

Local Government
Planners' Association (Inc.)

CONSTITUTION AND RULES
August 1997

CONSTITUTION AND RULES

Local Government Planners' Association (Inc.)

1 NAME

The name of the Association shall be "LOCAL GOVERNMENT PLANNERS' ASSOCIATION (INC.)"

2 OBJECTS

The objects of the Association shall be as follows:

- a) To represent generally the views and interests of the profession of Local Government Planners and to promote ethical practice;
- b) To encourage the training and education of persons seeking to become Local Government Planners;
- c) To arbitrate and advise on professional issues arising in relation to the activities of Local Government Planners relating to their own activities and their relationship with employers, professional associations and any individual body with whom a professional relationship exists;
- d) To promote the development and enhancement of the position of Local Government Planners by involvement in the broader issues of the planning profession;
- e) To support full co-operation and liaison with professional organisations, including the Planning Institute of Australia (PIA) and any Local Government Planners' Association in any Australian State;
- f) To provide recreation for, and to promote social interaction amongst Local Government Planners and generally to ensure that broader issues are fully explored and utilised.

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3 POWERS

The Association may:

- a) Obtain, collect and receive money and funds by way of contributions, donations, subscriptions, legacies, grants or any other lawful method and accept and receive any gifts of property of any description whether subject to any special trusts or not;
- b) Invest any monies of the Association not immediately required for any of its objects in such manner and in such security as the Association may from time to time determine;
- c) Draw, accept and negotiate cheques, bills of exchange, promissory notes and other negotiable instruments;
- d) Do all or any of the above things in any part of the world as principal, agent, trustee or otherwise and by and through trustees, agents or otherwise;

- e) Purchase, lease, hire or otherwise acquire for the use of the Association real or personal property and sell, let, mortgage or dispose of that property;
- f) Erect, maintain and improve or make alterations to any building for the use of the Association;
- g) By authority of a resolution of the Association passed by not less than two thirds of the eligible voting members at a General Meeting borrow or raise money, whether or not using property of the Association for security, for any purpose authorised by this Constitution;

Do all such other things as the Association deems to be incidental or conducive to the attainment of the above objects and the exercise of the above powers PROVIDED ALWAYS that the Association is of a non-political character and is to be maintained for the objects abovementioned and is not to be for the purposes of making a profit divisible amongst its members or any of them in support of any object other than the objects abovementioned or such other objects as may be agreed upon by the members in the manner hereinafter provided for changing the constitution AND IT IS HEREBY DECLARED that each object specified in this Part shall unless otherwise herein provided be regarded as an independent object and shall in no way be limited or restricted by reference to or inference from the terms of any other paragraph or the name of the Association and shall be capable of being pursued as an independent object or power either alone or in conjunction with anyone or more of the objects or powers specified in the same or in any other paragraph or paragraphs.

4 MEMBERSHIP

4.1 Grades of

There shall be four grades of membership, which shall be as follows:

- a) *Corporate Member* - A person who is employed by a Municipality and whose duties include performing town planning related duties;
- b) *Associate Member* - A person who is not employed by a Municipality but who is closely associated with local government planning;
- c) *Life Member* - A member who, in the opinion of the Executive Committee, has beneficially served the Association for a prolonged period;
- d) *Student Member* - A student who is actively undertaking a course of study relevant to local government planning and who is not eligible for any other grade of membership;
- e) *Corporate or Associate Organisation Member* – A Local Government organisation and affiliated organisation whose duties include performing town planning related duties or who is closely associated with local government planning.

4.2 Application for

The method of application for and determination of membership shall be as follows:

- a) An application for membership or change of grade of membership to or within the Association shall be in the form of the First Schedule and the proposer and seconder of every applicant shall be a Corporate or Life Member;
- b) The Executive Committee shall ensure that at the General Meeting occurring next after the receipt of an application for membership, members are given an opportunity to express their views in relation to it within such period of time after the relevant General Meeting specified by the Executive Committee;
- c) The Executive Committee shall determine applications for Membership at the earliest practicable time after the expiration of the period mentioned in paragraph (b) hereof

