

ANNUAL GENERAL MEETINGS

GOOD PRACTICE GUIDELINES March 2024

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
- provide an opportunity for the electors present to make any relevant motions.

The council will consider any motions at the next ordinary council meeting.

The AGM also provides opportunity to:

- generate interest in the work of the council;
- report on the results of the council's strategic plan; and
- interact with ratepayers.

What is required?

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

Under the Act, a council must hold an AGM before 15 December and publish a notice at least twice 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 can vote at an AGM;
- a motion at an AGM is passed by a majority of votes. People can vote by a show of hands or another way determined by the council;

- a motion passed at an AGM is to be considered at the next meeting of the council; and
- the general manager is to keep minutes of the AGM.

The Act is silent on the procedure that councils must follow in the conduct of AGMs apart from the provisions above. The *Local Government (Meeting Procedures) Regulations 2015* does not apply to AGMs. However, the AGM should comply with the Regulations if possible. This will ensure it is generally similar to an ordinary council meeting. For example, the agenda and conduct of the meeting is similar.

Preparation for an AGM

Councils are to prepare an annual report as soon as possible after the end of the financial year. This provides recent and relevant information to readers.

Section 72 of the Act:

- requires councils to prepare an annual report;
- make copies of the report available for public inspection; and
- specifies matters that must be in the annual report.

Copies of the report should be available to the public two weeks before the meeting. This provides enough time for the community to read the report before the council's AGM. It is important to ensure that a legible, printable version is available on the council's website.

Advertise the availability of the annual report in a local daily newspaper. The public is to be invited to make submissions on the report for discussion at the AGM. The Act does not require 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, invite a guest speaker, make important announcements, include another special event. Councils may provide a visual presentation of interesting events and information.

Advertising

It is a statutory requirement to publish a notice of the date, time and place of the AGM in a daily newspaper. It is important to encourage public involvement by advertising as widely as possible. For example, by advertising on the council's website and in ratepayer newsletters.

Agenda

An agenda (and associated documents) should be 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); and
- close.

Conduct of the meeting

It is recommended that a council provides the public with notice of the meeting procedures to be followed. These can be included in the agenda papers and by provided as information to those present at the meeting.

Before the AGM starts, 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 prevent verbal questions.

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

The chairperson should briefly outline how the meeting will be run. This may include:

- how to address the chair (stand/come forward, give their name etc.);
- how long someone can speak, ask questions or speak to a motion. This is usually 3-5 minutes but can be extended if leave is granted. The time allowed may depend on the number of people who wish to address the chair;
- that a person will only speak on a matter or a motion once (without leave). The mover of a motion will have 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 another agreed means); and
- that the general manager will keep minutes of the meeting.

Submissions from the public at the AGM may be presented like questions in public question time in an ordinary council meeting. The chair should also provide an opportunity for public statements.

Minutes of the AGM

The general manager should draft and publish the minutes of the AGM as soon as possible after the AGM.

The minutes are to accurately record the content of the meeting including:

- attendances;
- apologies;
- any matter discussed;
- any motions moved; and

- any question asked, the answer given (and by whom).

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

Confirm the minutes of the AGM at the following year's AGM.

Disclaimer: Information on legislation contained in this Good Practice Guideline is intended for information and general guidance only. Such information is not professional legal opinion.