

# Governance Rules – 2025 Review

## Proposed changes

Section	Change	Rationale
<b>2.2.2 Inability to maintain a Quorum due to declared conflicts of interests</b>	<b>No change to Rules</b> , however: Include an appendix that explains the detail from the Act.	Ensures clarity over how to specifically respond in the circumstance where Councillors and members of the public may not be easily able to reference legislation. As legislation is subject to change, incorporating as an appendix ensures binding Rules are not inadvertently at odds with revised law.
<b>2.3.1 Order of Business Listed on an Agenda</b>	<b>Amend:</b> Insert at (2) (j) Notes of Appreciation. <b>Insert after 2.3.5:</b> <b>2.3.6 Notes of appreciation</b> The Chief Executive Officer may present a report acknowledging notes of appreciation from the community.	Notes of appreciation added as a specific item - is currently listed under officer reports.
<b>2.3.8 Petitions/Joint Letters</b>	<b>Amend (7):</b> (7) Petitions and joint letters received by Councillors or member of Council staff must be lodged with the CEO as soon as possible after received for inclusion in the Agenda of a Council Meeting <b>no later than 12pm six business days prior to the date of the Council Meeting at which they are to be considered.</b>  <b>Amend (10)</b> (10) Where a petition or joint letter is compliant with these Rules: - (a) it will be <b>tabled included in the agenda</b> for the next available Council Meeting where the Order of Business allows. <del>and that is not less than three business days from receipt of the petition or joint letter.</del> (b) A motion to receive a petition is a procedural motion in accordance with 2.5.20.  (i) Council may only resolve to receive the petition or joint letter and refer the matter for a	<ul style="list-style-type: none"> <li>Ensures a petition is included in the printed agenda which: <ul style="list-style-type: none"> <li>reflects the role of the CEO in determining if a petition is compliant with the Governance Rules,</li> <li>provides transparent assurance to Councillors and community about how petitions are presented.</li> </ul> </li> <li>Clarifies the administrative process for a petition to be introduced to the meeting.</li> <li>Provides consistent administration of actions regarding petitions and reflects the usual Council convention to date. Does not preclude any urgent matters being</li> </ul>

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	<p><del>Report or appropriate action as required to the next appropriate Council Meeting, unless the Council agrees to deal with it earlier."</del></p> <p>Update procedural motions table to reflect 10(b) above</p> <p><b>Insert:</b></p> <p>Every petition and joint letter that has nine or fewer signatures will be forwarded directly to the appropriate member of staff for action as an operational item.</p> <p>The <b>Agenda Minutes</b> of the relevant Council Meeting will include a copy of the petition with personal information redacted and the number of petitioners clearly noted on the front page.</p>	<p>addressed through Council's normal decision-making processes in the meantime.</p> <ul style="list-style-type: none"> <li>Although this is current practice, provides assurance of Council's commitment to respond to community concerns.</li> <li>Ensures transparency of process, while protecting the privacy of petitioners in line with the <i>Privacy and Data Protection Act 2014</i>. The Minutes will follow the requirements set out elsewhere as for all Council Meeting Agenda attachments.</li> </ul>
<b>2.3.9 Public Question Time</b>	<p><b>Insert between (2) and (3):</b></p> <p>(e) No question may be dealt with unless the questioner (or a nominated representative) is present at the Scheduled Council Meeting at which the question is to be asked.</p> <p><b>Add after (6):</b></p> <p>Only genuine questions are to be considered at a Council Meeting. The CEO has the discretion to exclude preambles and statements submitted with a question where this does not change the meaning of the question.</p>	<ul style="list-style-type: none"> <li>Discourages use of Council processes for external campaigns from outside the Shire which may not be of concern to community members within the Shire. Online participation and a proxy allow for people who are unable to access the meeting in person.</li> <li>Clarifies the role of public questions and distinguishes them from public submissions and debate.</li> </ul>
<b>2.3.12 Notice of Rescission</b>	<p><b>Insert after (1):</b></p> <p>A motion for rescission is not required where Council wishes to change policy.</p> <p><b>Insert after 2.5.22 (2) re actioning a motion</b></p> <p>unless it is the subject of a notice of rescission, providing that deferring implementation of the resolution</p>	<ul style="list-style-type: none"> <li>Clarifies that rescission (and all the associated implications) is not applicable to a change in policy.</li> <li>Fills a gap in the governance rule regarding actioning a motion, where a rescission motion has been put forward.</li> </ul>

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	would not have the effect of depriving the resolution of efficacy.	
<b>2.4 Addressing the meeting</b>	<b>Insert</b> (7) Any other Council staff to be addressed by their title unless otherwise stipulated by the CEO.	Reinforces Council's position on respect for staff.
<b>2.5.22</b>	<b>Amend:</b> (1) A Resolution, or part thereof, will be considered as having been acted on; (i) if it has been formally communicated to a person whose interests are materially affected by it; or (ii) a statutory process has commenced so as to vest enforceable rights in, or obligations on, Council or any other person.	A stronger definition of what "acted on" means which is important when considering the validity of a rescission motion.
<b>2.5.30 Disorderly Conduct</b>	<b>Amend and insert highlighted:</b> (7) If a Councillor has been suspended from a Council Meeting or directed to leave in accordance with sub-rule (4) and refuses to leave the Meeting the Chair may direct the CEO to ask the CEO, an Authorised Officer or a member of Victoria Police to remove the Councillor.	Removes CEO and Authorised officers as persons who may remove – Council does not have officers who are authorised to remove persons, and removal of disorderly persons is an unacceptable OHS risk for any member of staff, including the CEO.
<b>2.6.6 Ejection of Disorderly Visitors</b>	<b>Amend and insert highlighted:</b> (1) If a person, other than a Councillor, interjects or is gesticulating offensively during the Council Meeting, the Chair must; (a) direct the person to stop interjecting or gesticulating offensively, advising the person that if they fail to do so they will be removed from the Meeting; and (b) the removal of the person if they continue to interject or gesticulate offensively. (c) In giving effect to a person's removal under sub-rule (1)(b) or material under sub-rule (2), the Chair may direct the CEO to ask the CEO, an Officer or a member of Victoria Police to remove the person, object or material.	Satisfies the requirement of the Summary Offences Act in order to enable Victoria Police to act to remove by advising them under what conditions they are authorised to remain on the premises.

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<b>2.6.7 Chair May Adjourn disorderly meeting</b>	<p>(2) (a) in giving effect to <del>a person's removal under sub-rule (1)(b) or</del> removing material under sub-rule (2) the Chair may ask the CEO or an Officer to remove the material, or direct the CEO to ask a member of Victoria Police to remove the material.</p> <p><b>Amend:</b></p> <p>(2) Any adjournment is to be done in accordance with rules 2.5.21 and 2.5.32<del>3</del> of these Rules</p>	<p>Incorrect reference.</p>
<b>3. Public Submissions</b>	<p><b>Insert highlighted:</b></p> <p>1 (b) a Submitter has made a written request to be heard by Council <b>about an item on the Agenda.</b></p> <p><b>Insert after (3)</b></p> <ol style="list-style-type: none"> <li>Submitters will speak for no longer than 5 minutes.</li> <li>Submitters will provide any printed material which forms part of their submission at the time of their request to submit.</li> <li>No debate or discussion will be permitted other than for the purposes of clarification.</li> </ol>	<ul style="list-style-type: none"> <li>Clarifies the role of public submissions.</li> <li>Ensures consistent management of public submissions.</li> <li>Provides for management of public submissions consistently with Public Question Time</li> <li>Discourages the use of props or introducing inappropriate material into a meeting.</li> </ul>