

LGA Meeting Procedures

effective 31 October 2019

Local Government Association of South Australia

Meeting Procedures

Adopted by the LGA Board on 19 September 2019 and by Members at the AGM held 31 October 2019.

1. Meeting Procedures

- 1.1. As contemplated by the *Local Government Association of South Australia Constitution and Rules* (adopted April 13, 2018) (**Constitution**) the Board of Directors of the LGA has resolved to adopt the meeting procedures set out in this document (**Meeting Procedures**) to regulate the mode and conduct of proceedings at any General Meeting, and meetings of the Board of Directors, SAROC or GAROC and LGA committees (**Meetings**).
- 1.2. These Meeting Procedures may be altered by the Board of Directors either generally or in respect of specific circumstances by resolution. A resolution for the purposes of this clause 1.2 will not take effect until the resolution has been published in an LGA Circular.
- 1.3. A capitalised term not defined in this document has the meaning provided for the term in the Constitution.
- 1.4. These Meeting Procedures are ancillary to the Constitution. To the extent of any inconsistency between the Constitution and these procedures, the Constitution will prevail.
- 1.5. To the extent matters are not dealt with by the Meeting Procedures, *Joske's Law and Procedure at Meetings in Australia* will be the source of procedural rules.

2. Procedures applicable to all Meetings

2.1. Guiding principles for Meeting procedures

- 2.1.1. Where there is discretion with respect to the meeting procedures to be adopted at a Meeting, the guiding principles in this clause should be applied.
- 2.1.2. Meeting procedures should:
 - (a) be fair and contribute to open, transparent and informed decision-making;
 - (b) encourage appropriate participation by persons present at the Meeting;
 - (c) reflect levels of formality appropriate to the nature and scope of the responsibilities exercised at the Meeting; and
 - (d) be sufficiently certain to give Members and other key stakeholders confidence in the deliberation undertaken at the Meeting.

2.2. Meeting commencement

- 2.2.1. A Meeting must commence at the appointed time for the Meeting, unless a quorum is not present at this time (in which case the Meeting will, subject to clause 2.2.2, commence once a quorum is in attendance).
- 2.2.2. If no quorum is present at a Meeting within 30 minutes after the time appointed for a Meeting, the chair may adjourn the Meeting to a determined

date, time and place, provided that the date is no earlier than 7 days after the adjourned Meeting (or in the case of a General Meeting convened to consider a special resolution no earlier than 30 days after the notice of the adjourned Meeting is provided to Members).

2.3. Meeting adjournment

- 2.3.1. Persons attending a Meeting who are entitled to vote at that Meeting may determine by majority to adjourn the Meeting to a specified place, date and time.
- 2.3.2. Notice of the adjourned Meeting will be provided to all persons entitled to attend the Meeting.

2.4. Meeting cancellation

- 2.4.1. A Meeting may be cancelled by the chair if the number of apologies in advance of the date of the Meeting indicates that a quorum will not be present.
- 2.4.2. Persons entitled to attend the Meeting will be notified of the place, date and time of the rescheduled meeting in accordance with the notice period applying to that Meeting.

2.5. Confidential matters

- 2.5.1. Where the nature of a matter requires the matter to remain confidential, the matter will be marked 'Confidential' in agendas, reports and other papers (**Meeting Papers**) dealing with the matter by the Chief Executive prior to distribution to Meeting participants.
- 2.5.2. The Meeting will consider the nature of any matter marked 'Confidential' in accordance with clause 2.5.1 and will determine whether or not to pass a resolution that the matter be treated confidentially.
- 2.5.3. The guiding principle contained in clause 2.1.2(a) and circumstances listed in section 90(3) of the *Local Government Act 1999* must be considered for the purpose of determining the confidentiality of a matter under clause 2.5.1 and 2.5.2, however other circumstances may also be taken into account.
- 2.5.4. Where a resolution is passed for the purposes of clause 2.5.2 requiring that a matter be treated confidentially, the chair of the Meeting may exclude all persons not entitled to participate in the Meeting. The chair may determine that specific persons not entitled to participate in the Meeting may remain at the Meeting, even though a confidential matter is to be discussed.
- 2.5.5. The confidentiality of matters must be preserved by all persons having access to the Meeting Papers. This requirement is not intended to prevent discussion within the LGA Office which occurs in order to progress or address confidential matters in the manner determined by the Meeting at which the confidential matters were considered.
- 2.5.6. A person receiving a Meeting Paper marked 'Confidential' must not provide that paper to any other person or discuss or disseminate information

contained in that paper, unless the Meeting has resolved that the matter not be treated confidentially.

3. Use of technology

A Meeting may occur from two or more venues through the use of technology which enables the persons at each venue entitled to attend the Meeting to participate in the Meeting.

4. Minutes

4.1. Obligation to take and maintain minutes

- 4.1.1. Minutes will be taken of all proceedings and actions arising from a Meeting. Minutes will be provided to the LGA for inclusion in the minute books and on the LGA's website within 5 days of the Meeting to which the minutes relate.
- 4.1.2. Minute books will be kept by the LGA at its principal office either in hardcopy or electronic form.

