

The table below summarises the changes proposed or under consideration as part of Council’s current review of the Governance Rules.

A draft copy of what the Governance Rules might look like if these changes were made is also available; however the final Rules and drafting may be influenced by feedback we receive through the engagement process.

We understand that some Governance Rules are very technical, and many impact on Councillors and staff, but have very little impact on the way the community interacts with our meetings. As a guide, the table below includes a column identifying the likely impact on the broader community from the change being considered. That impact might be:

Nil	If implemented, the changes being considered are not expected to have any direct impact on community members. These changes typically relate to technical matters of procedure that do not impact the community’s ability attend a meeting or engage with Council during the meeting.
Little Impact	If implemented, the changes being considered <u>could</u> have an impact on community members, however the impact of changes: <ul style="list-style-type: none"> • Will typically only arise in limited / rare circumstances; or • Are not a significant departure from an existing Rules; or • Will not have a significant impact on the community’s ability attend a meeting or engage with Council during the meeting.
Some Impact	If implemented, the changes being considered <u>will</u> impact the community’s ability attend a meeting or engage with Council during the meeting.

Current Rule	Section	Community Impact	Potential Changes and Rationale
Introduction			
4	Definitions	Nil	Correction to numbering and an amendment to clarify that the definition of “absolute majority” means a majority of elected Councillors.
Chapter 2 – Meeting Procedure for Council Meetings			
6	Determining the election of the <i>Mayor</i>	Nil	<p>The following changes are proposed relating to the rule for the Mayoral election:</p> <ul style="list-style-type: none"> • An amendment is proposed to provide that unless a mayoral candidate nominates themselves, or seconds their own nomination, the candidate must accept the nomination. • Rule 6.9 regarding the process for Mayoral elections has been deleted, as it was a duplicate of Rule 6.10 • A drafting error has been corrected in Rule 6.11 (formerly 6.12) regarding the process for Mayoral elections. The change removes the “and” between Rules 6.11.1 and 6.11.2. The conjunction of these two rules is an error, as these two sub-rules apply as alternatives to each other.
7	Election of Deputy Mayor and Chairs of Delegated Committees	Nil	A change is proposed to the title and content of this rule is proposed to reflect that it may also apply to the appointment of Councillors to Council advisory committees.
14	Inability To Maintain A Quorum	Nil	A change to the explanatory note in this rule is proposed to provide greater clarity around the meaning of “absolute majority”, without the reader being required to reference back to the definition section.

