

**YARRA PLENTY REGIONAL LIBRARY SERVICE**

**MEETINGS PROCEDURE LOCAL LAW 2025**

**NO. 1 OF 2025**

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**YARRA PLENTY REGIONAL LIBRARY SERVICE**  
**DRAFT MEETINGS PROCEDURE LOCAL LAW 2025**

**NO. 1 OF 2025**

**PART 1 - INTRODUCTION**

**1. Title**

This Local Law is known as the Meetings Procedure Local Law 2025.

**2. Purpose of Local Law**

The purpose of this Local Law is to regulate -

- a) proceedings at meetings of the Library Board and Committees;
- b) proceedings for the election of the Chair and Deputy Chair; and
- c) usage of the common seal of the Library Board.

**3. Authorising Provisions**

This Local Law is made under section 330 of the Act, which preserves the application of Parts 5 and 6 of the Local Government Act 1989 (Vic) as they apply to regional libraries.

**4. Period of Operation**

This Local Law shall come into operation at the beginning of the day on which it is gazetted and ceases to operate on the day which is ten (10) years after the day which is the earliest day on which any provision of this Local Law came into operation, unless revoked earlier.

**5. Definitions**

In this Local Law -

'Absolute Majority' means more than half of the number of appointed Representatives to the Board, regardless of whether those Representatives are present at the time the vote is taken

`Act' means the Local Government Act 2020 (Vic), which amended the Local Government Act 1989 (Vic)

`Authorised Officer' means a person authorised under this Local Law or pursuant to

Section 224 of the Local Government Act 1989 (Vic)

'Board' means the Yarra Plenty Regional Library Service Board

'Board Member' means a member of the Board

'Branch Library' means a library branch that is part of the Yarra Plenty Regional Library

'Chair' means the chairperson of the Board

'Committee' means a committee appointed by the Board

'Majority' means more than half of the appointed Representatives present at the time the vote is taken

'Notice of Motion' means written notification by a Representative that they intend to propose a specific motion

'Ordinary Meeting' means a regularly scheduled meeting of the Board

'Penalty Unit' means that monetary amount set down in the Sentencing Act 1991 (Vic)

'Proxy' means an officer of a council being a member of the Board who holds authority to vote and otherwise act on behalf of the relevant Representative at a meeting of the Board

'Representative' means a councillor appointed by a member council as its delegate.

## **PART 2 - MEETINGS PROCEDURE**

### **6. Quorum**

i) Subject to sub-clause (iii), a Representative may participate at a meeting of the Board or Committee by electronic means of communication.

ii) A quorum at a meeting of the Board or Committee consists of a majority of the members of the Board physically present or participating by electronic means of communication, provided that at least one Representative from each council is physically present or participating by electronic means of communication.

iii) A quorum for any other type of Committee is a majority of the members of the Committee physically present.

iv) The provisions of section 79 of the Act will apply to any meetings of the Board of Committee with any necessary adaptations.

### **6A. Out-of-Session Resolutions**

- i) An out-of-session resolution may be circulated in writing via mail or email to all Board Members. The out-of-session resolution is deemed to have passed when a majority of the Board Members entitled to vote on the resolution respond in favour of the resolution.
- ii) The out-of-session resolution is deemed to have passed on the date of the last response resulting in a Majority vote.
- iii) The outcome of the out-of-session resolution will be notified to the Board by the Chief Executive Officer. The result of the resolution will be noted in the minutes at the next Board meeting.

## **7. Adjournment of Meetings**

- i) If at any meeting of the Board the number of Representatives required to form a quorum is not physically present or ready to participate by electronic means of communication within half an hour after the time appointed for such meeting , the Chief Executive Officer may adjourn such meeting to any time not later than seven days from the date of that adjournment.
- ii) If at any time during any meeting of the Board the number of Representatives required to form a quorum is not physically present or participating by electronic means of communication, the Chief Executive Officer may adjourn the meeting to any time not later than seven days from the date of that adjournment.

## **8. Business at Ordinary Meetings**

No business may be conducted at an Ordinary Meeting of the Board unless it is business of which notice has been given either by inclusion in the agenda or any report accompanying the agenda or in a Notice of Motion.

## **9. Agenda**

- i) The agenda for an Ordinary Meeting must be delivered to every Representative not less than 48 hours before the meeting.
- ii) The agenda for an Ordinary Meeting must be available at each Branch Library for the public not less than 48 hours before the meeting.

## **10. Order of Business**

The business of an Ordinary Meeting must be conducted in the following order

unless the Board otherwise resolves:

- Welcome and apologies
- Acknowledgement of Traditional Custodians
- Disclosures of interest, declaration of pecuniary and conflict of interest
- Confirmation of previous meeting minutes
- Actions arising
- Presentation of General Reports
- Consideration of and action on petitions and joint letters
- General business
- Reports from delegates appointed by the Board to other bodies
- Urgent business

#### **11. Confirmation of Minutes**

i) At every Ordinary Meeting of the Board the minutes of the preceding meeting must be dealt with as follows:

- a) if the minutes have been delivered to each Representative at least 48 hours before the meeting, a motion must be passed for confirmation of the minutes; or
- b) if the minutes have not been so delivered, the minutes must be read and a motion must be passed for confirmation of the minutes.

ii) No discussion is permitted on the minutes except as to their accuracy as a record of proceedings.

iii) Once the minutes are confirmed, they must be signed by the Chair.

