

LGA Membership Proposition

October 2018

Local Government Association of South Australia

Membership Proposition

Adopted by the LGA Board on 13 September 2018 and Members at the AGM held
26 October 2018

1. Membership Proposition

- 1.1. The Local Government Association of South Australia (**LGA**) is constituted as a public authority under the *Local Government Act 1999* for the purpose of promoting and advancing the interests of local government.
- 1.2. The object of the LGA is to achieve public value through the promotion and advancement of the interests of local government by:
 - 1.2.1. advocating to achieve greater influence for local government in matters affecting councils and communities;
 - 1.2.2. assisting Members to build capacity and increase sustainability through integrated and coordinated local government; and
 - 1.2.3. advancing local government through best practice and continuous improvement.
- 1.3. The LGA is a member-based organisation which fulfils its object through the active participation of its Members.
- 1.4. As contemplated by the *Local Government Association of South Australia Constitution and Rules* (adopted April 13, 2018) (**Constitution**) the Members have endorsed this document (**Membership Proposition**) providing for the relationship between the LGA and its Members.
- 1.5. The Membership Proposition may be altered only:
 - 1.5.1 By resolution passed at a General Meeting of which at least 30 days' notice has been given to Members; and
 - 1.5.2 with approval of the Minister.
- 1.6. A capitalised term not defined in this document has the meaning provided for the term in the Constitution.
- 1.7. To the extent of any inconsistency between the Constitution and this Membership Proposition, the Constitution will prevail.

2. Membership applications

2.1. Entitlement to Membership

- 2.1.1. Each Council and Community Council which applies in writing to the LGA will be granted membership of the LGA (**Membership**) provided that the terms set out in this clause 2 are satisfied.
- 2.1.2. The Board of Directors may accept an application for Membership from an applicant who does not satisfy the criteria set out in clause 2.2.3.

2.2. Criteria for Membership

- 2.2.1. The applicant must either be:

- (a) a Council constituted under the Local Government Act (including a Council in administration under section 273 of that Act); or
 - (b) the governing entity for any of:
 - (i) the Anangu Pitjantjatjara Community;
 - (ii) the Maralinga Tjarutja Community;
 - (iii) the Yalata Community;
 - (iv) the Nepabunna Community;
 - (v) the Gerard Community; and
 - (vi) the Outback Communities Authority.
- 2.2.2. The applicant must have passed a resolution to comply with the Constitution.
- 2.2.3. The applicant must not be in default of an obligation to pay Fees to the LGA.
- 2.2.4. A Council or Community Council which is a Member at the end of the membership period specified in clause 3 may renew its membership for the next membership period by paying the applicable annual subscription fee. Clause 2.2.2 does not apply to the renewal of a Council or Community Council's membership.

2.3. Grounds for rejecting an application

Subject to clause 2.1.2, the Board of Directors must reject an application from an applicant which does not satisfy the criteria in clause 2.2.

3. Membership term

Membership is for a period of 12 months commencing on 1 July.

4. Membership benefits

4.1. Members will be a part of a unified and single voice for the discussion and resolution of issues facing the local government sector and its communities.

4.2. The LGA will provide:

- 4.2.1. advocacy and representation for Members with other spheres of government, the community and stakeholders;
- 4.2.2. frontline support and assistance to Members; and
- 4.2.3. specialist and commercial services for Members.

4.3. Members are able to:

- 4.3.1. contribute to the development of policy positions and strategy with regard to issues which affect the local government sector and, thereby inform the advocacy undertaken by the LGA on behalf of the sector;
- 4.3.2. obtain the assistance of the LGA to build capacity and increase sustainability, including by coordination and knowledge sharing among Members facilitated by the LGA;
- 4.3.3. access services provided by the LGA;

- 4.3.4. be supported by the LGA to achieve best practice and a culture of continuous improvement through training programs and governance guidance developed and disseminated by the LGA; and
- 4.3.5. contribute to, and receive the benefit of, LGA activities and initiatives for key focus areas aligned to community needs.

4.4. Each year the LGA will publish:

- 4.4.1. a 'Value Proposition' which will outline and value the specific membership benefits provided to Members in the preceding financial year. The Value Proposition will be annexed to this Membership Proposition will be replaced each time the Value Proposition is updated; and
- 4.4.2. a pricing methodology for the services provided by the LGA to its Members.

