

Governance Rule	Major change /deviation from detail in Meeting Procedure Local Law # 1 (MPLL)
INTRODUCTION	<p>Differentiation between how a local law and Governance Rules are made.</p> <p>Insertion of review date of 4 years – change from 10th anniversary from date of commencement in MPLL.</p> <p>Governance Rules are set out in Chapters to convey the requirements of the LG Act 2020.</p>
<p>Chapter 1 Governance Framework</p> <p>Included – set out the decision making framework for Council and Council staff.</p>	<p>New framework included in Governance Rules</p> <p>Insertion of mandated considerations in decision making.</p>
Chapter 2 – Meeting Procedure for Council Meetings and contents	
Chapter 2 – Part A	Provides for election of the Mayor and any Deputy Mayor, appointment of Acting Mayor & procedures governing the conduct of Council meetings.
<p>Chapter 2</p> <p>Part B – Election of the Mayor</p>	<p>MPLL referred to the ability of CEO to open the meeting and at any meeting to elect the Mayor, a Councillor may be appointed as a temporary chairperson. 2020 Act expressly states the election must be chaired by the CEO, this is reflected in the Rules.</p> <p>Key difference with respect to timeframe of election of Mayor each term – reasonable (2020 Act) v prescriptive timeframe in 1989 Act as referenced in the MPLL.</p> <p>Provides for the appointment of an Acting Mayor if no Deputy Mayor.</p>

	<p>Also provides for the process in appointing Chairs to Delegated Committees of Council.</p> <p>Provides for Appointing of Acting Mayor.</p>
<p>Chapter 2 Part C- Meetings Procedure Division 1</p>	<p>Council may alter meeting dates – change to ‘reasonable notice to public’ from must provide 7 days notice in MPLL as this was mandated in section 89(4) 1989 Act. This requirement of 7 days is no longer required. The 2020 Act aims to be less prescriptive and more enabling hence ‘reasonable notice’ included.</p> <p>Insertion of calling Special Council Meetings. This was not referenced in the MPLL and was in the 1989 Act under section 84 which governed the way in which Councils could call meetings that were not fixed. Calling of a Special Council meeting is not replicated in the 2020 Act. Term ‘special council meeting’ carried over to Governance Rules to avoid confusion for councillors and community. This clause proceeds the interim Calling of a Special Council Meeting Policy that was adopted when section 84 in the 1989 Act was repealed.</p> <p>Notice of meeting must be provided to the public. Change from 7 days notice to ‘reasonable notice’ as section 89(4).</p>
<p>Chapter 2 Part C- Meetings Procedure Division 2 - Quorums</p>	<p>MPLL stated adjournment of meeting date set for a period not exceeding 7 days from date of adjournment.</p> <p>Quorum is an absolute majority of Council (half + 1).</p> <p>Removal on limit on adjournment of meetings.</p> <p>Inclusion for Council to have the discretion to adjourn a meeting to another date or time <u>but can not</u> in the absence of disorder or threat to the safety of any Councillor or member of Council staff adjourn to a meeting in session to another place.</p> <p>Insertion of time limits for meetings – bench marking of other Councils is 3 hours and – provides for the opportunity for Council via resolution to extend the continuation of the meeting post this time.</p> <p>Simplification of reasons for cancelling or postponing a meeting to ‘in the case of an emergency’.</p>

Chapter 2 Part C- Meetings Procedure Division 3 Business of Meetings	
Chapter 2 Part C- Meetings Procedure Division 4 – Motions and Debate	<p>23.2 Notice of motion – insertion of reasons why a CEO may reject any notice of motion, namely ‘it is beyond Council’s power to pass and if passed would result in Council otherwise acting invalidly’.</p> <p>23.4. - Insertion that the CEO must cause for all notices of motion to be numbered, dated and entered into a notice of motion register in the order that they were received.</p>
Chapter 2 Part C- Meting Procedure Division 5 - Procedural Motions	Insertion of Procedural motions table for guidance.
Chapter 2 Part C- Meetings Procedure Division 6 – Motions and Debate	<p>Notice of rescission - new requirement for the requirement that a rescission motion is proposed that it has to be signed and dated by at least three councillors. MPLL stated that it required to be signed and dated by at least one other Councillor.</p> <p>Inclusion that the notice of rescission is required to be delivered to the Chief Executive Officer with 24 hours of the resolution having been made. MPLL did not have a time limit on it.</p> <p>Governance Rules state that for a lost rescission motion, a similar motion may not be put forward Council for at least three months from the date it was lost, unless Council resolves that the notice of motion be re-listed at a future meeting. The MPLL reference was for a least one month.</p>
Chapter 2 Part C- Meetings Procedure Division 7 – Points of Order	
Chapter 2 Part C _ Meeting Procedure Division 8 - Public Question Time	Change of date of receipt of questions from members of the Public to 10am the day before the Council meeting as opposed to 12pm on the day of the Council meeting. Current timeframe as set out in MPLL proves to be incredibly tight and provides for more time for administration to prepare thorough