Current Rule	Section	Community Impact	Potential Changes and Rationale
15	Adjourned Meetings	Little Impact	<p>There is an amendment proposed to provide two additional reasons a meeting may be adjourned to another place, namely:</p> <ol style="list-style-type: none"> 1. Where there is a threat to the safety of a member(s) of the public. This is in addition to the existing provision which addressed threats to the safety of a Councillor or member of Council staff. 2. Where there is a failure of infrastructure, technology or service. This recognises that a power outage or other service failure; a building fault; or failure of technology may require a meeting to be adjourned to another location. <p>The provision has also been clarified to reflect that if a meeting is adjourned, it may be resumed wholly in person at another place, wholly online, or resumed in a hybrid format.</p>
19	Reports by Councillors	Nil	<p>This rule relates to reports by Councillors and an update is proposed in light of the change to two Council meetings each month, to be clear that there will only be one opportunity for reports by Councillors each month – which is consistent with current practice.</p>
New (20)	Urgent Business	Nil	<p>There are currently no rules for the agenda item which enables Councillors to ask general, “Questions without notice” at a Council Meetings and a new Rules are proposed to address this gap. It is suggested the Rules require questions to be of “sufficient public or Council interest to warrant consideration at a Council Meeting”. It is proposed the Chair have discretion to disallow questions on grounds consistent with provisions for disallowing motions and public questions. (see for example, Rule 23).</p> <p>The new Rule is proposed to be inserted as Rule 20 and subsequent rules re-numbered.</p>
26	Right Of Reply	Nil	<p>An amendment is proposed to specifically provide that the seconder of a motion, when invited to speak immediately after the mover, may reserve their right to speak later in debate. This is consistent with current practice.</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
New (36)	Moved in a Block (en bloc)	Nil	<p>A new rule is proposed to expressly prohibit en bloc motions at Council meetings.</p> <p>These motions have previously been used to enable multiple agenda items to be determined together as a single motion at a Council meeting.</p> <p>The change is consistent with recommendations from the Operation Sandon Special Report issued by the Independent Broad-Based Anti-Corruption Commission (IBAC).</p> <p>The new Rule is proposed to be inserted as Rule 36 and subsequent rules re-numbered.</p>
39	Right to Ask Questions	Nil	<p>An amendment is proposed to this rule which prescribes the speaking times for Councillors.</p> <p>The change would clarify that the mover of a motion may speak for 5 minutes to their motion, regardless of whether it is opposed, which is consistent with current custom and practice.</p>
52	Valid Points Of Order	Nil	<p>An amendment is proposed to rules for points of order, to remove reference to the Councillor “resuming their seat” as standing to speak is no longer a feature of Council meetings.</p>
53	Public Question Time	Nil	<p>Council recently determined to no longer convene Strategic Planning Committee meetings each month, but instead to hold a second Council meeting.</p> <p>In light of this decision, and to maintain current practice, a change is proposed to specify that public question time will be held at one Council meeting per month for 30 minutes and not both Council meetings.</p> <p>This does not reduce access to public question time which is expected to continue to be held at the end of month Council meeting.</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
53	Public Question Time	Nil	<p>There is currently no information in the Rules regarding the purpose or intent of public question time. It is therefore proposed to include the following guidance information in the Rules,:</p> <p><i>Public question time is a discretionary activity of Knox Council and not a legislative requirement.</i></p> <p><i>The opportunity for community members to equitably and effectively ask questions of Council during Public Question Time is part of Knox's democratic landscape, however there is only limited time available for Public Question Time as the primary purpose of Council Meetings is for Council decision-making.</i></p> <p><i>Public question time is not intended to provide an opportunity to make representations to Council, or to take the place of Council's routine customer service channels. The community is therefore encouraged to use Public Question Time for genuine questions of broad public interest or significance.</i></p> <p><i>Alternatives to Public Question Time include contacting a Councillor or Councillors directly to discuss an issue, question or concern, or contacting Council through its various customer service channels to make a service request, or to make or escalate a complaint.</i></p> <p>As an explanatory statement, this information can aid understanding of public question time and interpretation of the Rules, but is not an enforceable Rule, and so could not be used to disallow a question.</p>
53	Public Question Time	Nil	<p>A changes is proposed to clarify that the Chief Executive Officer will prescribe the form for submitting questions.</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
53	Public Question Time	Some Impact	<p>Currently, the rules provide that a community member who has lodged a question may speak to their question for up to 2 minutes provided they are in the Council Chamber.</p> <p>A change is proposed to enable community members to attend a meeting electronically for the purposes of speaking to their question. This change provides greater equality of access to public question time for those members of the community who may be unable (for a range of reasons) to physically attend a meeting in order to speak to their question.</p> <p>Together with this change is a proposal that the rules be clarified to reflect that a questioner may be invited by the Chair to read their own question.</p> <p>Consideration is also being given to clarifying the speaking times for public questions, particularly that where two questions are asked on the same topic, the submitter may be allowed a maximum of two minutes total, rather than two minutes per question.</p>
53	Public Question Time	Nil	<p>A change is proposed to be clearer that questions contrary to the Election Period Policy (in Chapter 7 of the Governance Rules) may be disallowed by the Chairperson.</p> <p>(The Election Period Policy already provides that in the lead up to, and during the election period, the Chief Executive Officer will assess questions received to determine whether they contain electoral matter and may recommend to the Chairperson that they refuse to receive the question if it contains electoral matter.)</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
53	Public Question Time	Some Impact	<p>A change to the deadline for submitting questions to public question time is being considered.</p> <p>Currently the deadlines are 12pm on the day of the meeting for questions lodged online, and 715pm for questions lodged in person at the meeting which can create confusion regarding the eligibility of questions. The 7.15pm deadline also means officers and Councillors have very limited time to prepare meaningful responses to questions and can lead to questions received being taken on notice rather than answered at a meeting.</p> <p>A consistent deadline of 12pm on the day of the meeting for all question has been suggested.</p> <p>The earlier deadline is considered a reasonable compromise that ensures question time remains accessible, while at the same time providing reasonable time for officers or Councillors to research and prepare responses. It would also ensure there is adequate time for the chairperson and officers to manage the logistics of the meeting, particularly arrangements for those attending online to speak to their questions.</p> <p>There are a number of other related clarifications that would be appropriate to be made together with such a change:</p> <ul style="list-style-type: none"> • That questions lodged after the deadline shall be held over to the next Public Question Time. (This would include any questions lodged in the public question time box at a meeting, after the deadline.) • That questions shall be addressed at the meeting in the order of receipt. <p>It is also proposed to commence publishing responses to public questions not addressed during public question time, alongside the Agenda and Minutes on Council's website. This new practice does not required a change to the Governance Rules.</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
54	Petitions and Joint Letters	Little Impact	<p>Consideration is being given to providing clearer guidance regarding non-compliant petitions. The key requirements for a petition to be compliant are already contained within the Rules and include:</p> <ul style="list-style-type: none"> • A name and address for every signatory • A signature (or email address for electronic petitions) on the same page as the petition wording. <p>Consideration is being given to being more specific in the Rules that the address detail required is the signatory's "street, postal, residential or business address". (It should be noted for privacy reasons these details are available to Councillors but not made publically available.)</p> <p>An amendment is also proposed specifying that any petition or joint letter which does not comply with the Rules may not be presented to Council. Two exceptions are provided, being leave of Council (which requires unanimous councillor support) or alternatively where a petition is presented as a relevant attachment to an officer's report.</p> <p>The changes would not change the current practice of circulating petitions (including non-compliant petitions) to Councillors. It would however provide greater certainty regarding those petitions which may be formally presented to Council at a Council meeting.</p>
63	Form and Availability of Minutes	Nil	<p>A change is proposed to Rule 63 to provide that the Minutes of a meeting may include anything the Chief Executive Officer considers should be recorded to comply with Legislative requirements or Ministerial Directions.</p> <p>This is intended to ensure the rules accommodate any legislative or regulatory changes that may be released in the lead up to the 2024 Elections, without requiring further amendment, for example any changes introduced by the Victorian Government in response to the Operation Sandon Special Report.</p>