5. Procedures applicable to General Meetings

5.1. Items of business

- 5.1.1. Any Member may propose an item of business for a General Meeting to SAROC, GAROC or the Board of Directors.
- 5.1.2. Only SAROC, GAROC or the Board of Directors may determine to place an item of business on the agenda for a General Meeting.

5.2. Motions

- 5.2.1. Where an item of business has been put on the agenda of a General Meeting under clause 5.1.2, the Member which raised the item of business with SAROC, GAROC or the Board of Directors may put a motion with respect to the item of business at the General Meeting.
- 5.2.2. A motion will lapse if it is not seconded at the appropriate time.
- 5.2.3. A Member moving or seconding a motion will speak once to the motion at the time of moving or seconding the motion, excepting that a Member may provide an explanation of a material part of his or her speech later in a debate on the motion.
- 5.2.4. A member may only speak once to a motion except:
 - (a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
 - (b) with leave of the meeting; or
 - (c) as the mover in reply.
- 5.2.5. A Member must not speak for more than 3 minutes without the leave of the General Meeting.
- 5.2.6. Subject to clause 5.2.10, a member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

- 5.2.7. A Member may propose an amendment to a motion before a General Meeting, provided that, subject to clause 5.2.10, only 2 amendments to the motion may be proposed.
- 5.2.8. An amendment will lapse if it is not seconded at the appropriate time.
- 5.2.9. A person proposing an amendment may speak to the amendment and, if he or she does so, will be taken to have spoken on the motion to which the amendment has been proposed.
- 5.2.10. The mover of a motion or amendment may, with the consent of the seconder, request leave of the General Meeting to vary, alter or withdraw a motion or amendment.
- 5.2.11. Each resolution considered at a General Meeting will be decided by the majority value of the votes of the Delegates present at the Meeting and voting on the resolution.

5.3. Addresses by Members

- 5.3.1. A Member must not speak for more than 3 minutes without the leave of the General Meeting.
- 5.3.2. A Member may, with the leave of the General Meeting, raise a matter of urgency.

5.4. Manner of voting

- 5.4.1. Voting may occur electronically.
- 5.4.2. Each Delegate must cast a vote on each motion put to the Meeting.

5.5. Suspension of Meeting Procedures

- 5.5.1. The chair of the General Meeting may suspend the operation of some or all of these Meeting Procedures for a period of time to facilitate informal discussions, with the approval of the General Meeting.
- 5.5.2. The chair or the majority of the Meeting may determine that the period of suspension should end.

5.6. Points of order

- 5.6.1. The chair of the General Meeting may call to order a Member who is in breach of these Meeting Procedures.
- 5.6.2. A Member may bring to the attention of the chair an alleged breach of these Meeting Procedures.
- 5.6.3. A point of order takes precedence over all other business until the point of order had been determined.
- 5.6.4. The chair of the General Meeting will rule on the point of order. However, a motion may be put to the General Meeting that the chair's ruling not stand. The chair may make a statement regarding the ruling prior to the motion being put.

5.7. Interruptions

- 5.7.1. A Member must not act in an improper or disorderly manner at any General Meeting.
- 5.7.2. A Member must not interrupt another Member who is speaking, except to object to the words used by the speaking Member or to raise a point of order.
- 5.7.3. Where a Member is alleged to have contravened clause 5.7.2:
 - (a) that Member must be allowed to make a personal explanation before leaving the General Meeting while the matter is considered by the Meeting; and
 - (b) the General Meeting must consider whether a contravention of clause 5.7.2 has occurred and, if so, whether the Member should be suspended for a part or the remainder of the Meeting.
- 5.7.4. A personal explanation of a Member may not be debated.

6. Procedures applicable to Meetings of the Board of Directors

6.1. Oath of elected office

- 6.1.1. At the first Board of Directors Meeting to be attended by a Director, the Director will provide the oath of office, declaring that the Director will, to the best of his or her ability:
 - (a) undertake their Board role conscientiously and in accordance with the Constitution and Rules of the LGA;
 - (b) consider the interests of the LGA and the Councils the LGA represents;
 - (c) ensure they are informed of the views and interests of Councils;
 - (d) actively contribute to the Board; and
 - (e) support the decisions and actions of the Board.
- 6.1.2. A failure to provide the oath of office does not remove the person from the Board.

7. Provisions applicable to Meetings of SAROC/GAROC

- 7.1.1. Unless provided for in the SAROC/GAROC Terms of Reference, these Meeting procedures will also apply to SAROC/GAROC.
- 7.1.2. The LGA Board can create separate meeting procedures for GAROC and SAROC

8. Provisions applicable to LGA committees

- 8.1.1. Unless provided for in a LGA Committee's Terms of Reference, these Meeting procedures will also apply to LGA Committees.
- 8.1.2. The LGA Board can create separate meeting procedures for LGA Committees.

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