



GLEN EIRA CITY COUNCIL

SPECIAL COUNCIL MEETING

*under s60 of the Local Government Act 2020 and
Rule 22 of the Glen Eira City Council Governance Rules*

TUESDAY 9 JULY 2024

AGENDA

**Meeting to be held in the Council Chambers,
Corner Hawthorn and Glen Eira Roads, Caulfield
at 7.00pm**

*"The role of a Council is to provide good governance
in its municipal district for the benefit and
wellbeing of the municipal community."*

- S8(1) Local Government Act 2020

Councillors:

The Mayor, Councillor Anne-Marie Cade
Councillor Tony Athanasopoulos
Councillor Margaret Esakoff
Councillor Jane Karlake
Councillor Jim Magee
Councillor Sam Parasol
Councillor Sue Pennicuik
Councillor Li Zhang
Councillor Simone Zmood

Chief Executive Officer: Rebecca McKenzie

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1. ACKNOWLEDGEMENT

Glen Eira City Council acknowledges the Boon Wurrung/Bunurong and Wurundjeri Woi Wurrung peoples of the Kulin Nation as Traditional Owners and Custodians, and pays respect to their Elders past and present.

We acknowledge and uphold Traditional Owner's continuing relationship to the land and waterways. Council extends its respect to all Aboriginal and Torres Strait Islander peoples.

2. APOLOGIES

3. REMINDER TO DECLARE ANY CONFLICTS OF INTEREST IN ANY ITEMS ON THE AGENDA

Councillors are reminded of the requirement for disclosure of conflicts of interest in relation to items listed for consideration on the Agenda, or which are considered at this meeting, in accordance with Section 130(2) of the *Local Government Act 2020* and Rule 60(3) of the Glen Eira City Council Governance Rules. Councillors are now invited to indicate any such conflict of interest.

PROCEDURAL MOTION

That Council:

1. considers the meeting to be adjourned for 10 minutes from the commencement of any technical problem which prevents Council from livestreaming the meeting;
2. adjourns the meeting in the event livestreaming cannot be resumed within 30 minutes from the commencement of the technical problem which prevents livestreaming on Council's website with the meeting to be reconvened on Thursday 11 July 2024 at 7.00pm via livestreaming; and
3. notes, if the Mayor is unable for any reason to attend the Council meeting or part of the Council meeting, the meeting will be chaired in accordance with Rule 13 of the Governance Rules. The Mayor will resume as Chair of the meeting upon return. If a vote is being taken at the time, the Mayor will resume as Chair after the result of the vote has been declared.

4. OFFICER REPORTS (AS LISTED)

4.1 DRAFT CONDUCT AT MEETINGS AND COMMON SEAL LOCAL LAW - PUBLIC SUBMISSIONS

Author: *Patricia Clive, Coordinator Councillor Business*

Director: *Kellie Vise, Director Customer and Corporate Affairs*

Trim No: 24/1170219

Attachments: 1. *Summary of submissions* [↓](#)

EXECUTIVE SUMMARY

This report presents the submissions received on the proposed draft Conduct at Meetings and Common Seal Local Law (Local Law) as part of the statutory process to make a new Local Law under the *Local Government Act 2020*.

The draft Local Law was placed on public exhibition for a four-week period from 22 April to 20 May 2024. The consultation occurred in conjunction with the community engagement for the draft Governance Rules and draft Public Participation Policy.

The proposed draft Governance Rules and draft new Local Law are closely aligned and together assist with the management of efficient and effective Council meetings while ensuring safe participation in the meetings by Councillors, Officers and the community.

The community were invited to provide comments through Council's Have Your Say page or by sending a submission to Council by email or post. During the public exhibition period Council held two information sessions for community members to attend and ask questions about the draft Local Law, the draft Governance Rules and draft Public Participation Policy. Council received eight (8) submissions through the Have Your Say page and by email.

The report recommends Council note the submissions received and hears from submitters, who seek to speak to their submission, on the proposed Local Law. A report will be prepared for a future meeting to consider the Local Law.

RECOMMENDATION

That Council:

1. Notes the process undertaken to seek submissions on the proposed draft Conduct at Meetings and Common Seal Local Law;
2. Receives and considers all written and verbal submissions to the proposed draft Conduct at Meetings and Common Seal Local Law; and
3. Notes that a report will be prepared on the proposed draft Conduct at Meetings and Common Seal Local Law for consideration at a future Council meeting.

