

The Annual General Meeting

Narration Script

Huon Valley Council | Candidate and Councillor Knowledge Series

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Slide 1 — Title — The Annual General Meeting

Welcome to The Annual General Meeting, part of the Huon Valley Council Candidate and Councillor Knowledge Series.

The companion module covered the annual report and the Community Forum. This one covers the formal meeting that follows — how submissions work, how motions get on the agenda, how they are dealt with on the night, and what happens to them afterwards.

It is a distinctive meeting, because the people moving the motions are members of the community.

Slide 2 — Before You Begin

Start with the most important point in this module. The Annual General Meeting is a meeting of the community, and Council's Governance and Meeting Procedures Framework sets out the procedures for it.

Those procedures are built for a public meeting. The motion rules in the Meeting Procedures Regulations are written for Councillors in the chamber. The Framework's procedures are written for a hall full of electors, which is a different job.

Three minutes to move a motion. A vote by show of hands. And motions moved by electors. Picture a hundred people each speaking for five minutes and the reason for shorter times is obvious.

What the Act provides is the frame. Section 72B deals with timing, notice, quorum, who may vote, and what happens to a motion once it is carried. The Framework does the rest, and we will say so each time.

Slide 3 — What the Act Requires

Section 72B is short. It sets five things, and Council builds everything else around them.

Timing. The meeting must be held no later than 15 December each year, and not earlier than fourteen days after the notice is first published.

Notice. Council must publish a notice in a daily newspaper circulating in the municipal area specifying the date, time and place. In practice Council advertises well ahead of that minimum, and the advertising carries the submission deadline, the Community Forum and the closing time for motions as well.

Voting. Only electors in the municipal area are entitled to vote, and a motion passes by a majority on a show of hands or by any other means Council determines.

What happens next. A motion passed at the meeting is to be considered at the next meeting of the Council. We will come back to that — it is the most important sentence in the section.

And records. The Chief Executive Officer keeps minutes.

Slide 4 — Quorum and Attendance

Section 72B(3) makes councillor attendance a legal issue rather than a matter of courtesy.

A quorum of the Council must be present. If it is not, the meeting cannot proceed. It must be reconvened and held within fourteen days, and a further notice published specifying the new date, time and place.

Think about what that means. It costs Council money in advertising. It pushes the meeting into the busiest part of December, up against the deadline. And it asks every resident who turned up to come back and do it again.

The Annual General Meeting is one night a year. Put it in the diary the moment the date is set.

Slide 5 — Submissions on the Report

Submissions and motions are two different things, and confusing them is a common mistake people make about this meeting.

A submission comes from the Act. Section 72(2)(d) requires that when Council advertises the availability of the annual report, the advertisement invites electors to lodge submissions on the report, for discussion at the Annual General Meeting.

A submission is a written comment on the report. It does not need to be framed as a motion, it does not need a mover or seconder, and it is not voted on. Its statutory purpose is discussion.

A motion is an entirely separate process. Motions must be given on notice by the advertised closing date, and are voted on. A resident can lodge a submission, give notice of a motion, or do both — but they need to know they are different.

Slide 6 — Motions on Notice

Council's Framework requires every motion to be given on notice. Nothing is accepted from the floor on the night.

That is a Council rule, not a statutory one, and there is a good reason for it. Every motion is published in advance with information attached, so people arrive knowing what will be discussed rather than voting on something they have just heard for the first time.

The notice date is no less than eight days before the meeting, and it falls after the Community Forum — which is what gives people the chance to raise something at the forum and still get it up as a motion.

The Mayor may refuse a motion that, in the Mayor's opinion, is defamatory, contains offensive language or is unlawful, or that would produce substantially the same outcome as one already passed at the meeting.

Motions go on the agenda in the order received, with background comment and information from the Chief Executive Officer on each one. And where several deal with the same subject they may be grouped, so the meeting deals with the topic once rather than four times.

Slide 7 — How a Motion Is Dealt With

On the night, the Framework's procedure applies.

A motion must be moved and seconded, and the mover need not be the person who gave notice. It can be any elector present. That matters — if someone lodges a motion and then cannot attend, it does not automatically fall over.

The speaking times are short. Three minutes for the mover, two for everyone else, and a right of reply of up to one minute with no new information.

Where speakers are substantially repeating an earlier speaker, the Mayor may close debate. In a full room with a full agenda, that is a necessary power.

Amendments are allowed, dealt with the same way as a motion, and as in the chamber an amendment must be moved by someone who did not move or second the original.

Procedural motions are restricted. Only at the Mayor's discretion, and only after considering whether everyone who wants to speak has had the chance. The default is that people get heard.

Slide 8 — Voting at the Meeting

Only electors in the municipal area may vote, and the vote is taken on a show of hands.

Section 72B(4) restricts voting to electors. Anyone else is welcome to attend and, at the Mayor's discretion, to speak — but not to vote.

A motion passes by a majority on a show of hands, or by any other means Council determines. Under the Framework, the Mayor determines the vote by a show of hands.

The Chief Executive Officer keeps minutes of the meeting and its outcomes. Individual votes are not recorded.

And a simple majority carries it. No absolute majority, no casting vote.

Slide 9 — Why Councillors Stand Back

This covers something that is not in the Act or the Framework, but matters more than most of what is.

Councillors and many employees live in the municipal area, which makes them electors, and section 72B(4) entitles electors to vote. So Councillors and employees are legally entitled to move, second and vote on motions put forward by members of the public.

Council's practice is to stand back. Councillors and employees will normally not move or second a community motion. The exception is where the person who lodged the motion is unable to attend — in that case a Councillor or an employee may move or second it, so that the motion is heard rather than lost. Councillors and employees stand back from voting.

The reason is deliberate, and it is worth saying out loud in the room. If Councillors voted, a community motion could be defeated on the spot, in front of the people who brought it, by the very people it was addressed to. Standing back means motions carry through to a Council meeting, where they are considered properly, with advice and in public.

That is exactly what section 72B(6) contemplates. Council reserves its position until then, and considers the motion on its merits when it gets there.

Councillors do move the formal procedural motions of the meeting. But the community's motions belong to the community.

Slide 10 — After the Meeting

A motion carried at the Annual General Meeting is not a decision of Council. It is a matter Council is required to consider.

Section 72B(6) is mandatory. A carried motion is to be considered at the next meeting of the Council. It does not sit in a drawer and it does not need anyone to champion it — it goes on the agenda.

But consider does not mean adopt. Council must turn its mind to the motion and decide. It may support it, support part of it, or decline it — and if it declines, the reasoning belongs in the motion, as covered in the decision making modules.

It comes back with an officer report attached, so Council decides on the same footing it decides anything else.

Be honest about this at the meeting itself. Carrying a motion means Council must consider it, not that Council must do it. Overselling what a motion achieves damages trust far more than a considered refusal ever will.

Slide 11 — Five Things to Remember

Five things to take away.

One. Council's Governance and Meeting Procedures Framework applies to the meeting. It sets the procedure — three minutes for the mover, two minutes for other speakers, a one minute reply, and a show of hands.

Two. Submissions and motions are different things. A submission is a written comment on the annual report under section 72 of the Act. A motion is given on notice and is voted on at the meeting.

Three. Councillors must turn up. Without a quorum the meeting has to be reconvened within fourteen days and re-advertised, and every resident who came has to come back.

Four. Councillors and employees stand back from community motions. The entitlement to vote is real, and forfeiting it is what allows motions to reach Council rather than being defeated in the room.

Five. Carried means considered, not done. Section 72B(6) sends the motion to the next Council meeting. Say that plainly on the night, because managing expectations honestly is part of the job.