

Meeting Procedures of the Outback Communities Authority

DOCUMENT CONTROL

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REVISION RECORD

Date	Version	Revision description
12 December 2013	4	Policy reviewed and adopted
9 February 2012	3	Policy reviewed and adopted.
10 February 2011	2	Adopted.
9 December 2010	1	Reviewed policy Meeting Procedures of the OCA, G-04.
3 August 2010	1	OCA adopted existing OACDT policies acknowledging review of all policies is required.
11 May 2010	1	Trust Meeting Arrangements G-04 superseded by Meeting Procedures of the OCA G-04.

1. ADOPTION

This policy was adopted by the Outback Communities Authority (OCA) on 12 December 2013.

2. TITLE

Meeting Procedures of the OCA.

3. POLICY STATEMENT

The OCA is committed to ensuring that its meetings remain open, transparent and accessible to the community. Accordingly, to ensure consistency in its processes, the OCA will use this document as a basis for its meeting procedures. Items relating to meeting process are identified under the heading Procedures.

4. PURPOSE

The purpose of this policy is to:

- provide guidance to the OCA members with respect to meetings of the OCA;
- provide a structure for meetings of the OCA, ensuring that decisions are made in a consistent manner;
- assist the community to understand the OCA meeting procedures;
- ensure that the OCA meeting procedures remain open and transparent.

5. SCOPE

This policy applies to meetings of the OCA.

6. Section A – Order of Business

6.1. *Welcome/Apologies*

The Presiding Member will call for apologies to be recorded in the Minutes, as received from OCA members.

6.2. *Deputations/Presentations*

A request by a person(s) for a deputation or presentation to the OCA must be made in writing by that person and lodged with the General Manager seven (7) days prior to the scheduled meeting of the OCA. However, if a person(s) is not aware of the need for a deputation or presentation until the Agenda is available, a written request must be made to the OCA as soon as practicable, but at least 24 hours before the meeting unless it is a matter that is not urgent and can be deferred to the next meeting of the OCA.

The General Manager is responsible for advising the Presiding Member of such a request as soon as reasonably practicable following receipt of the request. The Presiding Member may refuse to allow the deputation or presentation. If a request for a person(s) wishing to make a deputation or presentation is refused then the General Manager must ensure that the person(s) seeking to make the deputation or presentation is notified of the decision in a timely manner.

The Presiding Member will report the refusal to accept the deputation or presentation to the next meeting of the OCA.

The OCA may resolve to allow a deputation or presentation to be made at a subsequent meeting despite a contrary ruling by the Presiding Member.

A deputation must not exceed ten (10) minutes except with the consent of the OCA. A further ten (10) minutes is allowed for questions to be asked by the OCA members of the deputation.

6.3. Declaration of Conflict of Interest

The Presiding Member will call for OCA members to declare any conflicts of interest relating to the agenda in accordance with the Public Sector (Honesty and Accountability) Act 1995. OCA members are required to disclose a conflict of interest in writing to the OCA preferably prior to the commencement of the meeting, or alternatively, where appropriate during the course of the meeting. Any conflicts of interest will be identified at the agenda item and will also be declared prior to any discussion on the relevant agenda item.

OCA members will have regard to the Conflict of Interest Policy when considering whether they have an interest.

A declaration of a conflict of interest will be recorded in the Minutes under "Conflict of Interest" and will be again recorded in the Minutes immediately before the relevant agenda item.

6.4. Minutes of Previous Meeting

Unconfirmed Minutes of each OCA meeting will be circulated to all OCA members within 5 working days of the meeting to which they relate. The General Manager is responsible for ensuring that minutes are kept of the proceedings of every meeting of the OCA. In the absence of the General Manager, the Presiding Member is responsible for ensuring that minutes are kept.

The minutes are to be confirmed at the next meeting of the OCA.

6.5. Business Arising from Minutes

Business that has occurred as a result of the meeting Minutes from the preceding OCA meeting is recorded.

6.6. Adjourned Matters

Adjourned matters usually occur if additional information is needed to enable the OCA to make a decision. Any adjourned matters will commence discussion at the point of adjournment. Adjourned items will be addressed before any new business is considered.