	<p>answers. This is the same for requests to address Council and requests to address Council for statutory planning reports for both objectors and applicants to be submitted to Council by 10am the day before .</p> <p>Inclusion of conditions in which the Chair can determine whether a question is disallowed or not.</p> <p>Additional criteria in determining such include whether the question:</p> <ul style="list-style-type: none"> - Relates to personnel matters - Relates to the personal hardship of any resident or ratepayer - Relates to industrial matters - Relates to contractual matters - Relates to proposed developments - Relates to legal advice - Relates to matters affecting the security of Council property - Relates to any other matter which Council considers would prejudice Council or any person. <p>Inclusion that a Councillor or the CEO may advise Council that it is his or her opinion that the reply to a question should be given to a meeting closed to the public. A councillor or CEO must state briefly the reason why the reply should be so given, and unless Council resolves to the contrary, the reply to such question must be so given.</p> <p>Provision for 'like questions' if received, to be grouped together and a single answer provided.</p>
<p>Chapter 2 Part C _ Meeting Procedure Division 9 - Petitions and Joint Letters</p>	<p>Insertion of requirement that unless Council determines to consider it as an item or urgent business, no motion (other than the motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next Council meeting after that at which it has been presented.</p> <p>Inserted provision for electronic petitions in the correct format to be accepted for example change.org.</p>
<p>Chapter 2 Part C – Meeting Procedure Division- 10 Voting</p>	<p>Insertion that voting must take place in silent.</p> <p>Insertion that the Chair may direct that a vote be recounted to satisfy himself or herself of the result.</p>

<p>Chapter 2 Part C – Meeting Procedure Division- 11 Confirmation of Minutes</p>	<p>Change from the Chairperson of the Council meeting at which the minutes were confirmed, with or without amendment must subsequently sign the confirmed meeting minutes.</p> <p>Inclusion of that the meeting minutes must, if practicable, be signed by the Chair of the meeting which they have been confirmed. Provides for instances where confirmation by resolution has been achieved, but physical signing is not practicable in the circumstance.</p> <p>Provides for more direction around the process of a councillor objecting to the confirmation of minutes.</p> <p>Inclusion that no discussion or debate on the confirmation of minutes is permitted except where the accuracy as a record of the proceedings of the meeting to which they relate is questioned.</p> <p>Inclusion that unless otherwise required by law, minutes of a Delegated committee requiring confirmation by Council must not be available to the public until confirmed by Council.</p> <p>Includes a requirement of Council to enter the minutes into the minute book and that each item in the minute book must be entered consecutively.</p> <p>Inclusion that the Chief Executive Officer must ensure that the minutes of any Council meeting are:</p> <ul style="list-style-type: none"> - Published on Council’s website - Available for inspection at Council’s normal business hours.
<p>Chapter 2 Part C – Meeting Procedure Division 12 – Behaviour</p>	<p>MPLL referenced that if the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the meeting, he or she may adjourn the meeting to a later time on that same day, or a later day as he or she thinks appropriate up to seven days later than the date stated in the Agenda for the commencement of the meeting.</p> <p>The Governance rules removes the requirement for the meeting to be adjourned up to seven days later and is replaced with ‘at some later day as he or she thinks is appropriate’.</p>
<p>Chapter 2</p>	

<p>Part C – Meeting Procedure Division 13 – Additional duties of the Chair</p>	
<p>Chapter 2 Part C – Meeting Procedure Division 14 – Suspension of Standing Orders</p>	
<p>Chapter 2 Part C – Meeting Procedure Division 15 – Miscellaneous</p>	<p>Allows for meetings to be conducted remotely.</p> <p>If by law or if Council decides that a meeting is to be conducted electronically, the Chair may, with the consent of the meeting, modify the application of any of the Rule in the Meeting Procedure Chapter to facilitate the more efficient and effective transaction of the business of the meeting. This is not reflected anywhere in the MPLL.</p> <p>Additional inclusion in this Chapter not reflected in the MPLL is in all cases not specifically provided for by this Chapter, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to Council proceedings).</p> <p>(Standing orders are the permanent rules of procedure for the Legislative Assembly and its committee).</p> <p>Ability for the Chief Executive officer at their discretion to make a brief statement at a Council meeting in respect of any statement by a Councillor made at the Council meeting criticising him or her or any other Council staff.</p>
<p>Chapter 3 – Meeting Procedure for Delegated Committees</p>	<p>Provides for meeting procedure for a Delegated committee of Council if Council establishes a Delegated Committee.</p>
<p>Chapter 4 – Meeting Procedure for Community Asset Committees</p>	<p>Provides for any Council established Community Asset Committee to determine at their discretion the conduct of a meeting of a community asset committee, unless anything in their respective instrument of delegation provides otherwise.</p> <p>Community asset committees not reflected in the MPLL.</p>

Chapter 5 – Disclosure of Conflicts of Interest	<p>Provide for conflict of interest provisions of councillors, council staff and a member of a delegated committee.</p> <p>The rules in this Chapter only apply upon Division 1A of Part 4 of the Local Government Act 1989 being repealed.</p>
Chapter 6 – Miscellaneous	<p>Includes provision for records of meetings to be kept, tabled at the next convenient Council Meeting and recorded in the minutes of that council meeting where Councillors are present and are meeting for the purpose of discussing the business of Council or briefing Councillors, and includes at least one member of Council staff and is not a Council meeting, Delegated Committee meeting or Community Asset Committee.</p> <p>Provides for a record similar to assemblies of councillors records that were required under the 1989 Act and are not longer mandated in the 2020 Act.</p> <p>Includes provision for the CEO to designate information as confidential after the repeal of section 77(2)(c) of the 1989 Act (which is due to be repealed on 24 October 2020) .</p> <p>Includes recording of meetings as transcribed from the MPLL.</p>
Chapter 7 – Election Period Policy	Requirement under the 2020 Act for Governance Rules to include Councils Election Period Policy.

Glossary: MPLL means Meeting Procedure Local Law # 1