



## COMMUNITY IMPACT STATEMENT

MAY 2021

### Governance Rules

#### PART A – GENERAL COMMENTS

Surf Coast Shire Council at its meeting held on 25 May 2021 resolved to conduct a review of its current Governance Rules. A revised draft Governance Rules has been prepared and is available for public inspection and comment.

The proposed changes to the Governance Rules do not impact on the general purport and current objectives of the current Governance Rules.

#### PART B – COMMENTS ON PROPOSED GOVERNANCE RULES

<b>Measuring Success</b>	<p>The success of the proposed Governance Rules will be measured by the extent to which it enhances the governance framework and decision-making processes of Council including ensuring that legislative requirements are met.</p> <p>Performance indicators are included in the Local Government Performance Reporting Framework and Community Satisfaction Survey which are reported to Council and the community.</p>
<b>Existing Legislation</b>	<p>Section 60 of the <i>Local Government Act 2020</i> directs councils to create Governance Rules to govern the meeting procedures of Council. Certain items are set out in the Act as compulsory for inclusion, and all other aspects of meeting procedure are at the discretion of Council to include.</p>
<b>Governance Principles</b>	<p>Section 9 of the Local Government Act 2020 states that a Council must, in the performance of its role, give effect to the overarching governance principles. All governance principles were considered in the development of the reviewed Governance Rules, as follows:</p> <ul style="list-style-type: none"><li>a. <i>Council decisions are to be made and actions taken in accordance with the relevant law;</i> The Governance Rules have been developed in accordance with section 60 of the Act. The sections of the Rules which must conform to matters prescribed within the Act are drafted in compliance with the relevant sections.</li><li>b. <i>priority is to be given to achieving the best outcomes for the municipal community, including future generations;</i> The development of well-considered and clear Governance Rules will ensure appropriate procedures and controls are in place throughout the decision making process. Due to the nature of Council decisions, effects of decision making may often have long-lasting outcomes which affect future generations. As such, having strong governance over decision making processes is integral to the prioritisation of achieving the best outcomes for the municipal community, including future generations.</li><li>c. <i>the economic, social and environmental sustainability of the municipal</i></li></ul>

	<p><i>district, including mitigation and planning for climate change risks, is to be promoted;</i>  This is not directly applicable to the development of the Governance Rules, however having good decision-making mechanisms, such as those proposed in the Governance Rules, form an essential element of achieving the outcomes outlined in this principle.</p> <p><i>d. the municipal community is to be engaged in strategic planning and strategic decision making;</i>  This is not directly applicable to the development of the Governance Rules, however having good decision-making mechanisms, such as those proposed in the Governance Rules, form an essential element of achieving the outcomes outlined in this principle.</p> <p><i>e. innovation and continuous improvement is to be pursued;</i>  Clearly articulated and well-formed Governance Rules are key to ensuring that sound democratic process is followed throughout the decision making process. The Governance Rules have been developed to reflect this requirement, which will assist Council in its pursuit of innovation and continuous improvement.</p> <p><i>f. collaboration with other Councils and Governments and statutory bodies is to be sought;</i>  Each Council is able to develop their own specific Governance Rules. As such, collaboration with other Councils has not occurred in the content, however the Governance Rules of some other Councils have informed parts of Council’s draft changes to its Governance Rules. The Governance Rules provide a mechanism for collaboration through joint Council meeting and joint delegated committees and therefore supports collaboration in such circumstances.</p> <p><i>g. the ongoing financial viability of the Council is to be ensured;</i>  The proposed changes to the Governance Rules includes greater specificity than is currently provided to the Chair and Councillors. This specificity is targeted in areas where disagreement about rulings and procedures has on occasion contributed to inefficiencies and costs incurred through external advice that may be avoided if ambiguity in the Governance Rules can be avoided.</p> <p><i>h. regional, state and national plans and policies are to be taken into account in strategic planning and decision making;</i>  Governance Rules from other Victorian councils have informed the review of these Rules. The State Government has stated to the Local Government sector that it doesn’t intend to issue consistent or prescriptive rules, preferring instead to allow each Council to determine its own Governance Rules as long as they are consistent with the Local Government Act 2020.</p> <p><i>i. the transparency of Council decisions, actions and information is to be ensured.</i>  The Governance Rules will be a public document, and mandate transparency in decision making is accordance with the Act. Discussions may occur between Councillors, officers and others to ensure matters are well-developed before being presented to Council for a decision at a Council meeting. Issues considered or explored through such discussion can be covered in reports and during Councillor debate to provide the community appropriate understanding of issues that contribute to decision-making.</p>
<p><b>State Legislation</b></p>	<p>Council is not required to reflect the rules of Parliament in its meeting procedures</p>

<b>more appropriate</b>	and it is more appropriate that each Council develop its own Governance Rules to reflect its own needs and circumstances. This position is supported by section 60 of the Act which unequivocally demonstrates Parliament's intention that each Victorian Council create their own Governance Rules governing the conduct of meetings.
<b>Overlap of existing legislation</b>	The proposed Governance Rules will complement the provisions of the Act which generally address the Council administration, meetings procedure and proceedings.
<b>The Planning Scheme</b>	The Surf Coast Planning Scheme is not applicable to the current proposed Governance Rules.
<b>Risk Assessment</b>	No major issues have been identified as a result of the proposals and the proposed changes are intended to improve the efficiency and governance of meetings.
<b>Legislative approach adopted</b>	The proposed Governance Rules have been drafted in accordance with the requirements of the Act.
<b>Restriction of Competition</b>	The proposed Governance Rules do not restrict competition.
<b>Penalties</b>	There are no penalties in the proposed Governance Rules.
<b>Permits &amp; Fees</b>	There are no permits or fees in the proposed Governance Rules.
<b>Performance standards or prescriptive</b>	Council has adopted a prescriptive-based approach to regulate conduct under the Governance Rules.
<b>Comparison with other Councils</b>	The Governance Rules of several Victorian councils including City of Greater Geelong, Golden Plains Shire, Colac Otway Shire, Wyndham City and the City of Moonee Valley were considered as part of the review process. This exercise has informed the development of meeting procedures within the Governance Rules.
<b>Charter of Human Rights &amp; Responsibilities</b>	Council regards the Victorian Charter of Human Rights and Responsibilities (the Charter) as an important reference in the development of rules and regulations to ensure that these do not encroach upon a person's basic human rights, freedoms and responsibilities. As a public authority, Council appreciates its obligation to ensure that its Governance Rules are interpreted and applied consistently with fundamental human rights. Council has found that although certain clauses of the Governance Rules purport to regulate the conduct of both visitors and members (Councillors) of the Council, their inclusion is necessary to ensure the efficient and respectful conduct of Council business.



