

**GELLUNG WARL**

# Interim Assembly Meeting and Decision- Making Rules

1 Interim Assembly Meeting and Decision-Making Rules, Version 1.0,  
approved 6 May 2026

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**GELLUNG  
WARL**



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# Lighting the Fire Stick

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## 1 Name

The name of these rules is the Interim Assembly Meeting and Decision-Making Rules.

## 2 Authority

- (a) As First Peoples, the source of our authority is our inherent rights.
- (b) The authority to make these rules derives from the Statewide Treaty, and they are made by the Assembly under section 33 of the Statewide Treaty Act and Schedule 1, Items 1.1-1.6, 2.1 and 9.1 to that Act.

## 3 Teachings that have Informed the Creation of these Rules

### 3.1 Our Identity, Our Strength, Our Wisdom

*“We, the First Peoples of this Country now called Victoria, affirm that Aboriginal Lore and Law continue. Passed down through Ancestors and Elders, carried in language, story, ceremony and Country. Though colonisation sought to silence them, they were never ceded or extinguished. These rules are created not in isolation, but as a part of this continuing legacy – a living expression of cultural authority and the right to self-determination.*

*In developing these rules, we are guided by Gitjawil Yurpa.<sup>1</sup> Gitjawil Yurpa reminds us that governance is not only about structure or policy – it is about relationships, responsibility and respect. Our rules honour the authority of those who hold knowledge, uphold the protocols that connect us to each other and to Country, and reflect the way our communities have always made decisions. Decisions through yarning, consensus building, accountability and care.*

*We acknowledge that we exist within a time of legal pluralism. Aboriginal Lore and Law, the first lore/law of this place, has never ceased to operate, even as a colonial legal system has tried to deny it. We recognise the need to navigate between legal*

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<sup>1</sup> Gitjawil Yurpa expresses *many having to put forth* in Dja Dja Wurrung language.

<sup>4</sup> Interim Assembly Meeting and Decision-Making Rules, Version 1.0, approved 6 May 2026

systems, and in doing so, we affirm that Aboriginal Lore and Law are not secondary, symbolic or historical – but are legitimate, living and continuing. These rules are created as a bridge between systems. They speak to our people, they speak back to the state, they speak to all who wish to engage with it.

The fact that we are here, making rules in our own name, is a testament to our survival. It reflects generations of resistance – through public leadership, quiet strength, cultural practice and legal knowledge carried in kinship, Country and ceremony. This is not a new beginning, but a continuation of what has always been true, that we are the First Peoples.

As we are our Ancestors, and we are our Country, we claim our Ancestral birthright. It is in this spirit that the fire stick has been lit, to tend to the fires awoken by our Elders and Ancestors, for this fire stick to be carried and nurtured by Gellung Warl. The fire stick is how we take fire across Country, across generations – for Gellung Warl to light its own fire. One that will cleanse, will nourish, will maintain Country, will draw on many voices to carry forward one strength.

In a time now shaped by treaty-making, truth-telling and institutional change, we hold firm to what must not be lost – our ways of being, our cultural foundations, our obligations to future generations. These rules are made not only to meet current needs but to reflect who we are, where we come from, and where we are going. They are made with respect for the past, commitment to the present, and vision for the future we traverse in the Treaty era.”

### 3.2 Grounded in Culture

Meetings are places of responsibility, places that echo the rhythms of our ceremonies. Meetings reflect our long-standing traditions of coming together – the coming together of clan groups, communities, nations, and now those within Gellung Warl. Where voices are used with care, deep listening keeps us grounded, and silence creates stillness. Acknowledging that we meet in the presence of Country, always listening and watching us, breathing life into us and the decisions we make. We do this with humility, with respect, with strength, and with an unwavering connection to our Lore and Law. This is because decisions are not made as isolated acts; they sit within relationships that bind people to each other, to Country, and to those yet to come. Where it is acknowledged that decisions carry consequences beyond the moment they are made, and travel outward – into families, across Community, and into Country itself. These rules ensure that how we come together and meet and how we make decisions is not separated from culture, but enacted through it, embedding accountability and relationality in every decision.

## 4 Purpose

These rules set out interim procedures for holding Assembly meetings and making Assembly decisions to uphold and respect:

- (a) integrity, fairness and accountability;
- (b) participation, representativeness and inclusivity;
- (c) cultural protocols; and
- (d) efficient and effective internal processes.

## 5 Application

These rules apply to the Assembly and the CEO.

## 6 Commencement

These rules commence on the day they are made by the Assembly.

## 7 Definitions

- (a) Unless the contrary intention appears, a term has the same meaning given to it in the Statewide Treaty Act or in any other internal rules made by the Assembly.
- (b) Unless the contrary intention appears, in these rules the following terms have the corresponding meaning:

Term	Meaning
<b>Assembly</b>	First Peoples' Assembly.
<b>Assembly Chamber or Chamber</b>	A meeting of the First Peoples' Assembly called under these rules, other than a Consensus Meeting, including an Ordinary Chamber and a Special Chamber.
<b>Assembly Co-Chairs</b>	A person elected Assembly Co-Chair under the Assembly Internal Governance Rules.
<b>Assembly Dissolution Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 that provide for the matters listed in Schedule 1, Item 3.5 of the Statewide Treaty Act relating to dissolution of the Assembly.

