive Officer will determine the two questions to be read and answered at the meeting.

A question will only be read to the meeting if the Chairperson and/or Chief Executive Officer has determined that the question:

- a) is a question and not a statement or opinion;
- b) is not indecent, abusive or objectionable in language or obscene;
- is not repeating a question already answered whether at the same or an earlier meeting;
- d) is not, in the opinion of the Chairperson or Chief Executive Officer, asked to embarrass a Councillor or an officer; and
- does not relate to a matter which the Council has discussed in camera or proposes to discuss after closing the meeting to members of the public in accordance with section 66(2) of the Act.

The procedure and sequence for dealing with a question is that the Chairperson:

- f) shall name the questioner and enquire if they are present in the gallery;
- g) shall read out the question provided the questioner is present; and
- h) may answer the question or direct the question as he/she deems appropriate.

Questions must be answered, taken on notice or disallowed. All questions and answers shall be as brief as possible.

Question time shall be limited to a period of up to 30 minutes.

Council will allocate a reasonable time to each person who wishes to address a question to Council having regard to:

- i) the nature of the matter to be discussed;
- j) the priorities in relation to other Council business;
- k) other members of the community present who also wish to address a question to Council, and

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Public Question Time will not exceed 30 minutes in duration unless extended by resolution of Council through a procedural motion, in which case it may only extended for one period of up to 30 minutes.

Questions must be answered, taken on notice or disallowed. All questions and answers shall be as brief as possible.

Council will allocate a reasonable time to each person who wishes to address a question to Council having regard to:

- c) the nature of the matter to be discussed;
- d) the priorities in relation to other Council business; and
- e) the overall time limit for question time.

24.1 Lodging a Question

All questions must be received by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer no later than 11:59pm two days prior to the advertised date of the Council Meeting.

Questions are limited to a maximum of two questions per individual with no subparts. Questioners are expected to disclose any personal or professional interests in the subject matter of their questions on the question forms available at the Civic Centre or on Council's website.

All questions must be received in writing and must include the name of the person asking the question. Where more than two questions are received from any person, only the first two questions will be read at the meeting.

24.2 Questions not permitted

The Chairperson and/or the Chief Executive Officer may at their discretion, refuse to accept a question if the question:

- a) is not a question and a statement or opinion;
- b) relates to a matter outside the duties, functions or powers of Council;
- c) is indecent, abusive or objectionable in language or obscene;
- d) is repetitive or deals with a subject matter already answered at the same or an earlier meeting;
- e) is in the opinion of the Chairperson or Chief Executive Officer, asked to embarrass a Councillor or an officer;
- relates to the personal views or actions of an individual Councillor or Officer;

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the overall time limit for question time.	g) is considered trivial or vexatious or it is more appropriate to direct to officers of the Shire during normal business hours;
	h) relates to a matter that is the subject of negotiation, litigation or commercial interest/advantage; or
	 relates to a matter which the Council has discussed in camera or proposes to discuss after closing the meeting to members of the public in accordance with section 66(2) of the Act.
	24.3 Asking a Question
	 a) The procedure and sequence for dealing with a question is that the Chairperson:
	shall name the questioner;
	shall read out the question; and
	 may answer the question or direct the question as they deem appropriate.
	 b) If a person submitting a question is not in attendance during Public Question Time, their question(s) may be read out and a response provided at the meeting.
	 The Chairperson may elect to answer the question themselves or request the Chief Executive Officer to read and respond to a question.
Inclusion of paragraphs in clause 26. Other public submissions.	Persons wishing to address the Committee must lodge their request in writing, identifying the item on the agenda about which they wish to address the Committee and provide their name and contact details no later than 5pm the day prior to the advertised date of the Committee Meeting. Procedures which allow for public submissions at a Committee Meeting are available on Council's website. The Council or the Committee may ask questions of clarification relating to
	the submission of the person authorised to address Council or the Committee.
Removal of paragraphs in clause 26. Other public submissions	
Requests can be made by:	
Completing the online form; or	
 Contacting the Governance team on 9433 3718 or 9433 3271 or by email to governance@nillumbik.vic.gov.au. 	