New	Public Attending the Meeting	Some Impact	<p>Based on advice from the State Government (Local Government Victoria Bulletin 13/2023 Managing Disruptive Behaviour, 4 July 2023), an additional rule is proposed creating discretion to impose limitations on community members attending Council meetings, to address potential safety concerns.</p> <p>Bulletin 13/2023 includes the following advice:</p> <p>Among other things, Councils may wish to consider whether their Governance Rules adequately provide for:</p> <ul style="list-style-type: none"> • conducting meetings by electronic means of communication • conducting briefings and / or ‘extraordinary’ meetings to deal with matters which may be targeted for disruptive behaviour by members of the public • managing attendance at council meetings, including requiring attendees to register their attendance (for example, by providing their name and proof of identity) • the procedures to manage public participation during council meetings, including the procedures for managing public question time and public submission as well as managing disruptive behaviour by members of the public • managing attempts to bring in promotional or offensive material, for example placards, banners, posters or other signage. • meeting the council’s obligations under the Occupational Health and Safety Act 2004, and • closing meetings to the public, including the procedures to ensure the proceedings of the meeting can be viewed by members of the public. <p>Explanatory guidance for the new rule is proposed to the effect that:</p> <p>It is Council's preference that attendees be welcomed in-person at Council meetings open to the public, however from time-to-time restrictions may be considered necessary to enable a meeting(s) to proceed in an orderly and safe manner.</p> <p>If, in the opinion of the Chief Executive Officer, Director or other member of staff, a member of the public has not sufficiently complied with this Rule, their entry to a Council meeting may be denied.</p>
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			<p>Information collected in accordance with this Rule will be managed in accordance with Council's obligations under the Privacy and Data Protection Act 2014.</p> <p>The proposed new Rule is set out below:</p> <p><i>In addition to the provisions of these Governance Rules, further limitations on attending Council meetings in person may be imposed;</i></p> <ol style="list-style-type: none"> 1. <i>By resolution of Council; and/or</i> 2. <i>By the Chief Executive Officer at their discretion, in consultation with the Mayor or Deputy Mayor.</i> <p><i>Limitations under sub-Rule 67.1 may include, but are not limited to:</i></p> <ol style="list-style-type: none"> 1. <i>Limiting in-person attendance to members of the public who have registered their intention to attend a Council meeting prior to the meeting; and/or</i> 2. <i>Limiting in person attendance to members of the public who have, immediately prior to being granted access to a public Council meeting:</i> <ol style="list-style-type: none"> a. <i>Provided their first and last name, and current address; and/or</i> b. <i>Provided the number of their:</i> <ol style="list-style-type: none"> i. <i>current driver licence; or</i> ii. <i>passport; or</i> iii. <i>government issued identification card, for example veterans' card, seniors' card; or</i> iv. <i>other form of identification deemed suitable by the Chief Executive Officer; and/or</i> c. <i>Verified the information provided in accordance with sub-Rule 67.2.2(a) or (b) by producing for inspection their:</i> <ol style="list-style-type: none"> i. <i>current driver licence; or</i> ii. <i>passport; or</i> iii. <i>government issued identification card, for example veterans' card, seniors' card; or</i>
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Current Rule	Section	Community Impact	Potential Changes and Rationale
			<p><i>iv. other form of identification deemed suitable by the Chief Executive Officer.</i></p> <p>The new Rule is proposed to be inserted as Rule 67 in Division 12 (Behaviour) and subsequent rules re-numbered.</p>
New	Public Attending the Meeting	Little Impact	<p>Based on advice from the State Government (Bulletin 13/2023 Managing Disruptive Behaviour, 4 July 2023) as detailed above, an additional rule is proposed prohibiting signs and placards from being brought into the Council chamber.</p> <p>To ensure equitable application of this rule, it would extend to physical or digital signs, placards or slogans that may be displayed by any person (including Councillors) attending a meeting by electronic means.</p> <p>Provisions regarding the removal of persons from the Chamber (Rule 66) would also be amended to include reference to this new Rule.</p> <p>The proposed new Rule is set out below:</p> <p><i>Signs and Placards</i></p> <p><i>68.1 Councillors and members of the public are prohibited from bringing signs and placards into the Council chamber and must take direction from the Chairperson if called upon to remove any such signs and placards.</i></p> <p><i>68.2 Where a Councillor or member of the public is attending a Council meeting by electronic means, they must not when doing so, display any physical or digital signs, placards, or slogans which are deemed by Chairperson to be objectionable, disrespectful or otherwise inappropriate, and must take direction from the Chairperson if called upon to remove any such signs, placards or slogans.</i></p> <p>The new Rule is proposed to be inserted as Rule 68 in Division 12 (Behaviour) and subsequent rules re-numbered.</p>