<b>Assembly Internal Governance Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 1, Items 1, 4 and 5 to that Act relating to internal governance.
<b>Assembly Member</b>	A member of the First Peoples' Assembly.
<b>CEO</b>	The Chief Executive Officer of Gellung Warl.
<b>Confidentiality Policy</b>	A policy made by the Assembly, as in force from time to time, titled the Confidentiality Policy (or similar name) in relation to the protection and handling of confidential information.
<b>Consensus Meeting</b>	A meeting conducted in accordance with <a href="#">rule 14</a> .
<b>Delegate</b>	A Committee or Subcommittee established under the Assembly Internal Governance Rules and the CEO when given a delegation under <a href="#">rule 11(b)</a> .
<b>Delegations Policy</b>	A policy made by the Assembly under <a href="#">rule 11(c)</a> , as in force from time to time, titled the Delegations Policy (or similar name) governing delegations.
<b>Electoral Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters set out in Schedule 2 to that Act.
<b>Gellung Warl Conflicts of Interest Policy</b>	The policy made by the Assembly, as in force from time to time, titled the Conflicts of Interest Policy (Gellung Warl Members) (or similar name) in relation to conflicts of interest of Gellung Warl Members and related matters.
<b>Gellung Warl Member Standards of Conduct</b>	Standards made or amended by the Assembly and in force from time to time under section 152 of the Statewide Treaty Act.
<b>Gellung Warl Membership Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters listed in Schedule 1, Items 1, 3-5 and 9 to that Act relating to membership.
<b>Gellung Warl Record Management and Information Rules</b>	Internal rules made or amended by the Assembly and in force from time to time under section 33 of the Statewide Treaty Act that provide for the matters listed in Schedule 1, Items 8 relating to record management and information.
<b>Inaugural Assembly Chamber</b>	The first meeting of the Assembly following its establishment, which is convened by the Inaugural Assembly Chamber Chair, as described in <a href="#">rule 15(b)</a> .

<b>Inaugural Assembly Chamber Chair</b>	The Chief Executive Officer of the First Peoples' Assembly of Victoria Ltd or their appointee.
<b>Membership Oversight Committee</b>	The committee established by the Assembly Internal Governance Rules.
<b>Ordinary Chamber</b>	An Assembly Chamber called under <a href="#">rule 8.1</a> .
<b>Ordinary Resolution</b>	A resolution passed at an Assembly Chamber by at least a majority of Assembly Members holding office at the time the resolution is proposed to be passed.
<b>Recorded Vote</b>	A vote conducted by written or electronic voting in which votes are formally counted and recorded against each Assembly Member's name.
<b>Secret Ballot</b>	A vote conducted by written or electronic voting in which votes are formally counted but the voting of individual Assembly Members is not disclosed.
<b>Show of Hands</b>	A vote conducted by Assembly Members raising their hands (or equivalent indication in an online meeting) in which votes are counted to determine the outcome but individual votes are not recorded.
<b>Special Chamber</b>	An Assembly Chamber called under <a href="#">rule 8.2</a> .
<b>Super Majority Resolution</b>	A resolution passed at an Assembly Chamber by at least 75% of Assembly Members holding office at the time the resolution is proposed to be passed.
<b>Statewide Treaty Act</b>	The <i>Statewide Treaty Act 2025</i> (Vic).

# Carrying the Fire Stick

## 8 Calling Assembly Chambers

### Outline

Rule 8 sets out rules about calling Assembly Chambers including the process for:

- calling Ordinary Chambers
- calling Special Chambers
- notice of meeting
- postponing an Assembly Chamber

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- cancelling an Assembly Chamber

## 8.1 Ordinary Chambers

- (a) The CEO must ensure at least six Ordinary Chambers are called in each year and must:
- consult with the Assembly Co-Chairs on the time, date and place; and
  - give notice of each Ordinary Chamber in accordance with [rule 8.3](#).

## 8.2 Special Chambers

### 8.2.1 CEO's role

- (a) The CEO must ensure a Special Chamber is called where directed to do so by:
- the Assembly Co-Chairs under [rule 8.2.2](#);
  - the Membership Oversight Committee, in exercise of its powers under the Gellung Warl Membership Rules; and
  - Assembly Members representing at least 20% of the Assembly, by written request under with [rule 8.2.3\(c\)](#).
- (b) The CEO must give notice of a Special Chamber in accordance with [rule 8.3](#).

### 8.2.2 Assembly Co-Chair direction

- (a) The Assembly Co-Chairs may direct the CEO to call a Special Chamber if:
- an urgent or serious matter requires consideration or decision before the next Ordinary Chamber;
  - the workload of the Assembly requires a Special Chamber;
  - a request has been made by Assembly Members under [rule 8.2.3\(a\)](#); or
  - it is otherwise necessary or appropriate for the performance of the Assembly's functions to hold a Special Chamber.