BACKGROUND

Council's existing Meeting Procedure Local Law and Governance Rules were reviewed to ensure compliance with the *Local Government Act 2020* and improve clarity for Councillors, Officers and the community. The review indicated that the introduction of the Governance Rules has superseded the following components of the Meeting Procedure Local Law:

- the election of Mayor/Deputy Mayor
- Meeting Procedures

However, components to manage behaviour at Council meetings and the use of Council's common seal remain relevant. It is proposed that Council rescinds the Meeting Procedure Local Law and establishes the Conduct at Meetings and Common Seal Local Law to capture these ongoing matters.

The proposed draft Conduct at Meetings and Common Seal Local Law establishes mechanisms for managing unsafe behaviour in the Council Chambers during a Council meeting and the subsequent issuing of fines, if necessary. It also ensures that application of Council's Common Seal is appropriately managed.

Additionally, as a result of the review, the Governance Rules were reviewed and redrafted to ensure pertinent matters from the Meeting Procedure Local Law were captured in the draft Governance Rules. This was also an opportunity to incorporate best practice meeting processes into the draft Governance Rules.

The proposed draft Governance Rules and draft Conduct at Meetings and Common Seal Local Law will work together to guide the conduct of Council meetings and ensure the safe participation of Councillors, Officers and the community.

ISSUES AND DISCUSSION

Council endorsed the proposed draft Governance Rules and draft Conduct at Meetings and Common Seal Local Law for community engagement at the 9 April 2024 Council meeting. This report provides the feedback relating to:

- Conduct at Meetings and Common Seal Local Law
- Governance Rules
- Public Participation Policy

Conduct at Meetings and Common Seal Local Law

Council received eight (8) submissions through Councils Have Your Say webpage and by email. The purpose of this Special Council Meeting is to hear from the two submitters who requested to speak to their submissions on the proposed draft Conduct at Meetings and Common Seal Local Law.

Specific comments received in relation to the proposed draft Conduct at Meetings and Common Seal Local Law from the engagement are outlined in the following table.

Rule	Comment
9.1	I think this should state who decides if a comment is in breach. It will be putting a large onus on that decision-maker.
9.4	I support this provision. The Council Chamber is a place for respect, not demonstrations, just as the Parliament is, as Cr Pennicuik noted. I have in the past noticed that banners, placards etc can cause discomfort and obstruction to members of the public who are in the gallery to see other matters determined. The amenity of all those in the gallery should be respected and safeguarded.
9.5	I think this rule should allow for a warning before the penalty is applied. Many members of the public don't understand they are not permitted to participate in the meeting.
General	It will depend on how it is used especially conduct at meetings. Whether it is used strictly for offensive, intimidating etc etc behaviour or as a tool to shut down discussion.

Rule	Comment
General	I fully support measures to remove individuals causing disruptions and to ban those who consistently abuse Council or staff members; such behaviour is unacceptable.
General	...while I appreciate the opportunity to participate in Council meetings, I must express concern regarding the leniency shown towards individuals who display rude and abusive behaviour. This not only makes me feel uncomfortable, but also creates an unsafe work environment for staff – Council should not put up with this. I strongly believe that the Council should take a firm stance against enabling such behaviour to ensure that meetings remain respectful and productive. It's imperative to uphold standards that promote a safe and inclusive community.
General	I fully support measures to remove individuals causing disruptions and to ban those who consistently abuse Council or staff members; such behaviour is entirely unacceptable.
General	Banning placards and posters is undemocratic. It's restricting freedom of expression. As long as placards and posters are not rude or defamatory they should be allowed.
General	All attendees at a Council meeting need to feel safe and respected.

Governance Rules and Public Participation Policy

As the community engagement on the Local Law included engagement on the draft Governance Rules and the draft Public Participation Policy some submitters provided feedback on all documents. All comments received during the consultation on all three draft documents are provided in Attachment 1. Council's response to all submissions will be incorporated into a future report to Council.

CLIMATE EMERGENCY RESPONSE STRATEGY IMPLICATIONS

Not applicable to this report.

