



ANNUAL GENERAL MEETING

MINUTES

To be submitted to the
NINETY NINTH SESSION OF THE ASSOCIATION

Will be held on

20 July 2011

Commencing At

11.00am

At
Wrest Point Casino
Hobart



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* Denotes Attachment

FORMAL NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT

***The Annual Conference of
Local Government in Tasmania
will be held
commencing
Wednesday 20 July, 2011***

**NOTICE IS ALSO GIVEN THAT THE
Ninety Ninth Annual General Meeting
of the Association
will be held at the
Wrest Point Casino, Hobart
commencing 11.00am
on Wednesday 20 July, 2011**

**NOTICE IS ALSO GIVEN THAT
the Association's General Meeting
will be held at the
Wrest Point Casino, Hobart.
Commencing immediately following
the conclusion of the AGM on
Wednesday 20 July 2011
To consider
Local Government Policy and Motions
from Member Councils**

**Allan Garcia
CHIEF EXECUTIVE OFFICER**

2011 CONFERENCE PROGRAM



WEDNESDAY 20 JULY 2011

10.00–2.00pm	Registration Desk Open	
11.00am	Annual General Meeting	
	General Meeting	Commences immediately following the conclusion of AGM
1.00pm	Lunch	<i>With thanks to Aerus Technologies</i>
2.00pm	Meetings continue	
5.45pm	Shuttle Service, Wrest Point to Government House	
6.00pm	ALGWA 60 th Anniversary Reception	

THURSDAY 21 JULY 2011

7.25-8.00am	Find 30 – Morning Walk	
8.00am	Conference Registrations	
9.00am	Welcome and Opening	
9.10am	Official Opening	
9.25am	Ross Dawson	
10.30am	Morning Tea	<i>With thanks to Marsh</i>
11.00am	Jacky Hodges	
11.30am	Allan Garcia	
11.40am	Moving Moment	
11.45am	Tony South AOM.AM	
12.00pm	Lunch	<i>With thanks to Marsh</i>
1.00pm	Workshop Program	
2.30pm	Afternoon Tea	<i>With thanks to Commonwealth Bank</i>
3.00pm	Rod Whitehead	
3.05pm	Chris Jones	
3.20pm	Moving Moment	
3.25pm	Panel Discussion	
4.30-5.30pm	Happy Hour	<i>With thanks to Commonwealth Bank</i>
7.00 & 7.10pm	JMG Shuttle Service to Hobart Function Centre	
7.30pm	MAV Conference Dinner	
10.30-11.30pm	JMG Shuttle Service to Wrest Point	

FRIDAY 22 JULY 2011

9.00am	Workshop Program	
10.30am	Morning Tea	<i>With thanks to Knight Errant</i>
11.00am	Genia McCaffrey	
11.15am	The Hon Bryan Green MP	
11.30am	Local Government Awards for Excellence	
12.10pm	Moving Moment	
12.15pm	Ricky Langford	
12.50pm	Conference wrap up and Wrest Point prize draw	
1.00pm	Lunch	<i>With thanks to Knight Errant</i>



2011 ANNUAL GENERAL MEETING

The President, Mayor Barry Easther, welcomed Members and declared the Annual General Meeting open at 11.00am.

Apologies were received from

Ms Sandra Ayton	Central Coast Council
Mr Greg Winton	Circular Head/Waratah Wynyard Councils
Mayor Jock Campbell	Clarence City Council
Mr Gerald Monson	Latrobe/Kentish Councils
Mayor Charles Arnold	King Island Council
Mr Mark Goode	King Island Council
Mayor Kim Polley	Northern Midlands Council
Deputy Mayor Downie	Northern Midlands Council
Mr David Metcalf	Glamorgan Spring Bay Council

A copy of the Rules of the Association are available on the Association's website at - <http://www.lgat.tas.gov.au/site/page.cfm?u=215>

1 PRESIDENT'S REPORT

There are some years where things just seem to be constant and always there without necessarily getting resolved. It seems that 2010-11 was one of those years.

The valuation and rating review continues and it appears it will still be some time before we get a definitive response on what the future is likely to be. We did get a set of tools to assist with our rating arrangements this year as a direct output of the project but additional modelling and consideration of matters such as the flat rating conundrum have seen this project linger longer than initially anticipated.

The Sustainability Objectives and Indicators project has replaced the former KPI work and we are at the point where checks and balances are being undertaken against the work that the Auditor General presents each year on councils' financial sustainability. These new indicators should provide a more robust framework against which to ascertain the performance of councils and the sector as a whole.

Water and sewerage remained in full view throughout the year with the Association responding to, and providing evidence to, the House of Assembly Select Committee; making representations to the State Government on pricing and governance; liaising with the water and sewerage corporations on strategy and conducting a Special Meeting to achieve consensus on a range of matters to present to the State Government. While the Association remains interwoven in the debate on this difficult matter it often finds itself out of the loop on the basis of not being an owner or having expectations placed on it to maintain and uphold the interests of owners. In the main, I believe that the Association has acted responsibly and with due care in this relationship and continues to advocate on the part of member councils.