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No person is permitted to speak on behalf of an absent submitter, or group, organisation or company unless he/she is authorised in writing by the absent submitter or by an authorised officer of the group, organisation or company to address Council or the Committee on their behalf, such document to be tabled by the speaker.	
26. Addressing the Meeting	27. Addressing the Meeting
Except for the Chairperson, any Councillor or person who addresses the meeting must direct all remarks through the Chair. Any person addressing the Chair must refer to the Chairperson as: a) Mayor; or	A Councillor or any other person who addresses a Meeting must do so in a courteous and respectful manner and must take direction from the Chairperson whenever called on to do so. Except for the Chairperson, any Councillor or person who addresses the
b) Mr Mayor; or	meeting must direct all remarks through the Chair.
c) Madam Mayor; or	Any person addressing the Chair must refer to the Chairperson as:
d) Chair; or	g) Mayor; or
e) Mr Chairperson; or	h) Chair; or
f) Madam Chairperson	i) Chairperson;
- as appropriate.	- as appropriate.
Councillors and members of Council staff in speaking must address each other by their titles of Councillor or officer as the case may be.	Councillors and members of Council staff in speaking must address each other by their titles of Councillor or officer as the case may be.
	Any member of the public attending a Meeting must not:
	 a. utter any offensive, indecent, insulting or objectionable item or words, including words that are racist, sexist or homophobic, or interject or gesticulate offensively in the Council Chamber;
	b. display any placards or posters in the Council Chamber or in any building where a Meeting is being or is about to be held that give rise to a risk to the health and safety of persons in the Council Chamber or building where the Meeting is being held.
	c. display any offensive, indecent, insulting or objectionable item or words, including words that are racist, sexist or homophobic, in the Council Chamber; or
	 d. obstruct the entrance to the Council Chamber or a building where a Meeting is being, or is about to be, held.
	The Chairperson may order and cause the removal of any placard or poster that is deemed by the Chairperson to be contrary to any of the above or is objectionable, disrespectful or otherwise inappropriate.

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	Silence must be preserved by the gallery (other than by a person in the gallery who is invited to address the Meeting) at all times during a Meeting. If any member of the public engages in conduct that is improper or disorderly, the Chairperson may direct that person to cease their conduct and the person must comply with that direction. (Also refer to clause 67).
37. Debate from the Chair	38. Debate from the Chair
The Chairperson should seek to refrain from debate on motions. The Chairperson may however choose to exercise a right to speak in favour of or against a motion and where this is the case, the Chairperson must advise the Council of their intention and stand while speaking to the	The Chairperson should seek to refrain from debate on motions. The Chairperson may however choose to exercise a right to speak in favour of or against a motion and where this is the case, the Chairperson must advise the Council of their intention.
matter under discussion. Where the Chairperson wishes to move or second a motion, they must temporarily vacate the Chair before the motion is considered by Council. A temporary Chairperson must be elected in the same manner as the second temporary chairperson is elected in accordance with Governance Rule – Election of Mayor and Deputy Mayor Clause 1.1.	Where the Chairperson wishes to move or second a motion, they must temporarily vacate the Chair before the motion is considered by Council. The Deputy Mayor assumes the role of the Chairperson. If the Deputy Mayor is absent or unable to assume the Chair, a temporary Chairperson must be elected in the same manner as the second temporary chairperson is elected in accordance with Governance Rule – Election of Mayor and Deputy Mayor Clause 1.1.
Including following paragraph in clause 50. Points of order	Expressing a difference of opinion or contradicting a speaker does not constitute a point of order.
Adding additional procedural motion to the table in Clause 53.	9. Extending Public Question Time
55. Notices of motion	55. Notices of motion
Subject to clause 6.4 of this Rule, a Councillor may move a motion if notice of such motion has been given in accordance with this Rule.	Subject to subclause 7.4 of this Rule, a Councillor may move a motion if notice of such motion has been given in accordance with this Rule.
A Notice of Motion must be lodged with the Chief Executive Officer in writing by 12 noon one week prior to the Council Meeting at which it is to be considered. Any Notice of Motion received after that time must, be included on the agenda for the following Council Meeting, unless withdrawn in writing.	A Notice of Motion must be lodged with the Chief Executive Officer in writing by 12 noon 10 business days prior to the Council Meeting at which it is to be considered to ensure inclusion in the Agenda. Any Notice of Motion received after that time must, be included on the agenda for the following Council Meeting, unless withdrawn in writing.
A Councillor may also give a Notice of Motion at a Council Meeting in which case, the item will be listed at the next following Meeting of	A Councillor may also give a Notice of Motion at a Council Meeting in which case, the item will be listed at the next following Meeting of Council.
Council. The full text of the proposed motion must be included on the agenda. No	The full text of the proposed motion must be included on the agenda. No other explanatory information will be included on the agenda.
other explanatory information will be included on the agenda.	A Notice of Motion must relate to the role of Council as outlined in the Act.
The Chief Executive Officer may reject a Notice of Motion if he or she is of the opinion that it is:	A Notice of Motion must call for a Council report if the Notice of Motion proposes any action that:

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- a) defamatory;
- b) objectionable in language or nature;
- c) vague or unclear in intention;
- d) is identical or substantially similar to a Notice of Motion or other motion that has been considered by Council in the preceding two (2) months;
- e) may be prejudicial to any person or Council;
- f) can be addressed through the operational service request process;
- g) outside the powers of Council.

If the Chief Executive Officer rejects a Notice of Motion under this clause the Chief Executive Officer must:

- h) Give the Councillor who lodged it an opportunity to amend it, if practical to do so; and
- If the Notice of Motion cannot be amended to the satisfaction of the Chief Executive Officer, notify the Councillor who lodged it that it will be rejected and explain the reasons for the rejection.
- j) The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion Register in the order in which they are received.

Except by leave of the Council, each Notice of Motion before any meeting must be considered in the order in which it was entered in the Notice of Motion Register.

If a Councillor who has given a Notice of Motion:

- k) is absent from the meeting; or
- fails to move the motion when called upon by the Chairperson;

any other Councillor may move the motion.

If the motion is not moved and seconded then the Notice of Motion lapses. If a Notice of Motion is lost or lapses a similar motion may not be submitted for two (2) months from the date it was lost or lapsed.

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- a. affect the levels of Council service;
- b. be inconsistent with the strategic objectives of the Council as outlined in the Council Plan;
- c. commit Council to expenditure that is not included in the adopted Budget;
- d. propose to establish, amend or extend an adopted Council policy or position;
- e. commit Council to any contractual arrangement;
- f. concern any litigation in respect of which Council is a party; or
- g. impact on perceived procedural fairness to a person or entity which is the subject of a pending decision by Council.

The Chief Executive Officer must reject a Notice of Motion if they are of the opinion that it is:

- h. outside the powers of Council.
- i. possibly prejudicial to any person or Council;
- j. defamatory;
- k. objectionable in language or nature;
- vague or unclear in intention;
- is identical or substantially similar to a Notice of Motion or other motion that has been considered by Council in the preceding two (2) months;
- n. able to be addressed through the operational service request process; or
- o. relates to a matter that has already been acted upon.

If the Chief Executive Officer rejects a Notice of Motion under this clause the Chief Executive Officer must:

- p. give the Councillor who lodged it an opportunity to amend it, if practical to do so; and
- q. if the Notice of Motion cannot be amended to the satisfaction of the Chief Executive Officer, notify the Councillor who lodged it that it will be rejected and explain the reasons for the rejection.

The Chief Executive Officer may determine a Notice of Motion to be confidential in accordance with relevant grounds as contained in the Act, in which case, the Notice of Motion will be considered in the part of the relevant Council Meeting that is closed to members of the public.

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If a Councillor proposing a Notice of Motion wishes to amend the Notice of Motion he/she may do so by seeking leave of Council to amend the Notice of Motion prior to it being seconded.

Except where the Notice of Motion is to confirm a previous resolution of Council, the Notice of Motion may be amended by resolution of Council. If a Notice of Motion, whether amended or not, is lost, a similar motion cannot again be put before Council for a period of two calendar months from the date it was lost.