FINANCIAL, RESOURCE, RISK AND ASSET MANAGEMENT IMPLICATIONS

There are no ongoing financial, resourcing or asset management implications of this report.

The proposed draft Conduct at Meetings and Common Seal Local Law responds to risks in relation to ensuring the safety of the public, Councillors and Council Officers attending Council meetings. The proposed draft Local Law aims to mitigate the risk to public safety by disallowing potentially dangerous materials in the Council Chamber and providing the Mayor with stronger provisions to remove members of the public from the Chamber if they cause disruption.

POLICY AND LEGISLATIVE IMPLICATIONS

The Conduct at Meetings and Common Seal Local Law will be made under the Division 3 – Local Laws of the *Local Government Act 2020*.

The existing Meeting Procedure Local Law was made under the *Local Government Act 1989* and will be rescinded following the adoption of the proposed draft Conduct at Meetings and Common Seal Local Law.

The Governance Rules are prepared and maintained under section 60 of the *Local Government Act 2020*.

COMMUNICATION AND ENGAGEMENT

As required under section 73 of the *Local Government Act 2020* Council has undertaken community engagement on the proposed draft Conduct at Meetings and Common Seal Local Law. Additionally, the community engagement process for the draft Governance Rules is compliant with the requirements of section 60 of *Local Government Act 2020*.

Community engagement was undertaken for a four-week period commencing on 22 April and concluding on 20 May 2024. Two drop-in information sessions were held during this period. All submissions have been provided in full to Councillors. A report on the engagement process will be included with the final report to Council.

LINK TO COUNCIL PLAN

Strategic Direction 1: Well informed, transparent decisions and highly valued services
We build trust through engaging with our community, delivering quality services and making evidence-based decisions

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any general or material conflicts of interest in this matter.

CONCLUSION

A report will be prepared for a future Council meeting to consider the adoption of the proposed draft Conduct at Meetings and Common Seal Local Law and draft Governance Rules.

Response to Governance Rules and Local Law Consultation

Rule (clause)	Submission (text as submitted)
Governance Rules	
General	Procedural matters that relate to governance need to be just that. The Mayor's election by councillors is more suitable there, than local law.
General	Public questions need to be at the beginning of the ordinary Council meetings.
General	To be able to rescind a motion allows for a response by one out of the three proposers of a motion to withdraw from proposing in response to a genuine community concern to an unfair decision.
Rule 6	While this rule would seem to improve accountability for people directly affected by Council decisions, it would also appear to impose fairly onerous obligations on Council officers. For example, who is to determine whether a councillor has had "regard to irrelevant or unauthorised considerations," as set out in 6.1.2?
Rule 6	What is an "unauthorised" consideration?
Rule 6	Also, In the first line of 6.3, the reference to "paragraph (b)" should say 6.2.
Rule 13	Given that, under rule 12, it is possible that the election of the Mayor may not be resolved on the night of the Special Meeting called for that purpose, Rule 13 should provide that the election of the Deputy Mayor may only proceed once a Mayor has been elected. The candidates for Deputy Mayor may be contingent on the election of the Mayor. For example, the unsuccessful candidate(s) for Mayor may wish to run as Deputy, or a candidate for Deputy may decide whether to run depending on who the Mayor is.
Rule 19	While quorum is defined in the Act, it should also be defined here for convenience.
Rule 22	For clarity, 22.2 should state that a meeting cannot be continued beyond 11pm, rather than for more than one hour. Otherwise, there may be ambiguity about whether it is one hour from 10pm, or one hour from the vote to extend.
Rule 22	The rule is also silent about what happens if the meeting is not concluded by 11pm. 22.3 should therefore begin, "In the absence of such continuance or if the meeting is not concluded by 11pm..." (suggested addition underlined).
Rule 24	Kingston City Council provides a clear definition of as to the function of a notice of motion – <i>Councillors may ensure that an issue is listed on an agenda by lodging a notice of motion.</i> The objective to grant Councillors