4.3 Fees

- a) The annual fees for Corporate, Associate and Student Members shall be considered and set each year by a two-thirds majority of eligible voting members present at the Annual General Meeting;
- b) All annual fees shall be due and payable on July 1st of each year;
- c) If a member's annual fee is overdue for a period of six months, his/her membership of the Association shall cease forthwith. If subsequently the Executive Committee is satisfied that there was a valid cause for the delay in payment, it may, upon payment of overdue or unpaid fees, reinstate the membership as from the date of cessation;
- d) A member whose membership has ceased by reason of his/her annual fee being overdue for a period of six months and who is unable to satisfy the Executive Committee that there was a valid cause for the delay may upon payment of all overdue or unpaid fees accrued since the cessation of his/her membership reapply for membership in accordance with clause 4.2;
- e) Notwithstanding paragraph (a) above, a two-thirds majority of eligible voting members at the Annual General Meeting may set an 'organisation fee' whereby organisations who employ persons who would be eligible to be Corporate Members or Associate Members may pay a set fee to register all of their Corporate or Associate Members.

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4.4 Certificates:

A Certificate of Membership in the form of the second schedule hereto shall be issued to each member of the Association showing his/her status.

4.5 Resignation of

Any member desirous of resigning shall forward his/her written resignation to the Secretary and the Executive Committee may accept the resignation.

4.6 Register of:

A Register of Members of the Association shall be kept by the Secretary and shall contain the following particulars with respect to each member:

- a) Full name;
- b) Residential address;
- c) Status;
- d) Date upon which the member's name was entered in the Register as a member;
and
- e) Date upon which he/she ceased to be a member and reasons therefore.

5 MEETINGS

5.1 Generally:

The meetings of the Association shall be as follows:

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- a) A minimum of six General Meetings including the Annual General Meeting shall be held each year;

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- b) The Annual General Meeting shall be held in June of each year, and General Meetings shall be held on a monthly or two-monthly basis thereafter. Any General Meeting or the Annual General Meeting may be brought forward or delayed for one month;
- c) Special Current Meetings may be called by the Executive, and the Secretary shall call a Special General Meeting upon a requisition signed by at least five members, provided such requisition states the purposes for which the meeting is to be called;
- d) Meetings shall be held at such place or places as may be determined by the Executive Committee from time to time.

5.2 Procedure at:

The procedure at meetings shall be as follows:

- a) The procedure at meetings shall be in accordance with the terms of this Constitution but otherwise shall be determined from time to time by the
- b) Executive Committee. Standing orders may be proposed by the Executive Committee and approved at a General Meeting;

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- c) In the case of a Special General Meeting the particular business to be transacted shall be expressed in the notice calling the meeting and no other business shall be entered upon at that meeting;
- d) The President of the Association shall preside at all meetings. In his/her absence, the Vice President shall act in his/her stead. Should both these members be absent, a temporary chairman of the meeting may be elected by the Members present;
- e) Non-members may attend meetings as guests of members, or as guest speakers;
- f) All matters shall be decided by a majority of votes cast at the meeting unless otherwise stipulated within this Constitution, each Corporate and Life Member having one vote and the President or his/her representative having a second or casting vote except in matters of membership;
- g) The Chairman shall have a deliberate vote which he/she shall exercise if at all before the result of the vote of the meeting is ascertained;
- h) In the event of an equality of votes the Chairman shall have a casting vote except in the matter of membership in which case an equality of votes shall result in the application being refused;
- i) In general, the usual rules of debate shall pertain in all business matters.

5.3 Quorum

The quorum for meetings shall be as follows:

- a) *Executive Committee Meetings* - Four members of the Executive Committee;
- b) *Annual General Meetings and General Meetings* - Fifteen persons or one third of the total number of Corporate Members and Life Members, whichever is the lesser;
- c) No business shall be transacted at any meeting unless a quorum is present.

5.4 Minutes of:

The Minutes of all meetings conducted shall be recorded in a minute book which shall show the accurate recording of all business transacted and the members present and which shall be signed at the next meeting by the Chairman and Secretary who shall certify as to its correctness.

6 EXECUTIVE COMMITTEE

6.1 Composition and Election of:

- a) The Executive Committee shall consist of the following members:

President

Vice President

Secretary

Treasurer

Eight Members

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- b) For the first year after the election of a new President the immediate past President shall be ex-officio a member of the Executive Committee;

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- c) The member elected President shall be eligible for Corporate Membership of the Local Government Planners Association at the time of election. Should the elected President become ineligible for Corporate Membership during their elected term they may serve the remainder of this term, but may not renominate for the position unless their Corporate Membership is reinstated.