A preamble to a Notice of Motion is an explanatory statement that explains the purpose of the Notice of Motion. A Councillor lodging a Notice of Motion must ensure that the content of any preamble provided remains factual.

56. Urgent business

Business can only be admitted as urgent business by Resolution of the Meeting. A majority of Councillors present at a Council Meeting, or delegated committee meeting must vote in favour of admitting the item as urgent business.

Even if the required Councillors carry the motion, it still will not be accepted as urgent business unless it:

- a) relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- b) cannot be deferred until the next Meeting without having a negative impact on the Council, and the local community; and
- c) The Chief Executive Officer will advise the Chairperson of any matter that he or she determines to be appropriate for Council to consider admitting as urgent business.

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The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion Register in the order in which they are received.

Except by leave of the Council, each Notice of Motion before any meeting must be considered in the order in which it was entered in the Notice of Motion Register.

If a Councillor who has given a Notice of Motion:

- r. is absent from the meeting; or
- s. fails to move the motion when called upon by the Chairperson; any other Councillor may move the motion.

If the motion is not moved and seconded then the Notice of Motion lapses. If a Notice of Motion, is whether amended or not, is lost or lapses, a similar motion may not be submitted for two (2) calendar months from the date it was lost or lapsed.

If a Councillor proposing a Notice of Motion wishes to amend the Notice of Motion they may do so by seeking leave of Council to amend the Notice of Motion prior to it being seconded.

Except where the Notice of Motion is to confirm a previous resolution of Council, the Notice of Motion may be amended by resolution of Council.

A preamble to a Notice of Motion is an explanatory statement that explains the purpose of the Notice of Motion. A Councillor lodging a Notice of Motion must ensure that the content of any preamble provided remains factual.

57. Urgent business

Business can only be admitted as urgent business by Resolution of the Meeting. A majority of Councillors present at a Council Meeting, or delegated committee meeting must vote in favour of admitting the item as urgent business.

Even if the required Councillors carry the motion, it still will not be accepted as urgent business unless:

- it is proposed for admission by the Chief Executive Officer after consulting with the Mayor about the appropriateness for Council to consider admitting as urgent business;
- it relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- it cannot be deferred until the next Meeting without having a negative impact on the Council, and the local community.

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Inclusion of Clause 58. Delegates Report.	58. Delegates Report
	A Delegate's Report provides an opportunity for a Councillor to update the Council and provide advice or other information in relation to the activities of:
	An Advisory Committee;
	An interest group; or
	An external organisation
	to which the Councillor has been appointed by the Council as its delegate.
	If the Agenda for a Council meeting makes provision for Delegate's Reports, Councillors may submit a report by:
	 Tabling a brief written report for inclusion without attachments in the Agenda by 12 noon 10 business days prior the council meeting at which it is to be presented; or
	Providing an oral report to the meeting.
	The delegate has a period of up to three minutes to speak.
	The full text of any Delegate's Report tabled shall be included in the minutes of the meeting.
64. Removal from Chamber	65. Removal from Chamber
Under section 19 of the Act, the Mayor has the power to direct a Councillor, subject to any procedures or limitations in this Rule, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business.	Under section 19 of the Act, the Mayor has the power to direct a Councillor, subject to any procedures or limitations in this Rule, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business.
If a person (including a Councillor) does not leave the meeting when ordered to leave under clause 65 or clause 66, the Chairperson may request a member of Victoria Police to remove that person.	If a Councillor does not leave the meeting when ordered to leave under this clause or clause 66, the Chairperson may request a member of Victoria Police to remove that person if the meeting is in person or to remove them electronically if it is a full virtual meeting.
66. Gallery to be silent	67. Gallery to be silent
Visitors must not interject or take part in any debate or in any other way interrupt the business of the meeting.	Visitors must not interject or take part in any debate or in any other way interrupt the business of the meeting.
Members of the gallery must be silent at all times.	Members of the gallery must be silent at all times.