Rule (clause)	Submission (text as submitted)
	<p>the right to have input into what appears council agendas. This becomes even more important when the current draft governance rules proposed by Glen Eira are examined. We are told:</p> <p>24.1 The agenda for and the order of business for a Council meeting is subject to these Rules, to be determined by the Chief Executive Officer so as to facilitate and maintain open, efficient and effective processes of government.</p> <p>The above new clause represents a departure from Council's existing Governance Rules.</p> <p>24.1 - The Agendas for all Council Meetings must be set by the Chief Executive Officer after consulting with the Mayor, except if a Special Council Meeting is called under Sub-Rules 22(1) or 22(2), in which case the Agenda for the Meeting must be set to conduct the business specified in the written notice by the person or persons calling the Meeting or in the resolution of Council.</p> <p>Since the Local Government Act, 2020 specifically includes the provision of consultation with the Mayor at Clause 46:2(d), council's proposed change is NOT in accordance with the Act and should be removed. If the agenda is to remain strictly in the hands of the CEO, then a notice of motion available to councillors is even more important as a tool to represent residents or to deal with unexpected and/or contentious issues. Even with the Mayor's potential input into agenda items, there is no requirement that his/her views are accepted or acted upon. Furthermore, councillors as a whole remain sidelined without a genuine notice of motion.</p>
Rule 24	I will address Notices of Rescission later, but if they are to be included, for clarity, they should be added to 24.2.1 (l)(iii) so it reads, "Notices of Motion and Rescission". I understand that a Notice of Rescission is regarded as a Notice of Motion, but it will be clearer for those looking to see where a Notice of Rescission should be considered.
Rule 24	In relation to Special Meetings, 24.2.3 should be changed. Rule 17 provides these can be called by the Mayor or any three councillors, and, under these proposed Governance Rules, they could potentially be called to consider a Notice of Motion or Rescission. Therefore, there may not be a report from Council staff to be considered, as stated in 24.2.3(d), and there is no provision for a councillor-generated matter to be considered. 24.2.3(d) should be changed to "the business specified in the resolution or written notice calling the meeting."

Rule (clause)	Submission (text as submitted)
Rule 26	<p>The current Local Law allows anything that has arisen since the previous meeting to be considered as Urgent Business, to cover matters that arise between that meeting and the distribution of the agenda.</p> <p>If the Council elects not to adopt Notices of Motion, that should remain the case. Even if the Council does adopt Notices of Motion, 26.1.2 should be changed to allow Urgent Business to be raised any time after the deadline for lodging Notices of Motion has elapsed. Otherwise, there will be a period of approximately one day when neither will be possible, so the Council won't be able to consider anything urgent that arises in that interval.</p>
Rule 27	<p>I don't see why the Council should have Notices of Motion, even with the safeguards in the proposed Rule 28. Between Urgent Business and Requests for Reports, councillors have ample opportunity to place matters on the agenda, and anything not urgent will have an officers' report. Otherwise, you can end up with situations like that at Marrickville Council, when the councillors decided to divest from Israel on a Notice of Motion. It was subsequently discovered this would require replacing all of the council's computers, costing millions of dollars, so the council then passed another motion that it not divest. If Notices of Motion are being introduced because it is believed they will be included in State Government model rules, as I have been advised, the Council should wait to confirm this is the case before acting potentially to its detriment. If subsequent changes are required, they can be quickly implemented.</p> <p>I note that under s60(5) of the Act, community engagement is not required if the change is only to adopt a good practice guideline issued by the Minister.</p>
Rule 28	<p>When opposing a notice of motion in the past, some Councillors' consistent argument has been that no decision should be taken without 'expert' input from officers. Thus the current draft governance rules require that a formal 'request for a report' be submitted before any decision is made on the notice of motion. If one looks at what has been happening in Glen Eira in terms of the timely tabling of such reports we can only conclude that inserting this clause would cause unnecessary delay. If the primary purpose of a notice of motion is that it empowers councillors to list an agenda item for an upcoming council meeting, then waiting several months at least for a full officer's report could potentially render any proposed action as obsolete and/or ineffectual.</p> <p>Council's history in timely tabling of requests for reports reveals a wait of anything from 2 to 6 months. As just one example, here are the results from 2021. The first date is when the request was</p>