6.7. OCA Business

The purpose of the agenda is to provide the OCA and the public with information which is to be considered at the next scheduled OCA meeting. This includes a request for a report to be prepared and presented at a future meeting. The agenda and all supporting reports are to be made available at least three (3) clear days prior to the meeting. This allows time for careful consideration to be given to the matters to be decided at the meeting.

Members should seek answers to questions of a general nature from the General Manager prior to an OCA meeting. Impromptu questions arising during a meeting are to be addressed to the Presiding Member who may defer a response pending investigation and/or a report on the matter.

Matters requiring a decision by the OCA are to be accompanied by a report containing as much information as is necessary to provide clear, concise recommendations for the OCA to make an informed decision.

A report should include reference to budget implications and a link to the Strategic Management Plan and Annual Business Plan. If the decision by the OCA deviates from a staff member's recommendation, brief reasons should be included in the motion.

6.8. Urgent Business

Urgent business will usually relate to matters that have occurred since the compilation of the OCA agenda, but is of an urgent nature that requires the OCA consideration and/or decision. If possible, any urgent business is to be accompanied by a report, but depending on the level of urgency a verbal report may be sufficient. Whether the report is written or verbal the report must contain as much information as is necessary to provide clear, concise recommendations for the OCA to make an informed decision.

A report should include reference to budget implications and a link to the Strategic Management Plan and Annual Business Plan. If the decision by the OCA deviates from a staff member's recommendation, brief reasons should be included in the motion.

If additional information or additional time is required to consider information relating to an urgent decision, the Presiding Member can adjourn the meeting for a short period of time to enable the members to read and consider such information. The Presiding Member may determine that a matter is minor in nature and should more appropriately be deferred to the next scheduled OCA meeting.

6.9. Strategic Management Plan Progress Report

A progress report is provided at each OCA meeting regarding the Objectives to be achieved that are detailed in the OCA Strategic Management Plan.

6.10. Presiding Member's Report and

6.11. Member's Report

Presiding Member and member reports given verbally will not be formally recorded in the minutes of the relevant meeting, unless the meeting resolves for details to be included in the minutes. Where the Presiding Member or member makes a report, in writing, to the OCA that report will accompany the minutes of that meeting and will be distributed with the agenda, unless the Presiding Member determines that the report (or any part of it) contains offensive or defamatory material in which case, the report will not accompany the minutes.

The minutes will reflect only that the Presiding Member or member made a written report and a brief description of the matter, unless the meeting resolves for additional details to be included in the minutes.

6.12. Section 11 Committees Reports

Section 11 Committees established pursuant to the Outback Communities (Administration and Management) Act 2009 provide written reports and or Minutes of meetings are to be tabled during the OCA meeting as part of the reporting procedures to the OCA. A representative of a Section 11 Committee may address the OCA when reporting on priority issues (subject to section clause 6.3).

6.13. *General Manager's Report*

The General Manager's report is a brief description of work undertaken and meetings attended since the preceding OCA meeting.

6.14. *Confidential Order*

The OCA will, from time to time at the discretion of the Presiding Member, hold discussions 'in camera' to enable an item of business to be discussed in confidence. The Presiding Member may request the public be excluded from attendance for as much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within a confidential report submitted by the General Manager.

6.15. *Date of the Next Meeting*

Confirmation of the next scheduled meeting of the Outback Communities Authority.

7. Section B – Procedures

7.1. Closure of Agenda

Any material to be included in the OCA meeting agenda is to be provided to the General Manager at least five clear days before the next scheduled meeting so that the agenda can be sent.

7.2. Quorum

Four (4) members of the OCA shall constitute a quorum of the OCA.

7.3. Role of the Presiding Member

The appointed Presiding Member will preside at a meeting of the Outback Communities Authority. In the absence of the presiding member from a meeting of the Authority a member chosen by those present will preside at the meeting.

The decision of the person presiding at meetings of the OCA in relation to the interpretation and application of the meeting procedures shall be absolute and binding on the OCA.