<b>Community Consultation &amp; Submissions</b>	<p>A submission process will be conducted in accordance with the legislative requirements prescribed under section 60(4) of the Act. Council will publish a public notice calling for submissions in relation to the proposed Governance Rules. Those submissions must then be considered by Council as part of the consultation process. A Special Council Meeting for Hearing Submissions will be held if required to hear from submitters who wish to speak to their written submission.</p>
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## PART C – TABLE IDENTIFYING PROPOSED CHANGES & IMPACT ASSESSMENT\*

\*Minor grammatical changes (including amended numbering) not included

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
Commencement	Amend	The Governance Rules come into operation on <del>25 August 2020</del> <u>the day following the date of adoption by Council.</u>	Inconsequential amendment to change date of enactment.
Definitions	Amend	' <b>amendment</b> ' means a proposed alteration to the wording of a motion <del>without being contradictory in accordance with Chapter 2 Clause 29</del>	Amended to better define the entire scope of an amendment
Definitions	Amend	' <b>Councillor</b> ' means a Councillor of Council who has taken the oath <u>or affirmation</u> of office in accordance with section 30 of the Act;	Inconsequential amendment to improve accuracy
Definitions	Amend	' <b>leave of absence</b> ' means a period, approved through Council resolution, where a Councillor will not perform the duties or functions of a Councillor during <del>the a</del> <u>period of four consecutive months</u> , that may be inclusive of any <del>Ordinary</del> meeting of Council;	Inconsequential amendment to reflect Act
Chapter 1 title	Change	<u>Governance Framework Introduction</u>	Title of Chapter 1 Changed to avoid confusion with 'Governance Framework' document currently under development
Chapter 1	Amend	A local government consists of two separate but connected components. The Council, <u>which for Surf Coast Shire is made up of 9 nine Councillors, who make decisions through at Council meetings including setting and provide the strategic direction, policy guidance and resources through a suite of strategic documents such as including the Council Plan, Financial Plan and Asset Plan;</u> and the organisation which carries out the day to day operations, consisting of employees led by the Chief Executive Officer (CEO) <u>that implements the strategy and policy, provides professional advice to Councillors and reporting to Council on activities and outcomes.</u>	Amended to provide the reader with more detail. The change is inconsequential and is included to provide more detail on the existing structure, rather than altering the structure in any way.
Chapter 1	Amend	The CEO will ensure the effective and efficient management of the day to day operations of the <del>organisation Council</del> , and support the Mayor and Councillors in performing their roles.	Amended to provide better accuracy with the role of the CEO.
Chapter 1 Part 2	Amend	Any person whose rights will be directly affected by a decision of the Council is entitled to: a) communicate their views by written submission; b) subsequently speak to their submission <u>to Council or a delegated member of Council staff</u> , or to have a person speak on their behalf; and	This change does not alter any process, but provides additional clarity on existing processes.

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		c) have their interests considered.	
Chapter 2, Part 1	Deletion	Council meetings are held regularly to conduct the ongoing business of the Council <del>and unscheduled meetings may be held from time to time.</del>	The term 'unscheduled Council meeting' is being removed from the Governance Rules. This does not impact any processes, but reflects feedback on that phrasing being as all meetings are technically scheduled.
Chapter 2, Part 1	Amend	<del>Except as provided in this Act, the conduct of Council meetings are subject to these Governance Rules.</del> <u>Except as provided in this Act and subject to the Governance Rules, the conduct of Council meetings is at the Council's discretion.</u>	This is presented as a direct quote from the Act, and has been amended accordingly.
Clause 1.6.3.5	Deletion	<del>If there is an equality of votes with respect to the candidate to be eliminated, the candidate to be eliminated shall then be determined by lot conducted by the Chief Executive Officer in presence of the meeting.</del>	As per s25(4) of the Act, the mayor/deputy mayor is to be elected by an absolute majority of the Councillors. The election of these positions can no longer be determined by lot
Clause 3.1 and 3.2	Rewording	<del>3.1 — If the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting, and the Deputy Mayor cannot take over for the Mayor, Council must, by resolution of Council, appoint a Councillor to be the Acting Mayor.</del> 3.2 If the Mayor for any reason is incapable of performing the duties of the office of the Mayor, <u>including attending a Council meeting or part of a Council meeting</u> , and the Deputy Mayor cannot take on the responsibility of the office of the Mayor, Council must, by resolution of Council, appoint a Councillor to be the Acting Mayor.	Inconsequential change. No change to processes. Clauses reworded to be more concise.
Clause 4.1	Amend	The Mayor must take the chair at all Council meetings at which they are present unless precluded from doing so because of a conflict of interest, <u>or in accordance with clause 38.1.</u>	Clause 38.1 requires the Chair to vacate the chair to address Council on a matter. This is to ensure the impartiality of the Chair at all times.
Clause 4.4	Deletion	<del>If a Mayor and the Deputy Mayor are temporarily unable to Chair the meeting, a Councillor shall be elected to take the chair by resolution of Council, or in accordance with the election process in clause 1 if a decision cannot be immediately reached.</del>	Inconsequential change. Removed due to duplication with clause 3. No change to process.
Clause 7.2	Amend	The dates, time and place for all Council meetings shall be fixed by Council resolution from time to time, with the exception of <del>unscheduled</del> Council meetings <u>not scheduled by Council resolution</u> in accordance with clause 10	Inconsequential change. The name/description of the meeting has changed, however the process remains the same. This has changed as all meetings are 'scheduled', some are scheduled by Council resolution and other are scheduled as called by the Mayor or 3 Councillors.

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Clause 8.5	Amend	The Chief Executive Officer must give notice to each Councillor of the date, time and venue to which the meeting stands adjourned and of the business remaining to be considered, <u>and this information must be published on Council's website.</u>	This update has been included to promote transparency by ensuring the public is aware of all meeting dates.
Clause 9.1	Amend	<p>The Chief Executive Officer is responsible for the keeping of Minutes on behalf of Council. Those Minutes must record:</p> <ul style="list-style-type: none"> <li>• the date, place, time and nature of the Council Meeting;</li> <li>• the names of Councillors and whether they are present, an apology, or on leave;</li> <li>• the titles of the members of Council staff present who are not part of the gallery;</li> <li>• the disclosure of a conflict of interest made by a Councillor in accordance with the Act;</li> <li>• the arrivals and departures of Councillors, during the course of the Meeting (including any temporary departures or arrivals);</li> <li>• every Motion and amendment moved (including procedural Motions),</li> <li>• the outcome of every Motion moved;</li> <li>• <del>where a division is called, the names of every Councillor and the way their vote was cast (and if they abstained);</del></li> <li>• <del>when requested by a Councillor, a record of their support of, opposition to, or abstention from voting on any Motion,</del> <u>The names of each Councillor and the way their vote was cast on each item,</u> noting that under section 61(5) of the Act that a Councillor present at the meeting who does not vote is taken to have voted against the question <u>for the purposes of determining the result of the vote;</u></li> <li>• details of any failure to achieve or maintain a quorum;</li> <li>• details of any petitions made to Council;</li> <li>• the time and reason for any adjournment of the Meeting or suspension of standing orders;</li> <li>• any other matter, which the Chief Executive Officer thinks should be recorded to clarify the intention of the Meeting or assist in the reading of the Minutes; and</li> <li>• the time the Council Meeting was opened and closed, including any part of the</li> </ul>	This amendment would enhance transparency by recording the way each Councillor voted each time. This will increase transparency for the community, as votes are currently only recorded this way if a division is called following a vote on a particular agenda item. The proposed amendment will also improve the flow of the meeting, making it easier for community members to follow the flow of the proceedings.