### 8.2.3 Member requests

- (a) Not less than 20% of Assembly Members may submit a written request to the Assembly Co-Chairs that a Special Chamber be held and must, in the written request:
- state the matters proposed to be considered at the Special Chamber, including any proposed resolutions;
  - state the proposed time, date and place of the Special Chamber; and
  - record the names and authority of the Assembly Members making the request.
- (b) On receiving a request under [rule 8.2.3\(a\)](#), the Assembly Co-Chairs must:
- consider the request in good faith and determine whether to direct the CEO to call a Special Chamber under [rule 8.2.1\(a\)\(i\)](#); and

- (ii) notify the Assembly Members whose names are recorded on the notice of their determination within 10 days of receiving the request.
- (c) If the Assembly Co-Chairs decline a request made under [rule 8.2.3\(a\)](#) or do not notify their determination in the time specified in [rule 8.2.3\(b\)\(ii\)](#), not less than 20% of Assembly Members may submit a written request to the CEO that a Special Chamber be held and must, in the written direction:
  - (i) state the matters proposed to be considered at the Special Chamber, including any proposed resolutions;
  - (ii) state the proposed time, date and place of the Special Chamber;
  - (iii) record the names and authority of the Assembly Members making the request; and
  - (iv) include a statement that the Assembly Members have submitted a request to the Co-Chairs under [rule 8.2.3\(a\)](#) that was declined or not determined within the time specified in [rule 8.2.3\(b\)\(ii\)](#).
- (d) On receiving a request under [rule 8.2.3\(c\)](#), the CEO must call a Special Chamber under [rule 8.2.1\(a\)\(iii\)](#), but must first:
  - (i) be satisfied that the requirements of [rule 8.2.3\(c\)](#) are met;
  - (ii) notify the Assembly Co-Chairs and the Assembly Members making the request that the Special Chamber will be called.

### 8.3 Notice of meeting

- (a) Subject to [rule 8.3\(e\)](#) and [\(f\)](#), Assembly Members must be given at least 10 days' notice of an Assembly Chamber.
- (b) A notice of meeting must be sent to all Assembly Members:
  - (i) by electronic means; or
  - (ii) except in the case of a Special Chamber called at shorter notice, where requested by an Assembly Member, sending it by post to the Assembly Members' address, and the notice of meeting will be taken to have been given three days after it is posted.
- (c) Before the notice of meeting is sent:
  - (i) it must be approved by the Assembly Co-Chairs for all Assembly Chambers other than those called under [rule 8.2.3\(d\)](#); and
  - (ii) it must be approved by the CEO for any Assembly Chamber called under [rule 8.2.3\(d\)](#).
- (d) A notice of meeting must include:
  - (i) the time, date and place of the meeting;
  - (ii) if the meeting is to be held using technology, information to enable Assembly Members to participate by means of the technology;

- (iii) the general nature of the business to be conducted at the meeting;
  - (iv) any proposed resolutions; and
  - (v) any other matter required by an internal rule or the Statewide Treaty Act.
- (e) Subject to [rule 8.3\(f\)](#), a Special Chamber may be held at shorter notice if:
- (i) the Assembly Co-Chairs are satisfied that the matter to be considered at a Special Chamber is extremely urgent or serious or might bring the Assembly into disrepute; or
  - (ii) not less than 85% of Assembly Members consent in writing to the Special Chamber being held on that shorter notice.
- (f) Assembly Members must be given at least 21 days' notice of an Assembly Chamber, where such notice is required by the Gellung Warl Membership Rules or any other internal rules.

## 8.4 Postponing an Assembly Chamber

- (a) The Assembly Co-Chairs may direct the CEO to postpone an Assembly Chamber to a later date:
- (i) no later than 48 hours before its scheduled commencement, unless they are satisfied that there are exceptional circumstances justifying a shorter period; and
  - (ii) where they are satisfied it is necessary or appropriate to do so.
- Example:** Exceptional circumstances justifying a shorter postponement notice may include a natural disaster or public health emergency.
- (b) On receiving a direction under [rule 8.4\(a\)](#), the CEO must:
- (i) notify Assembly Members of the postponement as soon as practicable;
  - (ii) if the postponement is 21 days or more, provide notice of the postponed Assembly Chamber to Assembly Members in accordance with [rule 8.3](#); and
  - (iii) if the postponement is less than 21 days, provide notice only of the time, date and place of the postponed Assembly Chamber to Assembly Members.
- (c) To avoid doubt, for the purposes of [rule 8.4\(b\)\(ii\)](#), the notice requirements under [rule 8.3](#) apply as if the postponed Assembly Chamber were a new Assembly Chamber of the same kind.

## 8.5 Cancelling an Assembly Chamber

- (a) Subject to [rule 8.5\(c\)](#), the Assembly Co-Chairs may direct the CEO to cancel an Assembly Chamber:
- (i) no later than five days before the Assembly Chamber; and
  - (ii) where they are satisfied it is necessary or appropriate to do so.
- Example:** It may be necessary or appropriate if due to notified absences, quorum will not be achieved, or circumstances arise that cause health and safety risks.