Current Rule	Section	Community Impact	Potential Changes and Rationale
68	Removal from Chamber	Little Impact	<p>The Chief Executive Officer, any Authorised Officer, and members of the Victoria Police are currently listed in this Rule as persons who may be asked by the Chairperson to remove a person in breach of the Rules from the gallery.</p> <p>A change to this rule is proposed, to include “Council staff” among those who may be asked by the Chairperson to remove a person in breach of the Rules from the gallery.</p>
Various		Nil	Other administrative changes have been made to the Governance Rules including correcting position titles and departments, numbering, drafting or cross-referencing revisions that do not have a material impact on the intent or effect of the Rules.

Chapter 7 – Election Period Policy

Current Rule	Section	Community Impact	Potential Changes and Rationale
	Various	Nil	<p>Council's Election Period Policy is contained within Council's Governance Rules and has now been reviewed in anticipation of the 2024 local government elections. The changes to this policy are not substantive in nature and are outlined as follows:</p> <ul style="list-style-type: none"> • Some of the language in the policy and references to legislation have been reviewed and corrected to ensure legislative compliance. • Dates have been amended to reflect the 2024 election dates. • The definition of a 'major decision' includes an updated dollar amount based on 22/23 figures. • The reference section (section 4) has been updated to reflect current Council documents. • A reference to the COVID 19 pandemic has been removed. • Changes to position titles have been incorporated. • Newsletters have been included in the list of publications that need to be approved by the Governance team prior to publishing.