7.4. Decision Making Process of the Outback Communities Authority

7.4.1. *Transaction of Business*

Business may only be transacted at a meeting of the OCA as follows:

- (a) by way of a motion without notice in support of the recommendation set out in an officer's report, or
- (b) by way of a motion without notice which is accepted by the Presiding Member, or
- (c) by way of a motion without notice which has been given consent by the meeting, or
- (d) by way of a notice of motion which has been provided in writing (together with a supporting short explanation to the Presiding Member and copies to the General Manager) at least seven working days before the meeting at which it is to be considered
- (e) subject to Section 10(5) of the Outback Communities (Administration and Management) Act, the OCA may authorise the use of electronic means by a member or members to achieve a vote provided that:
 - All members have access to the procedure beforehand;

- in the case of a proposed resolution for the submission (or variation) of a strategic management plan, annual business or budget to the Minister, notice and a copy of the proposed plan, budget or variation is given to all members at least 21 days before the vote is taken on the resolution, and
- in any other case, 48 hours notice will be given.

The absent member(s) provides written communication of their concurrence or otherwise on their decision.

7.4.2. *Motions*

Consistent with Section 10(7) of the Outback Communities (Administration and Management) Act, notice of a proposed resolution for the submission for variation of the Strategic Management Plan, Annual Business Plan or budget must be given to all members of the OCA, together with a copy of the proposed plan, budget or any variation, at least 21 days before a vote is to be taken on the motion.

A member may bring forward any business in the form of a written notice of motion. The notice of motion must be given to the Presiding Member and a copy to the General Manager at least seven working days before the date of the meeting at which the motion is to be moved. Where a member who has given notice of a motion is absent from the meeting at which the motion is to be considered, the motion will lapse unless the OCA determines that it be deferred to the next meeting, or the member has provided written approval OCA for the notice of motion to be moved by another member.

A member may also bring forward any business by way of a motion without notice. The Presiding Member may refuse to accept a motion without notice if, the Presiding Member considers that the motion should be dealt with by way of a written notice of motion.

The Presiding Member may refuse to accept any motion if the subject matter is, in opinion of the Presiding Member, beyond the power of the OCA.

A motion without notice (unrelated to an agenda item of business) will not be accepted for debate at the meeting at which it is brought forward unless:

- (a) the Presiding Member determines that the matter is one of urgency, or
- (b) in the opinion of the Presiding Member, the motion relates to an issue that does not require substantive information in order to make an informed decision on the motion.

Where a motion without notice is not accepted for debate, it is to be deferred to the next OCA meeting where it will be treated as a notice of motion.

Any motion which is not seconded will lapse.

A member may only speak once to a motion except to provide an explanation in regard to a material part of his or her speech, but not as to introduce any new material, or with leave of the meeting, or as the mover in reply.

Only the mover of a motion has a right of reply.

Any member may speak more than once to a motion with the consent of the Presiding Member or the consent of the meeting.

7.4.3. *Variations*

The mover of a motion can agree by consensus with the seconder, to vary, alter or withdraw the motion.

7.4.4. *Voting*

Each member present at a meeting of the Authority has 1 vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting may exercise a casting vote.

A decision carried by majority of the votes of the members of the OCA present at a meeting shall be a decision of the OCA.

The Presiding Member, or any other member, may ask the General Manager to read out a motion before a vote is taken.

The Presiding Member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

7.4.5. *Adjournment*

A motion can be taken to adjourn business. The adjournment may either be to a later hour of the same day, to another day, or to another place. The debate will, on resumption, continue from the point at which it was adjourned.

If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

Business adjourned from a previous meeting will be dealt with before any new business at a subsequent meeting.

7.4.6. *Short Term Suspension of Proceedings*

If the Presiding Member considers that the conduct of the meeting would benefit from suspending the operation of all or some of the meeting procedures contained in this document for a period of time in order to allow or facilitate informal discussions, the Presiding Member may, with the approval of at least the majority of the members present at the meeting, suspend the operation of these procedures for a period determined by the Presiding Member.

7.5. Contents of Minutes

The minutes of the OCA meetings must include at least the following:

- (a) the names of the members present at the meeting;
- (b) any apologies provided by members unable to be present at the meeting;
- (c) the names of the mover and seconder of each motion;
- (d) each motion carried or lost at the meeting;

- (e) any disclosure of interest made by a member;
- (f) details of the making of an order (to exclude the public) of Section 90 of the Local Government Act 1999.

The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting of the OCA.