Rule (clause)	Submission (text as submitted)
	<p>made and the date in parenthesis is when the report was finally tabled. 23rd February 2021 – Establishment of Youth Advisory Committee (29th June 2021) 16th March 2021 – Review of Parklet Prograam (27th April 2021) 27th April 2021 – Changes to Dwelling Numbers & Locations (8th June 2021) 19th May 2021 – Planning Scheme Amendment Process for East Village (20th July 2021) 20th July 2021 – New Dwellings Comparison (12th October 2021) 31st August 2021 – Urban Congestion reduction measures (12th October 2021) 23rd November 2021 – Woodfire heating- (22nd February 2022)</p> <p>To the best of my knowledge, several requests for a report over the past few years have never been tabled at a formal council meeting. They are: A Cr Zyngier request on the 30th August 2022 and again on the 22nd November 2022. There is also a Cr Pennicuik moved request on the 12th October 2022. The above dates show at best a 2 council meeting timeframe before the notice of motion may be considered. That results in a waiting period of approximately eight weeks (including the notice period.) Other councils do not see the necessity for such a prolonged waiting period, nor for the requirement of a formal officer’s report. For example:</p> <ul style="list-style-type: none"> • Bayside, Boroondara and Stonnington require only a 5 day notification period. Port Phillip stipulates a 7 day period. • None of our neighbouring councils insist on a formal officer’s report before the notice of motion can be tabled. Instead, they adopt these measures – <p><u>Monash</u> <i>When a Notice of Motion is submitted, the Chief Executive Officer will arrange for an Officer to prepare a short Report to be attached to it for inclusion in the Agenda providing brief advice about the content and effect of the Notice of Motion.....</i></p> <p><u>Boroondara</u> <i>The Chief Executive Officer may provide a report to Council detailing the implications for Council and the community in respect of any notice of motion which has been submitted for inclusion on the agenda paper.</i></p> <p><u>Kingston</u> <i>A notice of motion included in the agenda must be accompanied by written officer comments addressing the notice of motion.</i></p>

Rule (clause)	Submission (text as submitted)
	<p><i>The notice of motion may include a written rationale for the proposed motion to be submitted. The full text of any notice of motion and rationale must be included in the agenda.</i></p> <p><u>Bayside</u> <i>The notice of Motion submitted to the Chief Executive Officer must include the words for the proposed Motion, and include a written rationale for the proposed Motion to be submitted. 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.</i></p> <p><u>Stonnington</u> <i>The Chief Executive Officer may provide a report to the Council detailing the implications for the Council and the community in respect of any Notice of Motion which has been submitted for inclusion on the agenda paper.</i></p> <p><u>Port Phillip</u> <i>A notice of motion must be in writing signed by a Councillor, and be lodged with or sent to the Chief Executive Officer by 3pm on the day that is at least seven days prior to the next scheduled Council meeting to allow sufficient time for inclusion of the notice of motion in agenda papers for a Council meeting and to give each Councillor advance notice of such notice of motion.</i></p> <p>I note that this last Port Phillip clause does not even include the need for any officer report.</p> <p>The above council policies clearly provide officers with the opportunity to respond to any notice of motion, whilst still providing 'expert' input. There is therefore no need in delaying the tabling of a notice of motion until a formal officer's report is written and tabled.</p>
Rule 28	<p>if the Council does retain Notices of Motion, 28.1 should be altered so that "Wednesday immediately preceding the Ordinary Council Meeting" is changed to "the day that is six days prior to the Ordinary Council Meeting." Council meetings are not always on a Tuesday due to public and Jewish holidays, and there have even been times they are on a Thursday, which would allow the notice to be given only the day before the meeting.</p>
Rule 28	<p>Furthermore it permits any notice of motion to be signed by a single councillor. Monash, Bayside and Kingston also only require the signature of one councillor. Boroondara requires two signatures. Glen Eira, together with Stonnington, stipulates that 3 councillors sign the notice of motion.</p>