- d) The Executive Committee shall be elected at an Annual General Meeting and hold office until the following Annual General Meeting;

- e) No member shall hold more than one office at the same time. No member shall hold anyone office on the Executive Committee for more than two years, unless determined otherwise at an Annual General Meeting;

- f) Members of the Executive Committee shall not be eligible for re-election for one year following Executive Committee service of six consecutive years, unless determined otherwise at an Annual General Meeting

6.2 Powers of:

- a) Provided that it acts in accordance with this Constitution, the Executive Committee may make regulations, prescribe forms and do all such things as from time to time in its discretion it thinks necessary, expedient or fit for the internal management, regulation and good government of the Association and its affairs;

- b) With the exception of an objection to an application for membership or change of grade of membership, no report or resolution of the Executive Committee shall bind the Association until adopted or confirmed by a General Meeting of Members;

- c) The Executive Committee may fill any vacancy in or co-opt any member of the Association to the Executive Committee until the next Annual General Meeting of the Association;

- d) The Executive Committee may appoint sub-committees from their number and delegate any of their powers to such sub-committees;
- e) The Executive Committee may interpret and construe this constitution for all purposes, such interpretation or construction being final unless rescinded at a General Meeting of the Association.

7 FUNDS

7.1 Manner of Dealing With:

The Funds of the Association shall be dealt with as follows:

- a) General Funds shall be collected and banked by the Treasurer and deposited in an account in such bank or banks or building society as the Executive Committee from time to time determines;
- b) The Executive Committee at its first meeting shall appoint three of its members including the Treasurer to be trustees;
- c) All disbursements from trust and other funds shall be made and signed by one (1) trustee;
- d) The Treasurer shall report all financial transactions to the Executive Committee.

7.2 Financial Statements:

The Treasurer shall keep an accurate record of all monies received and disbursed and shall give a financial report to each and every General Meeting. The Treasurer further shall submit a financial statement to the Fourth General Meeting and such financial statement shall be certified by the Chairman and the Treasurer after adoption thereof by such General Meeting.

7.3 Auditor:

- a) The Association at each Annual General Meeting shall appoint an auditor to audit its accounts for the ensuing year and for any other year in which the accounts have not been audited;
- b) The Auditor shall submit a written report to the next Annual General Meeting of the Association after his/her appointment;
- c) The Auditor shall be a qualified accountant being a member of an Association of Australian Accountants or of a Secretarial Institute.

8 COMMON SEAL

The Executive Committee shall provide a common seal for the purposes of the Association which shall at all times be kept in the custody and power of the Secretary and shall only be used by authority of a resolution of the Executive Committee and when so used shall be affixed by the Secretary in the presence of the President or the Vice President. The document to which it is so affixed shall be countersigned by the President or a Vice President and by the Secretary.

9 DISSOLUTION OF ASSOCIATION

- a) On application made in writing to the Executive Committee by not less than two-thirds of the Association membership signifying their desire that the Association should be dissolved a Special General Meeting shall be called to consider the question.
- b) The application for dissolution shall specify the reason why the motion has been made and shall be posted to every member one calendar month before the day fixed for the meeting.
- c) At any meeting called for the purpose of dissolution, votes by proxy will be received.

10 DISSOLUTION OF SURPLUS ASSETS ON DISSOLUTION

In the event of a motion for dissolution being carried at a Special General Meeting called for the purpose of dissolution, the assets of the Association shall be realised and any balance remaining after payment of all liabilities shall be given or transferred to any organisation, shall be disposed of to any charitable organisation, or failing determination of the members, as may be determined by a Judge of the Supreme Court of Western Australia.

11 ASSOCIATION INCOME

The Association shall be a non-trading association and the income and property of the Association whencesoever derived shall be applied solely toward the promotion of the objects of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the persons who at any time are or have been members of the Association or to any of them or to any person claiming through any of them. No member shall be entitled to derive any benefit or advantage from the Association which is not shared equally by every other member thereof PROVIDED THAT nothing herein contained shall prevent the payment in good faith of remuneration to any officer or servant of the Association or to any member thereof, or any other person in return for any services actually rendered or value given to the Association, or nor prevent the payment of interest at a rate not exceeding TWELVE AND ONE HALF PER CENTUM (12 1/2%) per annum on money borrowed

from any member of the Association or Local' Government Authority or other persons or bodies as passed at a Special General Meeting called for that purpose with a majority vote of three-quarters of members present and voting.