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		Council Meeting that was closed to members of the public.	
10	Amend	<del>Unscheduled Council Meetings</del> <b>not scheduled by Council resolution</b>	This is changed the better reflect the process for calling meetings. All meeting are 'scheduled' so it can be confusing to refer to a meeting as 'unscheduled'. The standard process is that most meetings will be scheduled by Council resolution on an annual basis. However from time to time a meeting will be required more urgently, and the meeting can then be scheduled by the Mayor, or by three Councillors. Renaming this section better reflects this process.
10.1	Amend	Where a Council meeting is required urgently, or to deal with a specific matter in a timely manner that cannot wait for a Council meeting scheduled by Council resolution, the Mayor, or at least three Councillors may by written notice call an <del>unscheduled</del> Council meeting.	Inconsequential amendment to reflect the removal of the term 'unscheduled' Council meeting.
10.2	Amend	<u>Where it is not possible for the procedure in 10.1 to occur, such as during caretaker period, the Chief Executive Officer may call a Council Meeting at their discretion if it is considered that the matter cannot wait for the meeting to be called in accordance with 10.1.</u>	This amendment is necessary to facilitate the continuation of Council business during times where a meeting cannot be called by standard measures. By enabling the CEO to call a Council meeting, this will ensure that the matter is heard as soon as possible once Council is available. For example, the CEO may call the meeting to elect a Mayor and Deputy Mayor, as this will avoid delays after the election period.
10.3	Amend	The notice must specify the date and time of the proposed meeting and the business to be transacted <u>or matters to be heard.</u>	Inconsequential change. Included to be more comprehensive.
10.4	Amend	The notice must be presented to the Chief Executive Officer at least seven days prior to the meeting date. <u>If the meeting is called under 10.1, the Chief Executive Officer may sign all sections of the notice.</u>	This change is updated to reflect the change to 10.2 above, which will enable to CEO to schedule a Council meeting in certain circumstances.
10.5	Amend	The Chief Executive Officer must call the <del>unscheduled</del> Council meeting as specified in the notice.	Inconsequential change, removal of 'unscheduled' to reflect removal of phrase for improved terminological accuracy.
10.6	Amend	Unless all the Councillors are present at the <del>unscheduled</del> Council meeting and unanimously agree by resolution to deal with a matter that is not specified on the <del>unscheduled</del> Council meeting notice, only the business specified is to be transacted.	Inconsequential change, removal of 'unscheduled' to reflect removal of phrase for improved terminological accuracy.
10.7	Amend	The Chief Executive Officer must give notice to the public of any <del>unscheduled</del> Council meeting via Council's website at least five days prior to the meeting and by public notice, where possible, as soon as is practicable.	Inconsequential change, removal of 'unscheduled' to reflect removal of phrase for improved terminological accuracy.



Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
11.1	Amend ment and deletion.	Where a Council meeting is required to hear submissions, <del>the Chief Executive Officer may call a Special Council Meeting for Hearing Submissions as in accordance with section 223(b) of the 1989 Act and the Planning and Environment Act 1987, Council may schedule a Special Council Meeting for Hearing Submissions by Council resolution, or by written notice from the Mayor, or at least three Councillors by submitting preparing a</del> written notice <del>requesting</del> <u>advising of</u> a Special Council Meeting for Hearing Submission <del>s</del> <u>s</u>	As a meeting for hearing submissions is called upon advice from officers in accordance with an established process, and decision-making does not occur at this meeting, it is proposed that allowing the CEO to call these meetings will streamline processes without any detriment to the democratic process.  The reference to the <i>Planning and Environment Act</i> has been removed, as Special Council Meetings for Hearing Submissions are held to hear a variety of matters, and the specific reference to planning matters may cause confusion.
11.2	inclusion	<del>Prior to preparing the notice, the Chief Executive Officer must consult with the Mayor as required under section 46(2)(d) of the Act.</del>	Section included to reflect the requirement under section 46(2)(d) of the <i>Local Government Act 2020</i> that the CEO consult with the Mayor prior to setting the meeting agenda.
11.3		<del>The notice must be presented to the Chief Executive Officer at least seven days prior to the meeting date.</del>	This is removed to reflect the change in clause 11.1 (see above)
11.4		<del>The Chief Executive Officer must call the Special Council Meeting as specified in the notice.</del>	This is removed to reflect the change in clause 11.1 (see above)
11.6	Amend	Where Council has scheduled a Special Council Meeting for Hearing Submissions, the following procedures apply: <ul style="list-style-type: none"> <li>Written submissions must be provided by the deadline specified in the public notice/advertisement and relate to the matter/s listed in the resolution or notice scheduling the meeting, and the submission must indicate whether the submitters <del>desires</del> <u>desires</u> to speak at the Special Council Meeting for Hearing Submissions.</li> <li>Submitters will be allocated a maximum of 5 minutes to speak to their submission, <del>and, where a planning matter, with the exception of planning matters where</del> the applicant will be allocated a maximum of 10 minutes.</li> </ul>	This is updated to reflect the established practice as established in the Special Council Meeting for Hearing Submissions Guidelines, which provides the applicant on a planning matter to speak to their submission for 10 minutes.
11.7	Amend	<del>Joint submitters</del> <u>Speakers who have submitted a joint written submission who wish to speak</u> must nominate a	This amendment does not reflect any change to practice, rather it better articulates the established practice as detailed in the Special

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		<p>representative who will be allocated a maximum of 5 minutes to speak to the joint submission.</p> <ul style="list-style-type: none"> <li>• <u>If three or more submitters who made separate written submissions wish to speak to their submissions together, the speaking time will be capped at 15 minutes.</u></li> <li>• Requests for variations to the process outlined above shall be at the discretion of the Chair.</li> </ul>	Council Meeting for Hearing Submissions Guidelines.
16.1	Amend	<p>If the minutes have been delivered to each Councillor at least 48 hours before the meeting, a motion must be put for the confirmation of the minutes.</p> <p>If the minutes have not been delivered, <u>Council may defer to the next Council meeting if considered appropriate, or where the Chair considers the minutes must be confirmed with urgency,</u> they must be read and a motion must be put for the confirmation of the minutes.</p>	<p>This change has been made to provide an alternative process to the existing process. The existing process required that the minutes be read out during the meeting if they were not provided to Councillors 48 hours in advance. As the minutes are often hundreds of pages long, this is an extremely onerous requirement and detracts from the primary purpose of the Council making as a key decision making mechanism. This clause has been amended to provide the option to instead defer the confirmation of minutes to the next meeting wherever practicable.</p> <p>Although this process was allowed for under clause 16.4, that clause directly contradicted this clause. This is resolved by the amendment.</p>
16.2	deletion	<p>The minutes must be signed by the Chair of the meeting at which they have been confirmed.</p> <p><del>The minutes shall record the business of the meeting and in particular:</del></p> <ul style="list-style-type: none"> <li>• <del>The date, place, time and nature of the meeting;</del></li> <li>• <del>The names of the Councillors present and those who have submitted apologies or are on granted leave;</del></li> <li>• <del>The disclosure of conflicts of interest made by a Councillor and the type and nature of such interest;</del></li> <li>• <del>Arrivals and departures of Councillors during the course of the meeting;</del></li> <li>• <del>Each motion and amendment moved and seconded;</del></li> <li>• <del>The vote cast by each Councillor upon a division;</del></li> <li>• <del>The total numbers of Councillors voting for, against and abstaining</del></li> <li>• <del>The failure of a quorum;</del></li> </ul>	Inconsequential deletion – this section has been deleted as it is duplicated elsewhere in the Governance Rules.

