

ANNUAL GENERAL MEETINGS

GOOD PRACTICE GUIDELINES

February 18

The primary purpose of a council annual general meeting (AGM) is to allow the public to ask questions about the contents of the council's annual report, and to provide an opportunity for the electors present to make any relevant motions for the council to consider at the next ordinary council meeting.

The AGM also provides a good opportunity to generate interest in the work of the council, to report on the results of the council's strategic plan, and to interact with ratepayers.

What is required?

The formal requirements that govern council AGMs are contained in Section 72B of the *Local Government Act 1993* (the Act).

Under the Act, a council must hold an AGM on a date not later than 15 December, and must publish a notice on at least two occasions in a daily newspaper. Section 72B also provides that:

- A quorum of the council must be present at the AGM.
- Only electors in the municipal area are entitled to vote at an AGM.
- A motion at an AGM is passed by a majority of votes taken by a show of hands or by any other means of ascertaining the vote the council determines.
- A motion passed at an AGM is to be considered at the next meeting of the council.
- The general manager is to keep minutes of the AGM.

Apart from the provisions outlined above, the Act is silent on the procedure that councils must follow in the conduct of AGMs. The *Local Government (Meeting Procedures) Regulations 2015* does not apply to AGMs. However, the AGM should comply with the Regulations as far as practicable, so that general procedure, including the agenda and the conduct of the meeting, is similar to an ordinary council meeting.

Preparation for an AGM

It is recommended that councils prepare an annual report as soon as possible after the end of the financial year, as recent information is of most relevance to readers.

Section 72 of the Act requires councils to prepare an annual report and makes copies of the report available for public inspection. The Act specifies matters that must be contained in the annual report.



Copies of the report should be available to the public by 1 November to provide the community with sufficient time to read the report prior to the council's AGM. It is important to ensure that a legible, printable version is provided on the council's website.

The availability of the annual report is to be advertised in a daily newspaper circulating in the municipal area, and the public is to be invited to make submissions on the report for discussion at the AGM. There is no requirement under the Act for the annual report to be approved or adopted at the annual general meeting.

The AGM may be an opportunity to generate interest and publicity for the council, for example, if there is a guest speaker attending, an important announcement is to be made, or a special event is held to coincide with the AGM. Councils could consider providing a visual presentation at the AGM of interesting events and information.

Advertising

Apart from the statutory requirement to publish a notice of the date, time and place of the AGM on at least two occasions in a daily newspaper, it is important to encourage public involvement by advertising as widely as possible, for example by providing the details on the council's website and in newsletters provided to ratepayers.

Agenda

An agenda (and associated documents) should be made available at the council's public office and on the council's website at least four days before the AGM.

The agenda should follow a simple format, for example:

- welcome by the chairperson
- apologies
- confirmation of the minutes of the previous AGM
- presentation of the annual report (this may include reports by the mayor and general manager)
- discussion of community submissions (copies of which should be attached to the agenda)
- general business
- guest speaker (if any)
- close.

Conduct of the meeting

It is recommended that a council provides the public with notice of the meeting procedures that will be followed by including the procedures in the agenda papers and by providing information to those present at the meeting.

Prior to the AGM commencing, councils should set up a register for people who wish to ask questions and provide a form for them to write out their questions. The register can be used to manage the meeting, but should not preclude verbal questions.

The mayor or, in his or her absence, the deputy mayor is to chair the meeting.

Without undue formality, the chairperson at the meeting should briefly outline to those present how the meeting will be conducted. The following matters should be addressed:

- how persons are to address the chair (stand/come forward, give their name and so on)
- the period of time a person will be able to address the chair, ask questions or speak to a motion (ordinarily three to five minutes or extended time if leave granted – the time allowed may depend on the number of people who wish to address the chair)
- that a person shall only speak on a matter or a motion once (without leave), with the mover of a motion having a brief right of reply
- that a motion must be seconded and is passed by a majority of votes taken by a show of hands (or by any other agreed means)
- that the general manager will keep minutes of the meeting.

The discussion of community submissions may take a form similar to public question time at an ordinary meeting of the council, but the chair should also provide an opportunity for public statements.

Minutes of the AGM

The general manager should ensure that the minutes of the AGM are drafted and made publicly available as soon as possible following the AGM.

The minutes are to accurately record the content of the meeting, including attendances and apologies, any matter discussed, any motions moved, any question asked and the answers given (and by whom).

Responses to questions taken on notice should be included in the minutes of the next ordinary meeting of council.

The minutes of the AGM will be confirmed at the following year's AGM.

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