- (b) On receiving a direction under [rule 8.5\(a\)](#), the CEO must notify Assembly Members of the cancellation as soon as practicable.
- (c) The Assembly Co-Chairs may not cancel an Assembly Chamber if:
  - (i) the Assembly Co-Chairs have caused the previous Assembly Chamber to be cancelled, unless 85% of Assembly Members consent in writing to the Assembly Chamber being cancelled;
  - (ii) the Assembly Chamber was called under [rule 8.2.1\(a\)\(ii\)](#), unless the Membership Oversight Committee requests the cancellation; or
  - (iii) the Assembly Chamber was called under [rule 8.2.1\(a\)\(iii\)](#), unless the Assembly Members who requested the meeting consent to the cancellation.

## 9 Quorum at Assembly Chambers

### Outline

Rule 9 sets out rules about quorum at Assembly Chambers.

- (a) Business may not be conducted at an Assembly Chamber unless a quorum of Assembly Members is present.
- (b) The quorum for an Assembly Chamber is a majority of the total number of Assembly Members holding office at the time of the Assembly Chamber, unless a Super Majority Resolution is proposed, in which case quorum is 75% of the total number of Assembly Members holding office at the time of the Assembly Chamber.
- (c) If a quorum is not present within 30 minutes after the time specified in the notice of meeting or such longer period determined by the Assembly Co-Chairs:
  - (i) if the Assembly Chamber was called under [rule 8.2.1\(a\)\(ii\)](#) or [\(iii\)](#), it must be concluded without conducting business; or
  - (ii) otherwise, it must stand adjourned to:
    - A. the same day in the next week at the same time and place; or
    - B. to another time, date and place determined by the Assembly Co-Chairs; and not less than five days' notice must be given in the same way notice was given of the original Assembly Chamber under [rule 8.3](#).

## 10 Conduct of Assembly Chambers

### Outline

Rule 10 sets out rules about the conduct of Assembly Chambers, including:

- voting

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- chairing
- observers
- closed meetings and open meetings
- adjourning an Assembly Chamber

## 10.1 Assembly Members

- (a) Subject to the Gellung Warl Membership Rules, an Assembly Member is entitled to:
- (i) receive notices of any Assembly Chamber;
  - (i) attend and participate in any Assembly Chamber; and
  - (ii) vote at any Assembly Chamber.

**Example:** An Assembly Member who is on leave of absence or is suspended under the Gellung Warl Membership Rules is not entitled to receive notices of or attend, participate or vote at, an Assembly Chamber during the period of leave of absence or suspension.

- (b) To avoid doubt, each Assembly Member at an Assembly Chamber has one vote:
- (i) on a Show of Hands, every Assembly Member present has one vote;
  - (ii) on a Recorded Vote, every Assembly Member present has one vote; and
  - (iii) on a Secret Ballot, every Assembly Member present has one vote;
- except where the Gellung Warl Membership Rules provide otherwise.

## 10.2 Chairing

### 10.2.1 Who is chairperson

- (a) Every Assembly Chamber must be chaired by a chairperson.
- (b) The Assembly Co-Chairs are jointly responsible for chairing Assembly Chambers and must share the role, under arrangements decided by them. The arrangements must provide for one person to hold the role of chairperson at any given time during a meeting
- (c) The relevant Assembly Co-Chair will be chairperson at that Chamber. However:
- (i) if that Co-Chair is not present within 30 minutes after the time specified in the notice of meeting, or is unable or unwilling to chair:
    - A. the other Assembly Co-Chair (if present, able and willing) must chair the Assembly Chamber; or
    - B. if the other Assembly Co-Chair is not present or not able or willing to chair the Chamber, the Assembly Members present must select an Assembly Member who is present to chair that Chamber; or

- (ii) if no Assembly Co-Chair has been elected, is present or is able or willing to chair, the Assembly Members present must select an Assembly Member who is present to chair that Chamber.

### 10.2.2 Role of chairperson

- (a) The chairperson is responsible for:
  - (i) conducting the Assembly Chamber in an orderly, safe and proper manner;
  - (ii) ensuring that there is an adequate opportunity for reasonable discussion by Assembly Members present about any question before the Assembly Chamber;
  - (iii) promoting full and fair participation by Assembly Members, in a manner that reflects the diversity of communities they represent;
  - (iv) promoting respect for and adherence to agreed ways of doing business that are part of cultural practice and Aboriginal Lore, Law and Cultural Authority; and
  - (v) upholding these rules and other internal rules, and promoting compliance by Assembly Members with internal rules and policies and procedures applying to the conduct of Assembly Chambers.
- (b) For the purposes of [rule 10.2.2\(a\)\(iv\)](#), the Assembly may, from time to time, document or describe agreed ways of doing business and core values that inform those ways of doing business.
- (c) The chairperson does not have a second or casting vote.