Rule (clause)	Submission (text as submitted)
Rule 30	I would delete 30.1.2. While it may be helpful for those watching a meeting for officers to give the background to a report, if officers give the reasons for the recommendation, they are effectively debating the motion. This is not the role of officers. It should be left to the councillor moving the motion and the other councillors who support it to do this. As well as officers intruding into the role of councillors, it would also put those councillors who disagree with the recommendation, as is the absolute right of any councillor, in the awkward position of having to publicly disagree with the officer who has just spoken. This could also cause ill will on both sides, and is therefore detrimental for cohesion between officers and councillors.
Rule 31	31.4 should be changed back to the current system where the Mayor asks if any councillor wishes to speak against the motion once the mover and seconder have had the opportunity to speak. This is better for the debate. It should be changed back to the current system where, if there are no speakers against, the Mayor may immediately put the motion. This has been useful when the meeting is running out of time, and there are matters that are important, but unanimously supported.
Rule 31	Rule 31.5 should be deleted. Even if there is no councillor wishing to speak to a motion, it should still be put to the vote. A councillor may wish to vote against even if they don't wish to speak to it. I would also query whether this sub-rule is even legal given s61(5) of the Act seems to require decisions to be made by a vote.
Rule 31	There is nothing in Rule 31 to say that each councillor may only speak once, unless to ask a question, or that the Mayor should put the matter to a vote once the mover has exercised the right of reply. The current Local Law does provide for these matters, so those parts should be duplicated here.
Rule 31	There should also be a sub-rule requiring the Mayor to either declare the vote was unanimous, or list how each councillor voted. This makes it easier for the minute taker, given the requirement that individual votes be recorded, and for anyone listening to or watching the meeting, especially streaming it. The current Local Law does provide for these matters, so those parts should be duplicated here.
Rule 37	This Rule should be changed so that it states the amendment must then be put, after the mover of the original motion has exercised the right of reply, unless there is a further amendment. This is the case now, and it is important, as another councillor may wish to amend a completely different part of the motion, and should not be prevented from doing so just because a different amendment was carried first.
Rule 38	The effect of this rule would be to require the officer recommendation to be moved if even only two councillors support it, even though the majority may support the alternative. Surely it is a more effective use of limited meeting time to do as the Council has done for many years - determine which motion has a greater

Rule (clause)	Submission (text as submitted)
	chance of success in the pre-meeting, if possible, and then have that motion moved. This appears to be an attempt to give primacy to the officers' recommendations.
Rule 38	I'm also wondering who determines the "exceptional circumstances" referred to in 38.2 for an alternative motion not to be required to have been submitted by the deadline. The Rule should set this out, whether it be the CEO or the Council meeting.
Rule 38	<p>38(2) doesn't cover the situation when a Councillor requests officer assistance in drafting an alternative motion. This can be necessary when a Councillor needs technical assistance to ensure the alternative does as intended, especially in town planning applications.</p> <p>38(2) could provide that by 3pm the Councillor must provide either the alternative or the request to the officer setting out the desired outcome.</p>
Rule 38	It should state that an alternative can always be introduced in a council meeting if a motion before the meeting is defeated. Otherwise the item would simply lapse.
Rule 45	It should be up to the Council meeting to determine whether the speaker gets an extension, not the Mayor. In fact, the table of procedural motions in Rule 28 includes, on page 24, a motion to extend a councillor's speaking time.
Rule 46	The Chair should also have the option of being addressed simply as Mayor or Chair, without Mr or Madam. I suspect Council's non-discrimination obligations would require that.
Rule 49	<p>My concerns with the proposed notice of rescission may be summarised as follows:</p> <ol style="list-style-type: none"> 1. The requirement that the notice be submitted a mere 24 hours following a council resolution. 2. The example provided (ie a planning matter) is irrelevant to Glen Eira. Whilst this particular clause, with some slight variations, is to be found in several other local councils' laws, the difference is that their planning committees are created under Section 63 of the Local Government Act, 2020 and are deemed as 'delegated' committees where minutes and agendas are published, plus for the requirement of at least 2 councillors to be present. This does not apply in Glen Eira where 3 officers may determine permit outcomes with no councillor present and no minutes or agendas are available! <p>Bayside, Port Phillip, Whitehorse and Boroondara all have delegated planning committees.</p> <p>I point out again how some of our neighbouring councils deal with this matter.</p>