#### **12. Correspondence**

The Chief Executive Officer shall determine what correspondence should be placed before the Board or a Committee for its decision or information.

#### **13. Petitions**

- i) A petition or a joint letter:
  - a) shall be in any legible and permanent form of writing, typing or printing;
  - b) shall not be defamatory, indecent, abusive or objectionable in language or substance, and
  - c) shall not relate to a matter beyond the powers of the Board.

- ii) Every page of a petition or joint letter shall bear the wording of the whole of the petition or request.
- iii) Any signature appearing on a page which does not bear the wording of the whole of the petition or request shall not be considered by the Board.
- iv) Every page of a petition or joint letter shall be a single piece of paper and shall not be pasted, stapled, pinned or otherwise affixed to any piece of paper other than another page of the petition.
- v) Any person appending to a petition or joint letter a signature purporting to be that of any other person or in the name of any other person is guilty of an offence.
- vi) No motion for an address or petition shall be entertained unless the mover at some previous meeting has submitted a draft of same.
- vii) No motion, except for that of receiving same, shall be made on any petition, memorial or like application until the next Ordinary Meeting of the Board after that at which it has been presented, provided that this restriction shall not apply where the Board determines by a Majority vote of those present that the matter is one of urgency and should be dealt with at the meeting at which it is presented.
- viii) No petition shall be presented after the Board has proceeded to the Orders of the Day.
- ix) Every Representative presenting a petition to the Board shall state the names of the persons from whom it comes, the number of signatures attached to it, the material allegations contained in it and the prayer thereof, and the Representative may also speak to the petition.

#### **14. Procedure for Moving Motions and Amendments**

- i) The mover must state the nature of the motion.
- ii) The Chair must call for a seconder unless the motion is a call to enforce a point of order.
- iii) If there is no seconder, the motion lapses.
- iv) If there is a seconder then the Chair must call the mover to address the meeting.
- v) After the mover has addressed the meeting, the seconder may address the meeting.
- vi) After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must call upon any Representative who wishes to speak against the motion.

- vii) If no Representative speaks against the motion then the Chair may put the motion.
- viii) Any Representative except the mover or the seconder of the original motion may move or second an amendment.
- ix) A Representative may speak once on the motion and once on any amendment and the mover of the original motion (not of an amendment) has a right of reply prior to the motion (or amendment) being put to a vote.
- x) A Representative may be permitted by the Chair to speak more than once to explain that the Representative has been misrepresented or misunderstood.
- xi) A Representative calling the attention of the Chair to a point of order is not regarded as speaking to a motion or an amendment.
- xii) No motion or amendment may be withdrawn without the consent of the mover or seconder of any motion or amendment and without the further consent of the meeting.
- xiii) Amendments must be dealt with one at a time.
- xiv) Any subsequent amendments must not be consequently dealt with until the original amendment is decided upon.

**15. Proxies**

In the case where both Representatives of a member council are not present at a Board or Committee meeting, a staff member of that member council may act as Proxy and move or second resolutions and vote on resolutions on behalf of the relevant council.

**16. Parliamentary Application**

In all cases not otherwise provided for in this Local Law, the Board will determine its own procedures.

**17. Conduct of Debate**

Representatives must designate each other by their official titles.

**18. Voting**

When called upon by the Chair, the Representatives present must vote in accordance with the Act.

**19. Divisions**

- i) If a division is called by a Representative, the vote must be taken by Representatives voting in the affirmative first holding up their hands and then those voting in the negative holding up their hands. The Chair must declare the result.
- ii) The Chief Executive Officer must record in the minutes the names of Representatives and whether they voted for or against.

**20. Motions**

- i) Motions must be clear and unambiguous and not be defamatory or objectionable in language or nature.
- ii) The Chair may require motions to be put in writing.
- iii) The Chair may reject a motion if it is:
  - a) defamatory;
  - b) objectionable in language or nature;
  - c) vague or unclear in intention; or
  - d) outside the powers of the Board.

**21. Debate**

- i) A Representative must address the Chair to move a motion, amendment or take part in debate.
- ii) Once acknowledged by the Chair, the Representative has the floor and must not be interrupted unless called to order or time has expired.

**22. Points of Order**

- i) The Chair is the final arbiter of all points of order.
- ii) A point of order may be taken on the grounds that the matter is:
  - a) contrary to this Local Law;
  - b) defamatory;
  - c) irrelevant;
  - d) outside the Board's power; or
  - e) improper.
- iii) No Representative shall digress from the subject matter of the motion and discussion or comment upon the words used by any other Representative in a

previous debate; and all imputations of improper motives and/or personal reflections on Representatives shall be deemed disorderly and contrary to Clause 30(a).

iv) No discussion shall be allowed on any motion for adjournment of the meeting; but if the motion is negatived upon being put, the subject then under consideration or the next on the notice paper or any other that may be allowed precedence shall be discussed before any subsequent motion for adjournment may be made.