### 10.2.3 Powers of chairperson

- (a) Without limiting the powers and duties of the chairperson or the Assembly Co-Chairs under these rules or any other internal rules or the Statewide Treaty Act, the chairperson of an Assembly Chamber has the powers set out in this rule.

#### Rulings

- (b) The chairperson may make rulings on all matters relating to the order of business, procedure, and conduct within the Assembly Chamber of which they are chairperson:
  - (i) the rulings are subject to any internal rules and the Statewide Treaty Act; and
  - (ii) otherwise, the rulings are final.

#### Vacating the chair

- (c) The chairperson may temporarily vacate the chair in favour of another person present at any time and for any reason they see fit and must do so if Assembly Members are voting on:
  - (i) the chairperson's election, re-election or appointment as an Assembly Co-Chair;
  - (ii) the chairperson's suspension or removal as Assembly Co-Chair or an Assembly Member.

## Warning and expulsion

- (d) In order to perform their role and discharge their responsibilities under [rule 10.2.2](#), the chairperson may, where they reasonably consider a person's conduct to be inappropriate, intimidating or disruptive, take the following steps:
  - (i) warn the person that their conduct must cease;
  - (ii) if the conduct continues after a warning, ask the person to show cause why they should not be expelled; and
  - (iii) if the conduct continues, or the person does not show cause, expel the person for such period as the chairperson considers appropriate.
- (e) For the purposes of [rule 10.2.3\(d\)](#), conduct that is inappropriate, intimidating or disruptive includes:
  - (i) offensive, abusive or disruptive behaviour or language;
  - (ii) being adversely affected by, using or consuming, a substance without a medical reason;
  - (iii) possession of any article, including a recording device, electronic device, sign or banner, that the chairperson considers dangerous, offensive or disruptive or likely to become so; and
  - (iv) deliberate or repeated failure to comply with these rules or with a ruling of the chairperson made under these rules.
- (f) The chairperson may expel a person immediately without warning or show cause where the chairperson reasonably considers it necessary to preserve physical safety.
- (g) The expulsion of a person under [rule 10.2.3\(d\)](#) or (f) may be overruled by the Assembly Chamber if:
  - (i) at least five Assembly members promptly request a vote on the chairperson's ruling; and
  - (ii) the Assembly Chamber decides to overturn the ruling.
- (h) If a ruling is overturned under [rule 10.2.3\(g\)](#), the person who was expelled may re-enter the Assembly Chamber.

## 10.3 Attendance

- (a) The CEO and Gellung Warl staff members may attend Assembly Chambers to assist with the conduct of business at the Assembly Chamber or where otherwise required to undertake their roles, may speak with permission of the chairperson, and must leave when asked to do so by the chairperson.
- (b) The chairperson may admit any person to the Assembly Chamber as an observer for the purposes of business at the Assembly Chamber.

**Example:** The chairperson may admit Nginma Ngainga Wara members, Nyerna Yoorrook Telkuna members and members of the Elders' Group to address the Assembly Chamber.

- (c) The chairperson may admit any other person to the Assembly Chamber as an observer:
  - (i) if the chairperson puts a motion to the Assembly Chamber to admit them and the Chamber decides to approve the motion;
  - (ii) an observer may not vote but may speak with permission of the chairperson.

#### 10.4 Closed meetings

- (a) The chairperson may close all or part of an Assembly Chamber to observers and any other persons who are not Assembly Members:
  - (i) if the chairperson puts a motion to the Assembly Chamber to close all or part of the Assembly Chamber and the Chamber decides to approve the motion; and
  - (ii) any business conducted during a closed meeting or a closed part of a meeting is confidential and must not be disclosed outside the Assembly Chamber without authority of the Assembly Co-Chairs.

#### 10.5 Open meetings

- (a) The chairperson may open all or part of an Assembly Chamber to members of the public or sections of the public:
  - (i) if the chairperson puts a motion to the Assembly Chamber to open all or part of the Assembly Chamber and the Chamber decides to approve the motion; and
  - (ii) Assembly Members must refrain from disclosing information that is confidential during an open meeting or an open part of a meeting without authority of the chairperson.
- (b) The Assembly may develop a Confidentiality Policy that governs the operation of this rule.

#### 10.6 Amending and proposing resolutions

- (a) Subject to [rule 10.6\(e\)](#), a proposed resolution may be amended at an Assembly Chamber if:
  - (i) the chairperson puts a motion to the Assembly Chamber that the amendment be made to the proposed resolution and the Chamber decides to approve the motion; and
  - (ii) the amendment is consistent with the intent of the proposed resolution set out in the notice of meeting.
- (b) Subject to [rule 10.6\(e\)](#), a proposed resolution not included in the notice of meeting may be put to the Assembly Chamber at that Assembly Chamber if:
  - (i) the chairperson puts a motion to the Assembly Chamber that the resolution be put to the Assembly Chamber and, if passed, take effect only if ratified at the next Assembly Chamber, and the Chamber decides to approve the motion; and
  - (ii) the resolution, if passed, takes effect only if ratified at the next Assembly Chamber, and lapses if it is not ratified within 60 days.