Rule (clause)	Submission (text as submitted)
	<p><u>Monash</u> Must be given to the Chief Executive Officer within fourteen (14) days of the meeting at which the resolution was carried, except in the case of statutory planning resolution where the Notice of Motion to revoke must be given to the Chief Executive Officer by midday on the day following the resolution being carried.; and (c) Is deemed withdrawn if not moved at the next Council Meeting at which such business may be transacted.</p> <p>I note the differentiation between a planning matter and other issues that councils deal with.</p> <p><u>Bayside</u> (c) the Notice of Rescission is delivered to the Chief Executive Officer within 48 hours of the resolution having been made setting out.....</p>
Rule 49	<p>Several councillors have in the past publically lamented the fact that they have not been privy to all of the relevant documentation before they are required to vote on an issue. In order to facilitate informed decision making, Monash City Council includes at Clause 37 of its governance rules the following:</p> <p>Demand documents (a) Any Councillor may, as of right, demand at a Council Meeting, the production of any documents of Council relevant to the matter under discussion. The Chief Executive Officer will cause those documents to be provided to all Councillors as soon as practicable after the resolution is made. (b) Council may resolve to adjourn debate on the matter until after the documents have been provided.</p> <p>I strongly recommend that such a clause be introduced to Glen Eira's governance rules.</p>
Rule 49	<p>I don't see why the Council would now include Notices of Rescission. This just means matters get debated twice. Again, if these are being introduced because it is believed they will be included in State Government model rules, as I have been advised, the Council should wait to confirm this is the case before acting potentially to its detriment. If subsequent changes are required, they can be quickly implemented. I note that under s60(5) of the Act, community engagement is not required if the change is only to adopt a good practice guideline issued by the Minister.</p>

Rule (clause)	Submission (text as submitted)
Rule 53	53.2.1- I don't see how it's possible for a Notice of Rescission to be put up to 12 months from the date a policy was adopted when Rule 49.1.3 requires a notice of rescission to be submitted within 24 hours of the original motion being carried. Perhaps it should say Notice of motion instead.
Rule 67	There is no need for a rule allowing a division to be called when all votes are to be recorded, as required in Rule 72.1.7.
Rule 68	68.1 - Similarly to the above comment, there is no need for a rule allowing a councillor to request their opposition be recorded when all votes are to be recorded, as required in Rule 72.1.7.
Rule 69	69.1.2 – The Minutes can't just be declared confirmed if no councillor indicates opposition. They must be moved and adopted by the meeting in a formal vote.
Rule 72	72.1.7 the votes cast by each Councillor and any abstention from voting
Rule 77	77.4.2 – The deadline here should be shorter. While I appreciate officers may need some notice to set up for a councillor to join the meeting remotely, it doesn't allow the situation where a councillor feels unwell or suffers an accident on the day. This is especially relevant when councillors would need to stay away from a meeting for everyone else's benefit if they are diagnosed with COVID.
Rule 79	Similarly to my comments in relation to Rule 28, "Wednesday immediately preceding the Ordinary Council Meeting" in 79.3 should be changed to "the day that is six days prior to the Ordinary Council Meeting." Council meetings are not always on a Tuesday due to public and Jewish holidays, and there have even been times they are on a Thursday, which would allow the notice to be given only the day before the meeting.
	Also, the reference in 79.5 to sub-Rule 79.1 should be to 79.4, and the word "it" in the second line should be deleted.
Rule 86	86.1 and 86.2 seem contradictory. 86.1 requires a full declaration of conflict to be made at a meeting, but then 86.2 says councillors don't need to do so if they have provided it in writing. Either 86.1 should be changed to make it subject to 86.2, or councillors should be required to make a full explanation at the meeting regardless of whether they have provided it in writing. Residents may feel the council is being less than transparent if councillors merely state they have a conflict but don't need to tell the meeting what it is as the CEO knows.
Rule 89	the term "meeting conducted under the auspices of council" should be defined if possible. I note it is used in the Act and not defined there, but it would be helpful.
Rule 94	It should be clarified whether a community engagement would be included under an informal meeting of councillors. Such an engagement, for example a planning conference, would seem to fit the definition. I suggest the Rule is changed to specifically exclude such a meeting.
Rule 97	97.5 – It is unclear what "section 4.1.4" refers to. I suspect it is there in error.