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		<ul style="list-style-type: none"> <li>• <del>When requested by a Councillor, a record of their support or opposition to any motion; and</del></li> <li>• <del>Closure of the meeting to members of the public and the reasons for such closure.</del></li> </ul>	
16.3	amend	No discussion or debate on the confirmation of minutes is permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned. <u>Any changes to the draft minutes must be updated on Council's website as soon as practicable.</u>	This entrenches the standard expectation that where changes to the draft minutes are made prior to confirmation, the minutes published on Council's website be updated to reflect this.
16.4	deletion	<del>Council may defer the confirmation of minutes until later in the Council meeting or until the next Council meeting if considered appropriate.</del>	This directly contradicted clause 16.1. This section has now been incorporated into 16.1 to provide an alternative to the existing clause.
16.6	amend	<u>Council Meeting m</u> Minutes from closed sections of Council meetings will be confirmed in the closed section of the meeting.	Inconsequential amendment to clarify process.
17.9	deletion	<del>Confirmed minutes must be displayed on Council's website except for minutes confirmed in the closed section of a meeting.</del>	Inconsequential deletions. Process covered elsewhere. Removed due to duplication.
17.1	amend	Any Councillor seeking or requiring leave for a period of 4 consecutive months or greater from Council duties must <del>do so and</del> provide the reason for the leave at a Council meeting as soon as practicable, or, if this is not practicable, the Councillor must give the Chief Executive Officer written notice of their intention to <del>do so seek leave</del> and the stated reason prior to the next available Council meeting.	Inconsequential amendment – improved wording with no change to meaning.
18.1	amend	There shall be a public question time of up to 30 minutes, unless extended at the discretion of the Chair, at every Meeting of Council <u>scheduled by Council resolution</u> to enable members of the public to submit questions to Council.	This reflects the existing process, but is expressly added for clarification. Due to the change in meeting dates and types under the new Local Government Act, this amendment removes ambiguity.
18.2		Questions with notice must be submitted to Council in writing by <del>10am-3:00pm</del> on the day <del>of before</del> the meeting generally in accordance with Schedule A, or via the Public Question Time online form available on Council's website, stating the name, address, <del>and</del> telephone and email contact details of the person submitting the question.	This is for administrative purposes, and is in more consistent with the practices of many other Councils (some even have a deadline of 5 business days before the meeting).  This is expected to have minimal community impact, as the agenda is also released earlier (Wednesday afternoon rather than Friday morning). As a result, the community now has more time to read the agenda prior to the Public Question Time deadline.

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18.5.4	addition	<u>Relate to a Council compliance or enforcement matter, or other legal proceeding;</u>	(Reason for rejecting a public question). This is already addressed in the Governance Rules, as it is included under clause 18.5.3 (confidential in nature or of legal significance), but is set out separately as it is often a source of confusion, and this proposed change is intended to increase the 'user-friendliness' of the document.
18.5	amend	Be aimed to embarrass a Councillor, <del>or member of Council staff,</del> <u>or other individuals, parties or government agencies;</u>	(Reason for rejecting a public question). The reference to other parties has been included to expand on the existing clause to reflect meeting conduct expectations.
18.10	amend	Every reasonable attempt will be made to substantively answer a question with notice at the meeting unless the person asking the question has been contacted beforehand and advised of the reason for the question not being answered at the meeting in which case the answer will be provided within five <u>business</u> days.	Inconsequential change – this is already covered in the definitions sections which states that a 'day' means a 'business day', however is reiterated here to improve useability of the document.
18.16	addition	<u>Where the meeting is required to be held electronically, the CEO is deemed to act as the proxy for the purpose of receiving questions.</u>	This has been added to ensure community involvement in decision making, even when the meeting is not held in person at the Council chambers (ie during COVID).
18.18	amend	As an alternative to submitting a question with notice to Council under subclause <del>187.2</del> , a person may lodge a submission not exceeding 200 words, on a matter listed on the agenda, by 10am on the day of the meeting provided that a prior opportunity to make a submission concerning the matter has not been afforded to the person at a Council meeting, Delegated Committee meeting or <u>other meeting held under the auspices of Council Assembly of Councillors.</u>	Inconsequential change – this change relays the same meaning, however the phrase 'Assembly of Councillors' related the revoked sections of the <i>Local Government Act 1989</i> .
19.1	amend	A petition or joint letter must be presented to the next available meeting of Council where the petition or joint letter is received at least <del>seven-10</del> business days before the meeting of Council.	This change has been added to facilitate the earlier release of the meeting agenda. This is anticipated to have a low community impact, and this is offset by the significant positive reasons for releasing the agenda early, as early release of the agenda will encourage and better facilitate community engagement.
19.6.5	amend	Be aimed to embarrass a Councillor, <del>or member of Council staff,</del> <u>or other individuals, parties or government agencies;</u>	(Reason for rejecting a petition or joint letter). The reference to other parties has been included to expand on the existing clause to ensure that Council does not publish material which does not meet community standards.
19.7	amend	An officer report pertaining to any petition or joint letter may be required at <del>the next</del> Meeting of Council <u>within three months of the date the petition was received</u> (if the petition has not been dealt with in accordance with the provisions of subclauses <del>1819.3, 1819.4 or 1819.5</del> ).	The current deadline is not feasible for a range of matters, including where the next Council meeting is scheduled earlier to accommodate a public holiday, or where significant research is required. By extending this deadline, officers will be able to conduct a more thorough investigation of matters prior to providing a recommendation to Council.

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21.2	deletion	<del>When Officer reports are before a Council meeting the Chair must ask a Councillor to move an appropriate motion.</del>	Inconsequential deletion. The Chair must ask for a motion for each agenda item. Therefore, it is not necessary to identify this requirement specifically with relation to officer reports.
22.4	deletion	<del>Unless a majority of Councillors present resolve to deal with another matter as Urgent Business, no business can be transacted at a Council meeting unless it appears on the agenda.</del>	Inconsequential deletion – this is a duplication of another clause.
22.2	amend	<del>If a meeting report contains confidential information as defined by section 3(1) of the Act, the meeting will be closed to the public in accordance with section 66(2)(a) of the Act while that agenda item is considered. The Chief Executive Officer must ensure that the report includes the grounds under section 3(1) of the Act under which the report is deemed to contain confidential information, and an explanation of why the specified grounds apply. The Chief Executive Officer must ensure that any Council meeting report containing confidential information as defined by section 3(1) of the Act and which is expected to be the subject of a resolution under section 66(2)(a) of the Act to close the Council meeting to the public, includes the ground(s) as specified in section 3(1) of the Act under which the report is deemed to contain confidential information and an explanation of why the specified grounds apply.</del>	The new sentence contains the same content as the deleted sentence below it, but is reworded for readability.
23.7	deletion	<del>The time of any resolution to close a meeting to the public must be recorded in the minutes of the meeting.</del>	Inconsequential deletion – this information is duplicated in another clause.
25.1	amend	A Councillor must not speak longer than the time set out below, unless granted an extension by the Chair: <ul style="list-style-type: none"> <li>1.1.1 The mover of a motion or an amendment: 5 minutes;</li> <li>1.1.2 Any other Councillor: 3 minutes; and</li> <li>1.1.3 The mover of a motion <del>making a closing statement exercising a right of reply</del>: 2 minutes.</li> </ul>	The term 'closing statement' has replaced 'right of reply'. This reflects the changes to debate, as it is proposed that Councillors no longer have to speak 'for' and 'against'. As such, closing statement is a more accurate reflected of the updated process.
26	amend	<b>Motions and Amendments</b>	Heading amended as 'Amendments' will be addressed in a separate section.
26.1	amend	A motion <del>or an amendment to a motion</del> must: <ul style="list-style-type: none"> <li>1.1.4 — Not be defamatory;</li> </ul>	This section has been amended to provide greater clarity on the administration of existing processes. By providing clearer definitions, this should remove doubt and ambiguity with relation