- (c) Subject to [rule 10.6\(e\)](#), a proposed resolution not included in the notice of meeting may be put to the Assembly Chamber at that Assembly Chamber if:
  - (i) the chairperson puts a motion to the Assembly Chamber that the resolution be put to the Assembly Chamber and, if passed, take immediate effect, and the Chamber decides to approve the motion; and
  - (ii) the resolution, if passed, takes effect on the passing of the resolution at that Assembly Chamber.
- (d) An amended proposed resolution under [rule 10.6\(a\)](#) or a new proposed resolution under [rule 10.6\(b\)](#) or [10.6\(c\)](#) must be circulated to Assembly Members or presented to Assembly Members at the Assembly Chamber before it is put to a vote.
- (e) This rule does not apply to a Super Majority Resolution.

## 10.7 Adjourning an Assembly Chamber

- (a) The chairperson may adjourn an Assembly Chamber:
  - (i) if the chairperson puts a motion to the Assembly Chamber to adjourn the Chamber to a specified time and place and the Chamber decides to approve the motion; and
  - (ii) the following applies to an adjourned Assembly Chamber:
    - A. subject to [rule 10.6](#), the only business of an adjourned Assembly Chamber is the business left unfinished at the Assembly Chamber that was adjourned;
    - B. if the adjournment is 21 days or more, notice of the adjourned Assembly Chamber must be given in accordance with [rule 8.3](#); and
    - C. if the adjournment is less than 21 days, only notice of the time, date and place must be given.
- (b) To avoid doubt, for the purposes of [rule 10.7\(a\)\(ii\)B](#), the notice requirements under [rule 8.3](#) apply as if the adjourned Assembly Chamber were a new Assembly Chamber of the same kind.

# 11 Decisions of the Assembly

- (a) The Assembly may, at an Assembly Chamber, make decisions necessary or appropriate to the performance of the Assembly's functions or the exercise of its powers and duties under the Statewide Treaty Act and any other applicable legislation.
- (b) Subject to [rule 12.3](#), and the Statewide Treaty Act, the Assembly may delegate any function or power to:
  - (i) a Committee or Subcommittee established by or under the Assembly Internal Governance Rules; and
  - (ii) the CEO.

- (c) The Assembly may make a policy governing delegations under this rule and the Statewide Treaty Act.

## 12 How Decisions are Made

### Outline

Rule 12 sets out rules about how Assembly decisions are made, including

- decisions by consensus and formal vote
- decisions in writing
- decisions under delegation
- voting methods and requirements
- that decisions must be made fairly and on their merits
- disclosure of conflicts of interest

### 12.1 Decisions by consensus and formal vote

- (a) Every decision of the Assembly must be determined by a vote under this rule, and the outcome of that vote must be recorded.
- (b) Despite [rule 12.1\(a\)](#), the Assembly must seek to reach decisions in accordance with consensus building approaches which incorporate cultural deliberation.
- (c) A failure to seek consensus in accordance with [rule 12.1\(b\)](#) does not affect the validity of a decision otherwise made in accordance with these rules.

### 12.2 Decisions in writing

- (a) Despite [rule 12.1](#), a decision may be made outside an Assembly Chamber without a vote by written resolution in accordance with [rule 12.2\(b\)](#).
- (b) A written resolution is passed if:
- the Assembly Co-Chairs direct the CEO to circulate a proposed resolution to all Assembly Members entitled to vote; and
  - all Assembly Members entitled to vote on the resolution provide their written approval of the proposed resolution within 10 days of the date of circulation.
- (c) A written resolution is approved if all Assembly Members provide their written approval, including by electronic means, and where approval is given across more than one document, the resolution takes effect on the date the last Assembly Member approves.
- (d) If a written resolution is passed under this rule, the CEO must:

- (i) notify Assembly Members that the resolution has been passed as soon as practicable; and
  - (ii) present to the next Assembly Chamber a copy of the written resolution and the names of the Assembly Members who approved it.
- (e) A written resolution passed under this rule has the same effect as a resolution passed at an Assembly Chamber, and may have effect as an Ordinary Resolution or a Super Majority Resolution (whichever relevant).

### 12.3 Decisions made under delegation

- (a) Despite [rule 12.1](#), and subject to [rule 12.3\(b\)](#), the Statewide Treaty Act and any internal rule, a decision that would otherwise require an Ordinary Resolution may be made by a Delegate authorised to make that decision under a delegation made in accordance with [rule 11\(c\)](#) and any policy made under that rule.
- (b) The following decisions must not be delegated by the Assembly Chamber:
- (i) suspensions and removals under the Gellung Warl Membership Rules;
  - (ii) setting the electoral boundaries of an electoral division under the Electoral Rules;
  - (iii) a decision required to be made by Super Majority Resolution; and
  - (iv) a decision referred to in section 20(2) and (3) of the Statewide Treaty Act.