5. Membership rights

5.1. Rights under the Constitution

Members have the rights provided under the Constitution to:

- 5.1.1. nominate candidates for, and elect, the LGA President;
- 5.1.2. participate in elections for members of the South Australian Region Organisation of Councils (**SAROC**) or the Greater Adelaide Region Organisation of Council (**GAROC**) (as relevant to the Member);
- 5.1.3. participate in General Meetings;
- 5.1.4. call a Special General Meeting in the circumstances provided in the Constitution; and
- 5.1.5. access the activities of SAROC and GAROC including to propose to SAROC or GAROC (as relevant) an item of business for:
 - (a) an Annual General Meeting or Ordinary General Meeting; or
 - (b) a meeting of the Board of Directors.

5.2. Participation in the development of policy and strategy

Members are able to participate in the development of policy and strategy on issues relevant to the local government sector by:

- 5.2.1. raising a matter for consideration by SAROC or GAROC (as relevant);
- 5.2.2. proposing to SAROC or GAROC (as relevant) an item of business for consideration at an Annual General Meeting, Ordinary General Meeting or by the Board of Directors; and
- 5.2.3. contributing to forums, consultations, discussion papers and other strategies being implemented by the LGA.

5.3. Access to services

Members are able to access LGA services either for free or on a subsidised fee-for-service basis or through group purchasing arrangements.

5.4. Access to information

Subject to confidentiality requirements as determined by the Board of Directors or in accordance with terms of reference for a committee, each Member is entitled to access approved minutes of General Meetings, the Board of Directors and committees of the LGA.

6. Membership obligations

6.1. Conduct

- 6.1.1. A Member must comply with the Constitution.
- 6.1.2. A Member must provide to the LGA such information and support as the LGA reasonably requests to carry out the object of the LGA.
- 6.1.3. A Member will assist its council members and staff adopt leadership standards which will contribute to the strength of the local government sector.

6.2. Fees

- 6.2.1. A Member must pay Fees owing to the LGA by the due date for payment (or such later date as may be determined by the Board of Directors).
- 6.2.2. Where the Membership of a Member commences after 1 July in any year:
 - (a) that Member is liable for annual subscription and any annual special purpose levy for the period from the date on which the Membership commences to the next occurring 30 June on a *per diem* basis calculated from the first day of the month following the month in which their Membership commences; and
 - (b) payment of the annual subscription and any annual special purpose levy is due 1 calendar month after the date on which the Membership commences.

7. Revocation of Membership Automatic Revocation

Membership of the LGA will be automatically revoked for a Member who fails to pay an annual subscription or special purpose levy to the LGA by the due date for payment (or such later date as may be determined by the Board of Directors).

7.2. Revocation of Membership by Board of Directors

The Board of Directors may revoke the Membership of any Member, if the Member:

- 7.2.1. fails to comply with an obligation under the Constitution or this Membership Proposition; or
- 7.2.2. in the reasonable opinion of the Board of Directors, the Member has brought the local government sector or the LGA into disrepute.

7.3. Consequences of revocation

- 7.3.1. Following a revocation of a Membership, the former Member:
 - (a) will have no rights under the Constitution (other than the right to apply for Membership under clause 8.1 of the Constitution); and
 - (b) has no entitlement to the services provided by the LGA to its Members.

7.3.2. Revocation of a Membership does not:

- (a) relieve the former Member from any obligation to pay Fees to the LGA which accrued prior to the date of revocation; or
- (b) entitle the former Member to a refund of any Fee previously paid to the LGA.

8. Resignation of a Member

8.1. A Member may resign its Membership by providing written notice to the Board of Directors.

8.2. The resignation of a Member will take effect 3 months from the date on which the notice of resignation is received by the Board of Directors or such later date as is specified in the notice, unless an earlier date is determined by the Board of Directors in consultation with the resigning Member.

8.3. Any Member who resigns its Membership during a financial year:

8.3.1. remains liable to pay:

- (a) the full annual subscription and any annual special purpose levy for the financial year in which the resignation takes effect; and
- (b) any service charges payable for a service provided by the LGA up until the date on which the service ceases; and

8.3.2. is not entitled to refund of any Fee previously paid to the LGA.

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