Rule (clause)	Submission (text as submitted)
Local Law	
Clause 9.1	I think this should state who decides if a comment is in breach. It will be putting a large onus on that decision-maker.
Clause 9.4	– I support this provision. The Council Chamber is a place for respect, not demonstrations, just as the Parliament is, as Cr Pennicuik noted. I have in the past noticed that banners, placards etc can cause discomfort and obstruction to members of the public who are in the gallery to see other matters determined. The amenity of all those in the gallery should be respected and safeguarded.
Clause 9.5	I think this rule should allow for a warning before the penalty is applied. Many members of the public don't understand they are not permitted to participate in the meeting.
General	The safe operation of Council meetings is a bedrock of our democracy. I have become increasingly concerned at reports of disruptive elements attending Glen Eira and other Councils. Clarifying the conduct at meetings is a good step in reducing these possible disruptions.
General	It will depend on how it is used especially conduct at meetings. Whether it is used strictly for offensive, intimidating etc etc behaviour or as a tool to shut down discussion.
General	<p>Additionally, while I appreciate the opportunity to participate in Council meetings, I must express concern regarding the leniency shown towards individuals who display rude and abusive behaviour. This not only makes me feel uncomfortable, but also creates an unsafe work environment for staff – Council should not put up with this.</p> <p>I strongly believe that Council should take a firm stance against enabling such behaviour to ensure that meetings remain respectful and productive. It is imperative to uphold standards that promote a safe and inclusive community.</p>
General	Occupational health and safety is a reasonable standard to uphold.
General	I fully support measures to remove individuals cause disruption and to ban those who consistently abuse Council or staff members; such behaviour is entirely unacceptable.
General	Regarding the physical space, its evident that improvements are needed. The current space is outdated and cramped, sometimes resulting in attendees having to stand, which is not ideal. Additionally, the space lacks adequate accommodations for people with disabilities. Enhancing the meeting space would greatly contribute to fostering a more inclusive and welcoming environment for all attendees. Could the meetings be held in another space at the town hall such as the theatre?
General	Banning placards and poster is undemocratic. It's restricting freedom of expression. As long as the placards and posters are not rude or defamatory they should be allowed.

Rule (clause)	Submission (text as submitted)
General	All attendees at a Council meeting need to feel safe and respected.
Public Participation Policy	
Public Participation Policy	The way questions are submitted and handling is confusing.
Public Participation Policy	<p>I have two suggestions to enhance the Draft Public Participation Policy.</p> <p>Firstly, there appears to be ambiguity regarding when members of the public can address the Council during meetings, both in the current policy and in the draft. Sometimes, when submitting questions online, I've been given the opportunity to speak directly at the meeting while other times the CEO has read out the questions. Some Councils have adopted a more consistent approach where all questions, regardless of submission method, can be verbally presented by the public, which I believe we should adopt.</p> <p>Personally, I believe there is significant value in individuals posing their questions at Council meetings. Regardless it's imperative to clarify the criteria and timing for public speaking opportunities.</p>
Public Participation Policy	Secondly, to ensure equitable public participation across our community, it's vital to enable digital means of engagement, such as through platforms like Zoom. This approach, already implemented by councils like Port Phillip, facilitates involvement from groups who may face barriers attending physical meetings, including young people, families, people with limited mobility and others. Embracing digital channels enhances local democracy by broadening participation avenues.
Public Participation Policy	Need to ensure no councillor or council staff or community groups or individuals are defamed or bullied. Questions asked in person should be vetted.
Public Participation Policy	Public participation in person is very important for transparency and accountability.
	<p>The Council material, electronic and physical or any council involvement to be provided in accessible way. The Accessible feature's among original material could be presented in the following way: In Easy English, stored electronically on the Council website, and the Council archive. Closed Captions, subtitled to be stored electronically on the Council website, and the Council archive. On the voters requests, retrieval of the archive copies to be free of charge. To provide on request Auslan Interpreters. To install on its website AI Assistants software's, readers and writers software's or other compatible sensory software as required,</p>
	Elected Councillors' and the CEO at least one during their term to have meetings with their elected Voters'.

Rule (clause)	Submission (text as submitted)
	<p>Again, while this recommendation might be out of direct submission, we also would like to see changes in political election of Chief Executive Officer.</p> <p>The CEO, must not be re-elected by the same party in consecutives terms.</p> <p>The opportunities should be given to each party's candidate to have CEO'son board.</p>
	<p>The Council should work to reduces repetitions and heavy bureaucracy - paperwork, the handout had 100 pages. This is significant amount of not environmental friendly paperwork, and the Council should introduce policy in reduction of manual paperwork and where possible reduce repetitions and use of ink-cartridges.</p>

5. URGENT BUSINESS

6. CLOSURE OF MEETING