### 12.4 Voting methods

- (a) Voting at an Assembly Chamber is conducted by Show of Hands unless:
- (i) a Recorded Vote or Secret Ballot is requested and directed by the Assembly Co-Chairs under [rule 12.4\(b\)](#) or [\(c\)](#); or
  - (ii) an internal rule requires voting to be conducted by a different method.
- (b) An Assembly Member may request that a vote is conducted by way of a Recorded Vote by notifying the Assembly Co-Chairs before the vote is taken and the Assembly Co-Chairs must conduct the vote by way of a Recorded Vote.
- (c) An Assembly Member may request that a vote is conducted by way of a Secret Ballot by notifying the Assembly Co-Chairs before the vote is taken and the Assembly Co-Chairs must conduct the vote by way of a Secret Ballot, unless the Assembly Co-Chairs are satisfied:
- (i) it is not reasonably practicable to conduct a Secret Ballot at that Assembly Chamber and the decision cannot reasonably be deferred to a later Assembly Chamber; or
  - (ii) the request is vexatious or made solely to obstruct or unreasonably delay the proceedings of the Assembly Chamber.
- (d) If the Assembly Co-Chairs decline a request made under [rule 12.4\(c\)](#), they must:
- (i) inform the Assembly Member of their determination before the vote is taken; and

- (ii) ensure there is a record of the declining of the request in the minutes.

## 12.5 Voting requirements

### 12.5.1 Voting thresholds

- (a) Subject to [rule 12.5.1\(b\)](#), a decision of the Assembly is made by Ordinary Resolution.
- (b) The following decisions of the Assembly must be made by Super Majority Resolution:
  - (i) removing an Electoral Officer from office;
  - (ii) a Dissolution Resolution under the Assembly Dissolution Rules;
  - (iii) any decision required by these rules or other internal rules or the Statewide Treaty Act to be made by Super Majority Resolution.

### 12.5.2 Who is counted

- (a) An Assembly Member who abstains from voting on a resolution or is absent is counted against the resolution.
- (b) To avoid doubt, all Assembly Members holding office, whether or not present or entitled to vote at the Assembly Chamber, are counted in determining whether the required majority has been achieved for an Ordinary Resolution or a Super Majority Resolution.

### 12.5.3 Quorum

A vote is valid only if a quorum under [rule 9\(b\)](#) is present at the time the vote is conducted.

## 12.6 Rule-making processes and procedures

Decisions to make, amend or repeal internal rules or substantive rules must be considered in accordance with the processes and procedures required by the Assembly Rule-Making Rules.

## 12.7 Fairness and merits

Decisions made by the Assembly must be considered fairly and on their merits.

## 12.8 Conflicts of interest

Decisions of the Assembly must be made in accordance with the procedures set out in the Gellung Warl Conflicts of Interest Policy in relation to disclosure of conflicts of interest.

# 13 Minutes of Assembly Chambers

- (a) The CEO must ensure that minutes are kept of each Assembly Chamber, recording:
  - (i) the names of Assembly Members present;

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- (ii) each resolution passed and the outcome of the vote;
  - (iii) any other decisions made at the Assembly Chamber; and
  - (iv) any other matter required to be recorded by these rules, internal rules or the Statewide Treaty Act.
- (b) Minutes of an Assembly Chamber must be presented to the next Assembly Chamber for confirmation.
  - (c) If the Assembly Chamber decides to approve the minutes, the minutes are confirmed and taken to be an accurate record of the Assembly Chamber to which they relate.
  - (d) The CEO must make minutes confirmed under rule 13(c) available for inspection by, or provide copies to, Assembly Members on request.
  - (e) The Assembly may make procedures governing minutes and access to minutes under this rule and the Statewide Treaty Act.

## 14 Consensus Meetings

- (a) A Consensus Meeting is a meeting of the Assembly, other than an Assembly Chamber, that:
  - (i) is subject to specific requirements and afforded specific protections by and under the Statewide Treaty Act, internal rules and the *Freedom of Information Act 1982* (Vic);
  - (ii) has been determined to be a Consensus Meeting by all Assembly Members;
  - (iii) is attended by all Assembly Members; and
  - (iv) is held in private.
- (b) An Assembly Member must publicly support the agreed outcomes of a Consensus Meeting, regardless of the views expressed by that member at the Consensus Meeting and must not disclose matters discussed at the Consensus Meeting.
- (c) Failure by an Assembly Member to comply with [rule 14\(b\)](#) is a contravention of the Gellung Warl Member Standards of Conduct and may lead to:
  - (i) an Assembly Member being suspended or removed from office under the Gellung Warl Membership Rules;
  - (ii) an Assembly Co-Chair being suspended or removed from the position of Co-Chair under the Gellung Warl Membership Rules; and
  - (iii) an Assembly Member holding a leadership position being suspended or removed from the position under the Gellung Warl Membership Rules.
- (d) The requirements and processes for protecting the security of documents and information provided to or prepared for the purposes of a Consensus Meeting are:
  - (i) the agreed outcomes of the consensus meeting must be recorded;

- (ii) any document or information provided to or prepared for the purposes of a Consensus Meeting must be handled in accordance with the requirements set out in the Gellung Warl Record Management and Information Rules.
- (e) The CEO and the Assembly Co-Chairs may apply any procedure under these rules to a Consensus Meeting as they see fit and with any necessary modifications, subject to [rule 14\(b\)-\(d\)](#).