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If any visitor is called to order by the Chairperson and thereafter again acts in breach of this Rule, the Chairperson may order him or her to leave the gallery. A person must not refuse or neglect to leave a meeting when ordered to do so under this clause.	If any visitor is called to order by the Chairperson and thereafter again acts in breach of this Rule, the Chairperson may order them to leave the gallery and may request a member of Victoria Police to remove that person if the meeting is in person or to remove them electronically if it is a full virtual meeting. A person must not refuse or neglect to leave a meeting when ordered to do so under this clause.
Not currently written in the Governance Rule - Meeting Procedures	Part 5 – Physical and Remote Attendance
	73. Mode of Attendance
	Each notice of meeting must indicate whether the relevant Council meeting is to be conducted:
	wholly in person;
	wholly by electronic means; or
	partially in person and partially by electronic means.
	The indication in the notice of meeting must be consistent with any Resolution of Council that has expressed a preference for, or otherwise specified, when Council meetings are to be conducted:
	wholly in person;
	wholly by electronic means; or
	partially in person and partially by electronic means.
	Council may resolve to make certain meetings in person only.
	If a Council meeting is to be conducted wholly in person a Councillor may nonetheless request to attend by electronic means.
	If the Chief Executive Officer receives a request under rule 74 to participate in a meeting by electronic means of communication from two or more Councillors, the meeting must be conducted fully virtual.
	74 Request to participate in meeting by electronic means of communication by a Councillor
	Any notification to participate in a meeting by electronic means of communications must:
	be in writing;
	be given to the Chief Executive Officer no later than 10.00am on the day of the advertised date of that meeting; and

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	 specify the reasons why the Councillor cannot reasonably participate physically in the meeting in person or does not wish to attend the Council meeting in person.
	The Chief Executive Officer must, if notified by the Councillor, keep the submitted grounds for the request notification confidential. Subject to this rule, the Chief Executive Officer must ensure that any notification received in accordance with this rule and any other request received from a Councillor to attend by electronic means is made known at the commencement of the relevant meeting.
	A Councillor who is not physically in attendance at a meeting but is present by electronic means of communication without submitting a notification to the Chief Executive Officer in line with this Rule, must be recorded as absent, and must not participate in the proceedings of the meeting, including moving or seconding motions, speaking during a debate or casting a vote on a motion before the meeting.
	75. Submissions under Clause 25 and 26
	A person who wishes to make a submission to an item on the agenda in accordance with the <i>Local Government Act 1989</i> and clause 25 or 26 may register to join the Council committee meeting in person through the online link on the meeting page for that Council Committee Meeting by no later than 5pm of the day prior to the advertised date of the meeting to make their verbal submission.
	The person will be contacted by a member of Council staff and provided with instructions to access the meeting.
	76. Adjustments to meeting rules
	If a meeting is conducted by electronic means of communication, the following modifications of this Governance Rule are made:
	 References to a Councillor or delegated committee member being present at a meeting is a reference to a Councillor being able to hear and see other Councillors in attendance and being both heard and seen by other members in attendance;
	 b) Absences of less than one minute must not be recorded as absences for the purposes of the meeting minutes unless a vote or the Mayor's request for declaration of conflicts of interest occurs due to the absence;

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	c) Casting a vote may occur by a Councillor either raising their hand in view of a camera so that it can be seen by other members in attendance or, at the Chair's request, orally stating their vote;
	d) In the event of an absence of a Councillor during a vote due to a technical failure, a Councillor or member of Council staff may bring this to the attention of the meeting Chair, who may briefly adjourn the meeting to enable the Councillor to re-join the meeting. Where the Councillor is unable to reconnect within five minutes, the meeting must resume in the Councillor's absence;
	e) In the event of a Councillor being required to leave a meeting due to a declaration of conflict of interest, a Councillor may leave the meeting by:
	i. for meetings that are open to the public, deactivating their microphone and camera; or
	ii. for meetings, whether open or closed to the public, disconnecting from the online meeting platform.
	The Chair may, with the consent of the meeting, modify the application of any other clause of the Governance Rule – Meeting Procedure to facilitate the more efficient and effective transaction of the business of a meeting which is conducted by electronic means of communication.
At Appendix 1 Inclusion of subclause 60(1)(ba)	(ba) requesting and approval of attendance at Council meetings and meetings of delegated committees by electronic means of communication;