### **23. Time Limits**

No Representative may speak longer than the time set out below unless granted an extension by the meeting:

The mover of a motion	5
	minutes
Any other Representative	3 minutes
The mover of a motion exercising a right of reply	2 minutes

### **24. Notices of Motion**

i) Notices of Motion must be given in writing to the Chief Executive Officer at least 7 days prior to the meeting to permit the Chief Executive Officer to give notice in the manner and time required for the meeting.

ii) The Chief Executive Officer must date and number all notices of motion in the order received.

iii) The Chief Executive Officer may reject a Notice of Motion if it is:

- a) contrary to this Local Law;
- b) defamatory;
- c) irrelevant;
- d) outside the Board's power; or
- e) improper

subject to the Chief Executive Officer first being required to provide the Representative lodging the Notice of Motion the opportunity to amend it.

iv) No Representative shall propose a motion initiating a subject for discussion at an Ordinary Meeting of the Board without having first complied with sub-clause (i).

v) Should a Representative who has given notice of a motion -

- a) be absent from the meeting; or
- b) fail to move the motion when called upon by the Chair;

then any other Representative may move the motion forthwith or move to defer its consideration.

vi) Except by leave of the Board, motions shall be moved in the order in which they have been received and recorded by the Chief Executive Officer in the Notice of Motion Book and, if not so moved or postponed, shall be struck out.

**25. Revocation or Alteration of Previous Resolutions**

i) A Notice of Motion to revoke or alter a previous resolution -

a) must be given to the Chief Executive Officer at least 7 days prior to the meeting to enable them to give two clear days' notice to all Representatives;

b) must be deemed withdrawn if not moved at the next meeting at which such business may be transacted;

c) if it is a second or subsequent notice to revoke or alter an earlier resolution, must not be accepted by the Chief Executive Officer until a period of two months has elapsed after the date of the meeting at which the first or last motion or revocation or alteration was dealt with.

ii) For a revocation or alteration of a previous resolution to be effective, there must be an Absolute Majority vote in favour of such revocation or alteration.

**26. Suspension of Procedures**

Any of the procedures in this Local Law may be suspended for a special purpose on motion upon notice duly given and shall not otherwise be suspended except by a Majority vote of the meeting.

**27. Urgent Business**

Any resolution proposing that a matter be dealt with as urgent business must be passed by Majority vote of the meeting.

**28. Suspension from Meeting**

The Board may by resolution suspend from the balance of a meeting any Representative whose actions have disrupted the business of the Board and impeded its orderly conduct.

**29. Removal from Chamber**

The Chair, or the Board in the case of a suspension, may ask any authorised officer or member of the police force to remove from the chamber any person who has committed an offence against this Local Law.

### **30. Offences**

It is an offence -

a) for a Representative to not withdraw an expression, considered by the Chair to be offensive or disorderly, and satisfactorily apologise when called upon twice by the Chair to do so;

Penalty: 2 penalty units.

b) for any person, not being a Board Member, who is guilty of any improper or disorderly conduct, does not leave when requested by the Chair to do so;

Penalty: 5 penalty units.

c) for any person to fail to obey a direction of the Chair in relation to the conduct of the meeting and the maintenance of order;

Penalty: 2 penalty units

d) for a Board Member to refuse to leave the chamber on suspension.

Penalty: 5 penalty units.

## **PART 3 - ELECTION OF CHAIR**

### **31. Chief Executive Officer to Preside**

The Chief Executive Officer is to preside at any election of the Chair or Deputy Chair.

### **32. Candidates and Voting**

i) Candidates for the position of Chair and Deputy Chair will be the Representatives from the Member Councils nominated as holding these positions in the relevant year in Annexure B of the Supplementary Agreement.

ii) If at any election of the Chair or Deputy Chair there is an equality of votes, it shall be decided by lot which of the Candidates Representatives having an equal number of votes shall be such Chair or Deputy Chair.

## **PART 4 - COMMON SEAL**

**33. When is the Common Seal Used?**

The common seal may be used only on the authority of the Board.

**34. Who keeps the Common Seal?**

The Chief Executive Officer must keep the common seal in safe custody.

**35. Signatures to accompany the Common Seal**

Every document to which the common seal is affixed must be signed by one Representative and the Chief Executive Officer. For the avoidance of doubt, electronic signatures have the same legal effect as physical signatures.



**36. Unauthorised use of the Common Seal**

No person may use the common seal or any device resembling the common seal without the authority of the Board.

Penalty: 20 penalty units.

Resolution for making this Local Law agreed to by the Board of the Yarra Plenty Regional Library Service on the     day of     , 2025.

**THE COMMON SEAL** of the **BOARD**  
**OF THE YARRA PLENTY REGIONAL**  
**LIBRARY SERVICE** was hereunto affixed }  
in the presence of: }

  
.....  
  
.....



Representative  
Chief Executive Officer

Notice of the confirmation of this Local Law was inserted in the Victoria Government Gazette dated the     day of     2026 at page No.

A copy of this Local Law was sent to the Minister responsible for Local Government on the day of     2026.