12 ALTERATION, VARIATION, RESCISSION OR ADDITION TO PROVISIONS IN CONSTITUTION AND RULES

12.1 With the exception of the provisions referred to in sub-clause 12.2 any provision in these Rules and Constitution may be altered varied or rescinded or may have new or additional provisions added by the vote of a simple majority of the members entitled to vote who are present and voting at a General Meeting PROVIDED THAT at least fourteen days' notice of the time and place of the meeting and the substance of the proposed alteration, variation, rescission or new or added provision has been given to or posted to the last known address of each member including those who are not entitled to vote.

12.2 The provision in any of:

- a) Clause 1 relating to Name;
- b) Clause 2 relating to Objects;
- c) Clause 3 relating to Powers;
- d) Subclause 4.1 relating to the grades of membership; and
- e) Subclause 5.2 relating to the procedures at meetings.

may be altered varied or rescinded or may have new or additional provisions added by the vote of an absolute majority of the members entitled to vote, passed at a General Meeting PROVIDED THAT at least 15 days' notice of the time and place of the meeting and the substance of the proposed alteration, variation, rescission or new or added provisions, has been given to or posted to the last known address of each member including those who are not entitled to vote.

12.3 For the purpose of sub-clause 12.2, an absolute majority shall include postal votes received by the Secretary in time to be opened and counted at the General Meeting. Postal votes shall be lodged in a separate sealed envelope on the form provided by the Secretary for the purpose and shall be signed by the voting member.

REGISTER OF AMENDMENTS TO THE CONSTITUTION

Date of Adoption	Number	Clause	Amendment
19/06/1997	1		The Executive Committee shall determine applications for membership upon a majority decision of the Committee.
30/07/2010	2	Clause 6.1a)	i. Remove the term ' <i>Three Members</i> ' and replace with the term ' <i>Six Members</i> '
		Clause 6.1c)	i. Insert the following clause as 6.1c) and renumber the remaining clauses accordingly: <i>'The member elected President shall be eligible for Corporate Membership of the Local Government Planners Association at the time of election. Should the elected President become ineligible for Corporate Membership during their elected term they may serve the remainder of this term, but may not renominate for the position unless their Corporate Membership is reinstated.'</i>
		Clause 5.1a)	i. Precede the clause with the term ' <i>A minimum of</i> '
		Clause 5.1b)	i. Remove the term ' <i>every second month</i> ' and replace with the term ' <i>on a monthly or two-monthly basis thereafter</i> '. ii. Remove the term ' <i>other than the</i> ' and replace this with the word ' <i>or</i> ' iii. Remove the term ' <i>provided that no General Meeting shall be held in the month of January of any year</i> '.
		Clause 2 e)	i. Remove the term ' <i>Royal Australian Planning Institute</i> ' and replace this with the term ' <i>Planning Institute of Australia (PIA)</i> '. ii. Remove the term ' <i>the Local Government Planners' Association in each State</i> ' and replace this with the term ' <i>any Local Government Planners' Association in any</i>

Date of Adoption	Number	Clause	Amendment
			<i>Australian State</i> '.
		Clause 4.3 b)	i. Remove the word <i>feels</i> and replace with the word <i>fees</i> '.
		Clause 5.2 c)	i. Remove the word <i>bot</i> and replace with the word <i>both</i> '.
9/07/2015	3	Clause 4.1 e)	i. Insert the following clause as 4.1 e): <i>Corporate or Associate Organisation Member – A Local Government organisation and affiliated organisation whose duties include performing town planning related duties or who is closely associated with local government planning.</i>
		Clause 4.3 e)	i. Insert the following clause as 4.3 e): Notwithstanding paragraph (a) above, a two-thirds majority of eligible voting members at the Annual General Meeting may set an 'organisation fee' whereby organisations who employ persons who would be eligible to be Corporate Members or Associate Members may pay a set fee to register all of their Corporate or Associate Members.
20/7/2017	4	Clause 6.1 a)	i. Replace the word <i>six</i> with <i>eight</i> '.