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
		<p><del>1.1.5 Not be objectionable in language or nature;</del></p> <p><del>1.1.6 Relate to the powers or functions of Council;</del></p> <p><del>1.1.4 Be within Council's power;</del></p> <p><del>1.1.5 Identify clear action/s required to be taken by Council if the motion is carried. This action may include that Council acts upon, refrains from acting upon, or notes a certain matter;</del></p> <p><del>1.1.71.1.6</del> Be in writing, if requested by the Chairperson;</p> <p><del>1.1.81.1.7</del> Except in the case of urgent business, be relevant to an item of business on the agenda; and</p> <p><del>1.1.91.1.8</del> Be moved and seconded, otherwise it lapses.</p>	to the interpretation of meeting procedure requirements. This will streamline the meeting process and enable the focus of the meeting to remain on decision making.
26.2	Amend	<del>The Chair may refuse to accept any motion or amendment which</del> A Motion must not contravene subclause <del>25</del> 26.1 or <del>be</del> which:	Reworded to facilitate the separation of the 'motions' and 'amendments' clauses.
26.3	Amend	<del>Defamatory; or</del>	Inconsequential amendment – this already existed in the Governance Rules, but appears as a change due to the restructure of the section.
26.4	Amend and deletion	<p><del>Objectionable in language or nature.</del></p> <p><del>Is not relevant to the item of business on the Agenda and has not been admitted as urgent business;</del></p> <p><del>or;</del></p> <p><del>1.1.101.1.9 Purports to be an amendment but is not consistent with clause 28 and relevant subclauses.</del></p>	<p>Inconsequential amendment – this already existed in the Governance Rules, but appears as a change due to the restructure of the section.</p> <p>Inconsequential deletion – this section relates to amendments and will be referenced in that section.</p>
27.3	Deletion	<del>A substantive motion may be altered if the mover and the seconder of the motion both agree to the change. This change cannot be significant or contradictory to the motion's intent.</del>	Inconsequential deletion – this section relates to amendments and will be referenced in that section.
26.5	Deletion	A motion <del>or amendment</del> can only be withdrawn by the mover.	Inconsequential deletion – amendments will be referenced in that section.
27.7	Amend	The Chair shall ask immediately after the mover and seconder have spoken to the motion (or deferred speaking), whether the motion is opposed. If no Councillor wishes to	This has been updated to reflect the removal of the requirement for formal debate involving a 'for' and 'against' argument. This will enhance the democratic process by enabling all

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
		<p>speaking against the motion the Chair may then <del>put it to the vote without debate.</del> <u>invite other Councillors to speak to the motion without requiring Councillors to identify their support for, or opposition to the motion.</u></p>	Councillors to speak to the motion, regardless of their position on the matter.
28.8	Amend	<p><del>If a Councillor has spoken against the motion, the Chair will then ask if any Councillor wishes to speak for the motion. If no Councillor wishes to speak in support of the motion, the motion is to be put to the vote.</del></p>	See above
28.9	Amend	<p><del>The Chair will continue to alternately call for Councillors wishing to speak either for or against a motion until debate ceases upon which the motion will be put to a vote.</del></p>	See above
27.9	Amend	<p>Each Councillor can only speak once to each motion, <del>with the exception of the mover who has the right of reply except for the mover who may make a closing statement</del> immediately before the vote is taken.</p>	Amendment to rename 'right of reply' to 'closing statement', reflecting proposed changes above.
27.10	Addition	<p><u>Once the each Councillor has been given the opportunity to speak, and the mover has been given an opportunity to make a closing statement, the motion must be put to a vote.</u></p>	This is added to reflect the proposed new process outlined above at 27.7.
27.11	Amend	<p>The mover of a motion's <del>right of reply to make a closing statement</del> is lost if an amendment to the motion is carried.</p>	See above
27.12	Amend	<p>The mover of a motion must not introduce new material when <u>making a closing statement</u> <del>exercising any right of reply.</del></p>	See above
27.13	Amend	<p>If a substantive motion <u>on a matter which has a statutory requirement for an outcome to be reached</u> is lost, and there is no outcome on <del>a-the</del> matter, the Chair <del>must</del><u>should</u> call for another motion.</p>	This has been amended to narrow the scope of the original clause. Council has the right to not make a decision on something, unless there is a legal requirement for it to do so. This amendment better reflects this principle. This ensures that Council is not compelled to make a decision on any matter unless required by law.
27.14	Amend	<p>If Council is unable to achieve a resolution on an agenda item, <u>and the matter requires a resolution by law, a motion of deferral should be sought by the Chair, requesting and that motion should state</u> what Councillors will need in order to be able to achieve an outcome, <del>or a motion for this item to come back to the Chamber at a later meeting, should be put.</del></p>	This option has been included to better enable Council to achieve the requirement under 27.13 (above).

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
27.16	Amend	If a Councillor is interrupted by the Chair or upon a point of order they must remain silent until the Chair has ceased speaking, <del>and</del> the point of order has been determined.	Inconsequential amendment. Wording amended to clarify existing process.
29.1	Amend	<u>A Motion, which has been moved and seconded, may be amended by leaving out, replacing or inserting words, which must be relevant to the subject of the Motion.</u>	This has been added to provide additional clarity around the definition of a motion, which is expected to improve the meeting process by providing clearer meeting procedure guidelines, enabling the focus of Council meetings to remain on the decision making process.
29.2	Amend	<u>An amendment to a Motion must:</u> <u>1.1.10 Propose a substantially similar outcome to the Motion upon which it is moved; and</u> <u>1.1.11 Be relevant to the Motion upon which it is moved; and</u> <u>1.1.12 Not amount to a direct contradiction of any part of the motion, including seeking to change or edit a document, report or policy that is subject to the Motion.</u>	This has been added to provide additional clarity around the definition of a motion, which is expected to improve the meeting process by providing clearer meeting procedure guidelines, enabling the focus of Council meetings to remain on the decision making process.  By providing a clearer definition of an amendment, this will assist with the administration on the meeting.  These amendments do not propose any substantive change to the existing Governance Rules 'Amendments', rather a clearer definition has been provided to assist users.
29.3	Amend	<u>An amendment may be proposed or seconded by any Councillor, except the mover and seconder of the original Motion.</u>	Inconsequential – no change from existing process in current Governance Rules. Displayed as an amendment due to restructure of section.
29.4	Amend	<u>A Councillor proposing an amendment must first present the amendment by stating which words are proposed to be left out, replaced or added, and then move the amendment without speaking to it.</u>	This amendment provides additional clarity to the existing process by stating exactly how an amendment is to be moved. This is designed to remove procedural ambiguity.
29.5	Amend	<u>A Councillor that proposes an amendment to a Motion should present the amendment before they speak to the substantive Motion.</u>	Inconsequential – no change from existing process in current Governance Rules. Displayed as an amendment due to restructure of section.
29.6	Amend	<u>Debate on the substantive motion ceases when an amendment to the motion is moved.</u>	Inconsequential – no change from existing process in current Governance Rules. Displayed as an amendment due to restructure of section.
29.7	Amend	<u>If a Councillor proposes an amendment, and the original mover and seconder of the Motion both indicate their agreement with the amendment, the amended Motion becomes the substantive Motion without debate or vote. An agreement by the mover and seconder to amend a substantive Motion must occur before the mover, seconder or any Councillor speaks to the substantive Motion. The Councillor proposing the amendment cannot speak to the proposed amendment when seeking the agreement of the mover and seconder.</u>	Inconsequential – no change from existing process in current Governance Rules. Displayed as an amendment due to restructure of section.



Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
29.8	Amend	<p><u>If a Councillor proposes an amendment to which either the mover or seconder of the substantive Motion does not agree, the following will apply:</u></p> <p><u>1.1.13 the amendment must be moved and seconded. If the amendment is not seconded, the amendment lapses due to want of a seconder and is not recorded in the minutes. If the amendment lapses then debate on the substantive motion is to resume from the point at which it ceased.</u></p> <p><u>1.1.14 debate on the amendment to the Motion must follow the rules set out in clause 27, with the exception that the mover of an amendment does not have right to make a closing statement.</u></p> <p><u>1.1.15 a Councillor may speak on any amendment once, whether or not he or she has spoken to the Motion, but debate must be confined to the terms of the amendment;</u></p> <p><u>1.1.16 Only one amendment to a Motion may be accepted by the Chairperson at any one time. No second or subsequent amendment to the Motion may be taken into consideration until the previous amendment has been dealt with and voted on.</u></p> <p><u>1.1.17 A single Councillor can't propose more than two amendements to a Motion about the one item in the Agenda;</u></p> <p><u>1.1.18 if the amendment is carried, the Motion as amended then becomes the Motion before the Meeting (known as the 'substantive Motion') and debate resumes on the substantive motion.</u></p>	No changes of impact are made in this section, however noted as an amendment as the section has been written.
30.1	Deletion	<del>Once a motion has been moved and seconded, a Councillor can move an amendment to that motion.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
30.2	Deletion	<del>The mover or seconder of the substantive motion cannot move an amendment to it.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.3	Deletion	<del>Debate on the substantive motion ceases when an amendment to the motion is moved.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.4	Deletion	<del>The amendment motion must be seconded. If the amendment is not seconded, the amendment lapses due to want of a seconder and debate on the substantive motion is to resume from the point at which it ceased.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.5	Deletion	<del>An amendment must be relevant to the motion upon which it is moved.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.6	Deletion	<del>An amendment must not amount to a direct contradiction of the motion.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.7	Deletion	<del>Amendments must be dealt with one at a time.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.8	Deletion	<del>A second or subsequent amendment cannot be moved until the immediately preceding amendment is disposed of.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.9	Deletion	<del>A Councillor proposing an amendment must first state briefly the nature of the amendment and then move it, without speaking to it.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.10	Deletion	<del>The Chair is to ask for a seconder.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.11	Deletion	<del>If the amendment is not seconded the amendment lapses for want of a seconder.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.12	Deletion	<del>After the amendment has been seconded, the Chair must follow the debate rules set out in clause 26.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.13	Deletion	<del>After debate has concluded, the Chair must put the amendment to the vote.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.14	Deletion	<del>If an amendment is adopted it becomes part of the substantive motion.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.15	Deletion	<del>It can then be subject to further amendment. A Councillor cannot move more than 2 amendments on the same matter in succession.</del>	Deleted as confusing and subject to multiple possible interpretations. Replaced with a clearer rules.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
30.16	Deletion	<del>A Councillor can only speak once on the amendment.</del>	Inconsequential – no change from current process. Deleted as whole section rewritten to enhance clarity of existing rules.
30.1	Amend	<del>During debate on a motion, a</del> A Councillor may foreshadow a motion that the Councillor intends to move after the motion under consideration has been dealt with.	Sentence amended for readability. No change to process.
30.2	Addition	<u>A Councillor may foreshadow a motion when they are speaking to the substantive motion before Council, or advise the Chair that they wish to foreshadow a motion at another time during the debate between other Councillors speaking to the Motion.</u>	This has been added to better describe the existing process for foreshadowing a motion.
30.3	Addition	<u>When foreshadowing a motion, a Councillor should briefly state the nature of the foreshadowed motion but not speak to the foreshadowed motion.</u>	This has been added to better describe the existing process for foreshadowing a motion.
31.1	Amend	<del>If a proposed amendment effectively negates the substance of the substantive motion before the Chair, it is to be ruled a foreshadowed motion and shall only be considered in the event that the motion is lost.</del>	This has been removed, as the Chair should not be able to 'deem' someone to have foreshadowed a motion. Upon rejecting the amendment, the Chair may advise that it could instead be a foreshadowed motion, however the Chair should not rule it as such.
32.1	Deletion	<del> <p>1.2 — A notice of motion must:</p> <p>1.2.11.1.19 identify two supporting Councillors who are not obliged to move, second or vote in favour of the motion but are of the opinion that the proposed motion relates to a matter sufficiently important that it warrants formal consideration by Council;</p> <p>1.2.21.1.20 briefly explain the rationale for the proposed motion; and</p> <p>1.2.31.1.21 be lodged in the format provided for this purpose as appearing in Schedule B of these Governance Rules, either electronically or in writing, with the Chief Executive Officer by 5pm on the seventh working day prior to the date of the meeting to allow sufficient time for the notice of motion to be included in the Agenda for the next Council meeting.</p> </del>	Section deleted and rewritten below. This has been rewritten as the existing clauses in this section provide insufficient clarity around the process. It is preferable to design processes with as much clarity as possible, as this will enable all users, including community members, to have a clearer understanding of meeting procedure and associated processes.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
32.2		<del>Any supporting documentation must be attached to the notice of motion for inclusion in the agenda, but must not be more than 500 words inclusive of the proposed motion.</del>	
31.1	Amend	<u>A Councillor can submit to the Chief Executive Officer a Notice of Motion for inclusion in the Agenda for a Meeting.</u>	Inconsequential – no change to current process. Presented as an amendment due to the section being rewritten.
31.2		<u>1.2 A Notice of Motion must:</u> <u>1.2.1 be in writing (including by electronic means), signed by two Councillors who support the inclusion of the notice in the Council meeting agenda, and be lodged with the Chief Executive Officer no later than 12 noon 10 business days before the Meeting at which it is intended to be considered to ensure its inclusion in the Agenda.</u> <u>1.2.2 briefly explain the rationale for the proposed motion or attach supporting documentation for the motion, but must not be more than 500 words inclusive of the proposed motion; and</u> <u>1.2.3 be lodged in the format provided for this purpose as appearing in Schedule B of these Governance Rules</u>	<p>This has been amended to require the Notice of Motion to be submitted 10 business days before the meeting (previously was 7 business days). This has been changed as the agenda is now made publicly available earlier, and as such additional time is required to facilitate this.</p> <p>All other changes are inconsequential and are presented as amendments due to the section being rewritten.</p>
31.3	Addition	<u>Unless Council resolves otherwise, each Notice of Motion must be considered in the order in which they were received.</u>	Inconsequential – no change to current process. Presented as an amendment due to the section being rewritten.
31.4	Addition	<u>A Notice of Motion must relate to the objectives, role and functions or Council as outlined in the Act.</u>	This has been added to ensure that motions are not moved which fall outside of the scope of Council’s decision-making power.
31.5	Amend	<u>The Chief Executive Officer must reject any Notice of Motion which:</u> <u>1.2.4 is too vague;</u> <u>1.2.5 is defamatory;</u> <u>1.2.6 may be prejudicial to any person or Council;</u> <u>1.2.7 is objectionable in language or nature;</u> <u>1.2.8 is outside the powers of Council;</u> <u>1.2.9 is submitted during Election Period.</u>	This expands on the current section of the Governance Rules to provide greater clarity and better align the requirements of a Notice of Motion with community expectations of Councillor conduct.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
31.6	Addition	<p><u>The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the Agenda and outline the policy, financial and resourcing implications if the Notice of Motion is passed.</u></p>	<p>This has been added to ensure complete transparency relating to the implications if implementing any resolution resulting from the motion.</p>
31.7	Addition	<p><u>To assist Councillors to make an informed decision regarding the proposed motion, the Chief Executive Officer will include written assessment in the agenda for the meeting where the motion is to be considered. The written assessment will not include a recommendation, but will briefly identify:</u></p> <ul style="list-style-type: none"> <li><u>1.2.10 impacts to the levels of Council service;</u></li> <li><u>1.2.11 expenditure where this is not already included in the adopted Council Budget;</u></li> <li><u>1.2.12 proposals to establish, amend or extend Council policy;</u></li> <li><u>1.2.13 proposals that impact the rights of any person who has not had the opportunity to contribute their views;</u></li> <li><u>1.2.14 proposals that commit Council to any contractual arrangement; or</u></li> <li><u>1.2.15 matters relating to any litigation or legal process in respect of which Council is a party.</u></li> </ul>	<p>This has been added to ensure complete transparency relating to the implications if implementing any resolution resulting from the motion.</p>
31.8	Addition	<p><u>The Chief Executive Officer may reject a proposed Notice of Motion that</u></p> <ul style="list-style-type: none"> <li><u>1.2.16 relates to a matter that can be addressed through the operational service request process; or</u></li> <li><u>1.2.17 relates to a matter that has been previously resolved by Council or is acted upon.</u></li> </ul>	<p>This has been added to ensure that Council resources are allocated appropriately without duplication or repetition.</p>
31.9	Amend	<p><u>If rejecting a Notice of Motion, the Chief Executive Officer must inform the Councillor who lodged it of that rejection and the reasons for the rejection no later than nine business days before the Meeting at which it is intended to be considered. The Councillor may submit a revised Motion within 24 hours.</u></p>	<p>This amendment changes two elements of the existing process. Firstly, the CEO must notify the Councillor of the rejection nine business days before the meeting. This is to facilitate the earlier release of the agenda as discussed above.</p> <p>The second change is to allow the Councillor to submit a revised Motion within 24 hours. This improvement is designed to better facilitate democratic process by giving additional opportunity for the Motion to be accepted.</p>