## 15 Inaugural Assembly Chamber

- (a) Despite any other provision in these rules or any other internal rules, [rule 15](#) applies to the Inaugural Assembly Chamber.
- (b) The Inaugural Assembly Chamber:
  - (i) is the first meeting of the Assembly following its establishment;
  - (ii) commences on the day it is formally convened by the Inaugural Assembly Chamber Chair;
  - (iii) continues, whether on consecutive or non-consecutive days, until all business before it is concluded or it is otherwise closed by the chairperson with approval of Assembly Members present at the meeting;
  - (iv) comprises all proceedings conducted across each adjourned session, which together form part of the one continuous Inaugural Assembly Chamber; and
  - (v) to avoid doubt, continues to constitute the Inaugural Assembly Chamber despite any adjournment or adjournments.
- (c) Notice for the Inaugural Assembly Chamber will be given:
  - (i) to all Assembly Members by electronic means;
  - (ii) by the Inaugural Assembly Chamber Chair;
  - (iii) as soon as practicable after the establishment of the Assembly; and
  - (iv) at least 24 hours before the Inaugural Assembly Chamber.
- (d) The notice given under [rule 15\(c\)](#) must include:
  - (i) the time, date and place of the meeting;
  - (ii) if the meeting is to be held using technology, information about how Assembly Members may participate by means of the technology; and
  - (iii) the general nature of the business to be conducted at the meeting.
- (e) Until such time as Assembly Co-Chairs are elected, the Inaugural Assembly Chamber will be chaired by the Inaugural Assembly Chamber Chair.
- (f) Subject to [rule 15\(g\)-\(i\)](#), if a matter arises at the Inaugural Assembly Chamber for which no applicable internal rule is in force, the chairperson of the Inaugural Assembly Chamber may determine the procedure to be followed, having regard to applicable laws and the

need for fairness, reasonableness and transparency, but must first obtain the approval of the Assembly Members present at the Inaugural Assembly Chamber.

- (g) Quorum for the Inaugural Assembly Chamber is a majority of Assembly Members holding office at the time of the inaugural Assembly Chamber.
- (h) The following requirements apply to decisions by the Assembly at the Inaugural Assembly Chamber, except as otherwise provided in the Assembly Internal Governance Rules in relation to elections and appointments made under those rules:
  - (i) decisions must fall within the general nature of the business to be conducted at the meeting as specified in the notice of meeting, unless the requirements of [rule 15\(h\)\(iii\)](#) are met;
  - (ii) Assembly Members must be informed of what decision is being proposed before a vote on the decision is called;
  - (iii) if a proposal for a decision arises during the meeting that falls outside the general nature of the business to be conducted at the meeting, the chairperson may put the decision to the vote but must first obtain the approval of the Assembly Members present at the Inaugural Assembly Chamber;
  - (iv) decisions must be made by resolution of at least a majority of Assembly Members holding office at the time the resolution is proposed to be made;
  - (v) decisions must be determined by a vote in a manner determined by the chairperson, and the outcome of that vote must be recorded;
  - (vi) decisions must be made in accordance with consensus building approaches which incorporate cultural deliberation; and
  - (vii) [rules 15\(h\)\(i\)](#), [\(iii\)](#) and [\(vi\)](#) do not apply to decisions on procedural matters.
- (i) The chairperson may adjourn the Inaugural Assembly Chamber to a later time, date and place, and notice of the adjourned time, date and place must be given to all Assembly Members as soon as practicable.
- (j) Minutes of the Inaugural Assembly Chamber must be presented to the first Assembly Chamber after the Inaugural Assembly Chamber for confirmation.
- (k) Where notice was given for the Inaugural Assembly Chamber under this rule before the commencement of this rule, the Assembly may determine that notice is taken to have been given in accordance with this rule if satisfied that the giving of notice complies with [rule 15\(c\)](#) and [\(d\)](#).

## 16 Validity of Acts

An act done by a person under or in connection with these rules is to be taken to have been an act done in accordance with these rules even if there was a vacancy in the role or office, or it is later discovered the appointment of that person to the role or office was defective or had ceased.

# Nurturing the Fire Stick

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## 17 Information Walking with these Rules

At the time these rules were made, the following rules and other documents are relevant to their operation. Other rules and other documents may be made from time to time that are also relevant to their operation.

### 17.1 Internal rules

- (a) Assembly Internal Governance Rules
- (b) Electoral Rules
- (c) Gellung Warl Membership Rules

### 17.2 Policies and procedures

- (a) Assembly Delegations Policy
- (b) Gellung Warl Conflicts of Interest Policy

### 17.3 Other instruments

- (a) Gellung Warl Member Standards of Conduct

## 18 Amendments

Version	Date Approved	Approved By	Review Date	Changes Made

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