Section 10(9) of the Outback Communities (Administration and Management) Act provides that the OCA must have accurate minutes kept of its proceedings and, subject to the exclusion of matters considered in a meeting closed to the public, make them available for inspection free of charge on the website and at its principal place of business during normal office hours.

7.6. Informal gatherings

The OCA Members & staff may meet informally to discuss OCA business. Informal discussions could be in the form of:

- planning sessions associated with the development of policies or strategies,
- briefing or training sessions,
- workshops, or
- social gatherings to encourage informal communications between OCA members or between OCA members and OCA staff.

An informal gathering is not a meeting of the OCA. Formal decision of the OCA cannot be made at an informal gathering.

7.7. Petitions

A petition to the OCA must –

- be on paper;
- be an original document;
- be in the English language or be accompanied by a translation certified to be correct. The person certifying the translation must place his or her name and address on the translation;
- not contain any alterations to the text;
- not have any letters, affidavits or other documents attached to it;
- state the facts which the petitioners wish to bring to the notice of the OCA and the reason for the petition (i.e. the submission or action requested by the petition). This must be clearly stated at the top of each page to the petition;
- include the list of signatories, which must include at least the name, place of residence and signature of each signatory to the petition;
- state the date the petition was initiated;
- be respectful, courteous temperate and moderate, language;
- contain only relevant statements;
- be legibly written or typed or printed; and
- be addressed to the OCA and delivered to the principal office of the OCA.

Any covering letter accompanying the petition must be addressed to the General Manager.

The principal signatory must provide their name, address and contact telephone number(s). This is to ensure that all correspondence from the OCA is able to be forwarded to the person initiating the petition.

Where the petition received does not meet the requirements set out in these paragraphs the Principal signatory will be contacted by an officer of the OCA to attempt to rectify the discrepancy and to assist in the processing of it in a manner which satisfies both the legislative requirements and the requirements of the OCA as evidenced by this Policy.

In addition to its powers to deal with the principal signatory to achieve the placing of the petition before the OCA, the OCA reserves the right to reject a 'non conforming' petition in its entirety or otherwise to delete/mask any part of the petition which fails to meet the requirements set out in this policy. This includes but is not limited to intemperate or disrespectful language, and/or non complying signatures. Where a petition is rejected it will be returned to the principal signatory.

If a petition is received, the General Manager must ensure that the petition is placed on the agenda for the next ordinary meeting of the OCA or appropriate Committee of the OCA (as determined by the General Manager).

7.8. Special Meetings of the Outback Communities Authority

A special meeting of the OCA can be called to deal with urgent business that cannot be deferred until the next ordinary meeting of the OCA.

The General Manager must, at the request of –

- (a) the Presiding Member of the OCA, or
- (b) two (2) members of the OCA,

call a special meeting of the OCA.

The General Manager must be provided with an agenda for the special meeting at the time that a request is made.

Special meetings may be held at any time.

7.9. Meetings via Telephone Conferencing or Other Electronic Means

A conference by telephone or other electronic means between the members of the OCA will be taken to be a meeting of the OCA at which the participating members are present if notice of the conference is given to all members in the manner determined by the OCA for the purpose, and each participating member is capable of communicating with every other participating member during the conference.

Particular effort should be made to provide the OCA members with the opportunity to participate in a convened OCA meeting by the use of electronic measures.

7.10. Mobile Telephones

Mobile telephones may not be used during the meeting by members, staff, media representatives or persons in the public gallery unless there are extenuating circumstances and permission is sought from the Presiding Member to allow the mobile telephone to remain switched on.

7.11. Audio and Visual Recordings of Meetings

Visual and/or audio recordings of meetings is only permitted with the consent of the OCA.

8. AVAILABILITY OF THE POLICY

Members of the public may obtain a copy of the policy at the offices of the OCA during normal office hours. The policy is also available from the OCA's website: www.oca.sa.gov.au.

9. REVIEW OF THE POLICY

The effectiveness of the policy will be reviewed on an annual basis.

Any future amendment or alteration to the Policy, or substitution of a new policy will be subject to the OCA's Community Engagement – Our Commitment Policy unless the alteration has only minor significance and is likely to attract little or no community interest.

10. OCA CONTACT PERSON

Byron Gough, Governance Manager. Telephone: (08) 8648 5905.