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
31.10	Addition	<u>The Chief Executive Officer may designate 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.</u>	This is required in accordance with the Act, and is expressly stated in the Governance Rules to ensure transparency.
31.11	Addition	<u>The Chief Executive Officer may arrange for comments of members of Council staff to be provided to Councillors prior to the Notice of Motion being published in the Agenda for the relevant Council Meeting.</u>	This section has been added to enable Councillors to be provided with information and professional advice as early as possible to enable them to make any additional enquiries if required.
31.12	No change	<u>The Chief Executive Officer must cause all Notices of Motion to be sequentially numbered, dated and entered in a register.</u>	No change from exiting process. Presented as a change as entire section rewritten.
31.13	No change	<u>Unless Council resolves otherwise, each Notice of Motion must be considered in the order in which they were received.</u>	No change from exiting process. Presented as a change as entire section rewritten.
31.14	Amend	<u>The Motion moved must not be different to the motion published in the Agenda, however, may be amended by resolution of the Council in accordance with clause 29.</u>	This section has been amended to ensure that Councillors are fully informed on the exact subject matter prior to the meeting.
31.15	No Change	<u>If a Councillor who has lodged a Notice of Motion is absent from the Meeting or fails to move the Motion when called upon by the Chair to do so, any other Councillor may move the Motion.</u>	No change from exiting process. Presented as a change as entire section rewritten.
31.16	No Change	<u>If a Notice of Motion is not moved and seconded at the Council Meeting at which it is listed, it lapses.</u>	No change from exiting process. Presented as a change as entire section rewritten.
32.3	No Change	<del>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 were received.</del>	No change – presented as deletion due to section restructure.
32.4	Amend	<del>Any notice of motion which in the opinion of the Chief Executive Officer or the Chair is: 1.2.4 — defamatory; or 1.2.5 — objectionable in language or nature; or</del>	This has been amended as reflected in clause 31.15. Presented as deletion due to section restructure.
32.5	Amend	<del>outside the powers of the Council, must not be accepted by the Chief Executive Officer or by the Chair.</del>	This has been amended as reflected in clause 31.15. Presented as deletion due to section restructure.
32.6	No Change	<del>Except by resolution of Council, notices of motion before any Council meeting must be considered in the order in which they were recorded in the notice of motion register.</del>	No change – presented as deletion due to section restructure.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
32.7	Amend	<del>To assist Councillors to make an informed decision regarding a notice of motion, the Chief Executive Officer must provide a written report prior to the meeting at which the notice of motion is to be considered, however the report is not to contain a recommendation.</del>	Section amended but presented as a deletion due to section restructure. This has been amended as described above at 31.7.
32.8	No Change	<del>If both Councillors who have given a notice of motion: 1.2.6 are absent from the Council meeting; or 1.2.7 fail to move the motion when called upon by the Chair; any other Councillor may move the notice of motion.</del>	No change from existing process. Presented as deletion due to section restructure.
32.9	No Change	<del>If a notice of motion is not moved and seconded at the Council meeting for which it was included on the agenda, it lapses.</del>	No change from existing process. Presented as deletion due to section restructure.
32.10	Deletion	<del>Before the notice of motion is put to the vote, it may be withdrawn by the two supporting Councillors.</del>	Clause deleted as another Councillor may move the motion.
33.10	Addition	Only the mover of a motion of dissent and the Chair can speak to the motion before it is put <u>to the vote</u> . The mover of the motion does not have a right of reply.	Inconsequential change. Words added to clarify meaning.
34.5.4	Addition	<u>'that a substantive motion be voted on in separate parts';</u>	Procedural motion added to facilitate the proposed new process whereby a motion may be voted on in separate parts.
35.2	Addition	The Chair without being so requested may direct the <u>Councillor moving the motion or amendment, or the</u> Chief Executive Officer (or other person authorised by the Chief Executive Officer) to read the motion or amendment to the meeting before the vote is taken.	This has been added to assist with the Chairing of the meeting and the minuting process. If the motion or amendment is not previously known, the Councillor moving the motion or amendment is likely best suited to read out the motion or amendment.
36	Deletion	<b>Voting</b>  <i>(Pursuant to Section 90 of the Act.)</i>	Deleted as the section of the act referred to is not relevant to the Governance Rules and was likely inserted erroneously.
36.7	Deletion	<del>Except where a Councillor may call for a division, Councillors must remain seated in silence while a vote is being taken.</del>	Deleted due to proposal to remove divisions.
36.9	Addition	<u>On motions containing multiple items which can feasibly be implemented separately, these items may be voted upon separately after having been debated as a whole.</u>	This is to avoid delays in the decision making process. For example funding allocations.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
37.9	Deletion	<del>Any Councillor may request that their opposition to, or support for, a resolution be recorded in the minutes of the meeting.</del>	This section is made redundant by the removal of divisions.
38	Deletion	<del>Division</del>	This section is made redundant by the removal of divisions.
38.1	Deletion	<del>Immediately after any motion or amendment is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.</del>	This section is made redundant by the removal of divisions.
38.2	Deletion	<p><del>When a division is called, the Chair must:</del></p> <p><del>1.2.8 — First ask each Councillor wishing to vote for the motion to indicate their vote by raise of hand or a method as determined by the Chair. The Chair must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors voting for the motion;</del></p> <p><del>1.2.9 — Then ask each Councillor wishing to vote against the motion to indicate their vote by raise of hand or a method as determined by the Chair.. The Chair must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors voting against the motion.</del></p> <p><del>1.2.10 — Then if not all Councillors have declared either for or against the motion, ask each Councillor wishing to abstain to indicate their abstention by raise of hand or a method as determined by the Chair. The Chair must then state, and the Chief Executive Officer (or person authorised by the Chief Executive Officer to take the minutes of the meeting) must record the names of those Councillors abstaining from voting.</del></p>	This section is made redundant by the removal of divisions.



Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
38.3	Deletion	<del>The Chair must declare the result of the vote or division as soon as it is taken.</del>	This section is made redundant by the removal of divisions.
38.1	Addition	<u>If the Chair wishes to address a meeting upon any matter under discussion, the Chair must leave the Chair and speak in their capacity as Councillor.</u>	This has been added to enforce the impartial role of the Chair.
40.1	Deletion	<del>The Chair may address a meeting upon any matter under discussion, following presentations by all Councillors, and is not deemed to have left the Chair on such occasions.</del>	This has been deleted to ensure that the impartial role of the Chair is maintained.
40.2	Deletion	<del>If the Chair chooses to vacate the Chair for any reason, the Deputy Mayor will assume the Chair, or if the Deputy Mayor is not available, another Councillor elected by the meeting through resolution shall take the Chair until such time as the Mayor can resume the Chair at the conclusion of the item currently under debate.</del>	Inconsequential – no change to process. Removed as duplicated elsewhere in the Governance Rules.
41.5	Addition	<u>Except for meetings adjourned to a later time on the same day, the day and time for which the meeting is to resume should be published on Council's website.</u>	This has been added to ensure transparency and accessibility.
46.1	Deletion	Council will record the proceedings at each Council meeting, unless there is a specific resolution not to do so, and may livestream <del>recordings of</del> open Council meetings. This will take whatever form the Council has decided.	Inconsequential – deleted for technical accuracy.
<b><del>PART 4 – Audit and Risk Committee</del></b>	Deletion	<del><b>PART 4 – Audit &amp; Risk Committee</b>  Council must establish an Audit and Risk Committee. This committee is <b>not</b> a delegated committee and cannot exercise statutory functions and powers of the Council. , The roles and functions of the Audit and Risk Committee are set out under the Act, and are specific only to the Audit and Risk Committee (s 53-54). This section of the Governance Rules deals with the establishment, statutory requirements and meeting procedures of the Audit and Risk Committee. The role and functions of the Audit and Risk Committee are dealt with in the Audit and Risk Committee Charter.  <b>53 Council must establish an Audit and Risk Committee</b> <i>(1) A Council must establish an Audit and Risk Committee.</i></del>	Entire Audit and Risk Committee Section deleted. The Audit and Risk Committee has its own Charter as adopted by Council. The section has been removed from the Governance Rules to avoid any inconsistency if the Charter is updated.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
		<p><del>(2) An Audit and Risk Committee is not a delegated committee.</del></p> <p><del>(3) An Audit and Risk Committee must—</del></p> <p><del>(a) include members who are Councillors of the Council; and</del></p> <p><del>(b) consist of a majority of members who are not Councillors of the Council and who collectively have—</del></p> <p><del>(i) expertise in financial management and risk; and</del></p> <p><del>(ii) experience in public sector management; and</del></p> <p><del>(c) not include any person who is a member of Council staff of the Council.</del></p> <p><del>(4) The chairperson of an Audit and Risk Committee must not be a Councillor of the Council.</del></p> <p><del>(5) Sections 123 and 125 and Division 2 of Part 6 apply to a member of the Audit and Risk Committee who is not a Councillor as if the member were a member of a delegated committee.</del></p> <p><del>(6) A Council may pay a fee to a member of an Audit and Risk Committee who is not a Councillor of the Council.</del></p>	
<b>Establishment</b>	Deletion	<p><del>The Audit &amp; Risk Committee's Charter must be approved by resolution of Council, and it must specifically outline the functions and responsibilities of the committee. The Charter must be reviewed and approved annually.</del></p>	<p>Entire Audit and Risk Committee Section deleted. The Audit and Risk Committee has its own Charter as adopted by Council. The section has been removed from the Governance Rules to avoid any inconsistency if the Charter is updated.</p>
<b>Membership</b>	Deletion	<ul style="list-style-type: none"> <li><del>• Appointment to the Audit and Risk Committee is to be by resolution of Council.</del></li> <li><del>• The resolution appointing a member of the Audit and Risk Committee is to include the term of that appointment. An independent member must be appointed to the position of Chair of the Audit and Risk Committee and Risk Committee.</del></li> <li><del>• The appointment of the Chair is to be by Council resolution.</del></li> <li><del>• Council, by Council resolution, can terminate a member's appointment to the committee at any time.</del></li> </ul>	<p>Entire Audit and Risk Committee Section deleted. The Audit and Risk Committee has its own Charter as adopted by Council. The section has been removed from the Governance Rules to avoid any inconsistency if the Charter is updated.</p>

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
<del>Meetings</del>	Deletion	<ul style="list-style-type: none"> <li>• <del>The Audit and Risk Committee is to meet at least 4 times in a financial year, unless determined otherwise by Council resolution.</del></li> <li>• <del>All Audit and Risk Committee meetings are to be closed to the public.</del></li> <li>• <del>Any recommendations agreed to be made by the committee (majority vote) are to be recorded in the minutes of the committee meeting.</del></li> <li>• <del>All recommendations made by the committee under subclause 3.3 will be provided in a report to Council.</del></li> <li>• <del>Minutes of Audit and Risk Committee meetings will be provided to Councillors when they are provided to committee members.</del></li> </ul>	Entire Audit and Risk Committee Section deleted. The Audit and Risk Committee has its own Charter as adopted by Council. The section has been removed from the Governance Rules to avoid any inconsistency if the Charter is updated.
<del>Other</del>	Deletion	<ul style="list-style-type: none"> <li>• <del>The Audit and Risk Committee Charter is to be reviewed and adopted by Council annually.</del></li> <li>• <del>The Audit and Risk Committee must provide a report to a Council meeting at least bi-annually including a description of the activities of the committee, and any findings and recommendations reached under subsection 3.3.</del></li> </ul>	Entire Audit and Risk Committee Section deleted. The Audit and Risk Committee has its own Charter as adopted by Council. The section has been removed from the Governance Rules to avoid any inconsistency if the Charter is updated.
Chapter 3, Clause 2.2	Amend	<p>A Councillor or member of a delegated committee who has a conflict of interest and is attending the meeting of the Council or delegated committee must make a full disclosure of that interest by either advising:</p> <ol style="list-style-type: none"> <li>a) the Council or delegated committee at the <u>commencement of the meeting, and again</u> immediately before the matter is considered at the meeting; or</li> <li>b) the Chief Executive Officer in writing before the meeting <u>(subject to 2.3.1)</u>-</li> </ol> <p>whether the interest is a general conflict of interest or a material conflict of interest, and the nature of the interest.</p>	Amended to more accurately reflect conflict of interest requirements.
Clause 2.3	Addition	<p><u>A Councillor may only disclose a conflict under paragraph (b) of subclause 2.2 in circumstances where the disclosure of the nature of the interest would be reasonably likely to place the personal safety of any person at risk, or unreasonably expose a</u></p>	Clause updated to promote transparency by requiring a conflict of interest to be publicly declared wherever possible.

Clause No/ Section	Change	Proposed change <i>(red font has been used to indicate changes)</i>	Impact Assessment
		<u>business, commercial or financial undertaking to disadvantage.</u>	
Clause 4.1	Addition	<p><u>A member of Council staff who has a conflict of interests in relation to:</u></p> <ul style="list-style-type: none"> <li><u>a) information to be provided as described in 4.3 of this section; or</u></li> <li><u>b) a power, duty or function to be exercised in accordance with 4.5 of this section</u></li> </ul> <p><u>should, wherever possible, declare the conflict and avoid involvement in the matter.</u></p>	Added to ensure that staff are removed from engaging in matters where they have a conflict of interest wherever possible.
Clause 4.2	Addition	<u>Where the action described in 4.1 is not possible, the measures described in subclauses 4.3 – 4.6 must be applied.</u>	Added to facilitate the operation of clause 4.1
Clause 4.5	Amend	<p>A member of Council staff who has a conflict of interest in a matter in which they also have <u>a statutory or</u> delegated power, duty or function must—</p> <ul style="list-style-type: none"> <li>a) not exercise the power or discharge the duty or function; and</li> <li>b) in the case of the Chief Executive Officer, disclose the type of interest and the nature of the interest to— <ul style="list-style-type: none"> <li>(i) the Mayor, in writing, as soon as they become aware of the conflict of interest in the matter; and</li> <li>(ii) the Council by no later than the next meeting of the Council; and</li> </ul> </li> <li>c) in the case of any other member of staff, disclose the type of interest and the nature of the interest to the Chief Executive Officer, in writing, as soon as they become aware of the conflict of interest in the matter.</li> </ul>	Amended for accuracy.