A major funding result was achieved in the year in the area of asset management and financial planning. Building on the series of projects, efforts and consultancies that have been progressed since the Association first identified financial sustainability of councils as a key issue, \$870,000 was received from the Commonwealth Government to implement long term financial plans and asset management plans and structures across all councils. The project is progressing well with significant buy-in from councils and we are confident of all councils achieving a good result from the activities associated with this project.

The Association also facilitated a range of other projects that were ultimately successful under the Local Government Reform Fund but is not integrally involved in the delivery or the outputs of these projects. On the matter of funding, the Association partnered with the Climate Change Office and the Tasmanian Planning Commission to attract funding for a coastal adaptation project worth \$500,000 which will initially focus on four of the most vulnerable coastlines in the State. Clarence, Kingborough, Latrobe and Break O'Day Councils will be the significant beneficiaries of this work although it is anticipated that the outputs will flow to the regional land use strategies and potentially the template planning scheme framework.

The Metropolitan Councils Group was established during the year with two successful meetings conducted to date. The forum has provided a unique opportunity for discussion and presentation and it is expected that the forward program for the upcoming year will provide significant impetus for debate and action by the member councils and potentially those outside the group.

Planning reform was a constant theme throughout the year with the Association responding to several planning directives and policy concepts such as canal developments, the common key elements template, the State Coastal Policy, a proposed planning amnesty and standards for residential dwellings. The Association also lobbied the State Government strongly and was responsible for activating an inaugural meeting to establish a framework, processes and governance arrangements including a consultation and communication protocol with the Tasmanian Planning Commission. The project to pilot electronic development assessment processes was also progressed by the Association throughout the year and after some hiccups electronic applications can now be lodged at Hobart Council, with Northern Midlands to follow in this coming year. The Standards Panel had another busy year although it is pleasing to note that the latter half of the year saw some easing of cases. The Association's push for a review of the regulations associated with council Codes of Conduct was acknowledged by the State Government and comprehensive submissions were developed with inputs from member councils. Issues remain about the fundamental precepts contained within the Act but these will be tackled at a later juncture. Another major initiative during the year was the conduct of a workshop for all independent panel representatives. While very successful in its own right, it was impacted by a tragic motor vehicle accident on the Midland Highway which precluded participation by all that wished to attend.

Other learning and development opportunities included a workshop for Community Development Officers, support in dealing with competitive neutrality issues and general workshops for Mayors, General Managers, elected members and potential local government candidates.

We continued to attract substantial attention as a result of the Think Big, Work Local television campaign, translating into direct traffic on the jobs website of around 1000 hits per week. Having secured funding last year, the Association coordinated funding contracts under the Enterprise Based Productivity Places Program for over 80 qualifications across 13 councils.

The PLGC met on 3 occasions throughout the year however with a Premier on the way out and another just in, I must admit that there was not a great deal of stability and sternness about proceedings. The forum continues to provide a great opportunity to oversight and input to key projects requiring inter-governmental cooperation, to raise issues of concern and to put into place strategies to deal with problems or shortcomings.

Waste management activities included the coordination and delivery of the household hazardous waste project with successful collection days being conducted throughout the state. The Association, in partnership with the regional waste bodies, has also more recently sought to advance the concept of a legislated waste levy with the State Government to fund innovative and necessary waste initiatives.

Electricity contestability featured during the year with many councils having access to the contestable market for the first time. The Association worked closely with councils to ensure an understanding of the competitive environment and to facilitate access to a common contract with energy providers.

The latter part of the year saw significant activity in the forestry sector. With a roundtable established to consider the future of the industry in the State and no consideration of impacts on local communities, the Association facilitated a meeting of interested councils, developed submissions to both the Legislative Council Committee review into the sector and the convenor of the roundtable, Bill Kelty. An Association led delegation also met with Bill Kelty and the Federal Minister for Environment, Tony Burke to voice concerns about the implications of the forestry restructure on local communities, the role that will be expected to be played by local councils and the dissatisfaction with the engagement of Local Government in the process.

Major submissions presented by the Association during the year included the COAG Road Funding Feasibility Study, the State Taxation Review, rural default speed limits, building and construction costs, the review of the Drains Act, local government training and skills shortages, product stewardship, cat and dog regulations, the State Budget, planning reform and street lighting. In the area of communications, 4 editions of LGAT News were published and fortnightly newsletters were electronically distributed to a growing list of recipients inside and outside of Local Government.

LGAT Assist processed 64 loans to a value of \$363,000 ensuring council employees were able to pay debts, take holidays, do house renovations and attend to vehicle purchases and repairs. The Association embarked on a number of aggregated procurement arrangements for member councils, making available panel contracts for trucks, tyres and batteries and stationery. Other contracts are in train for mowers and heavy machinery. LGAT also facilitated council access to a Local Government Health Scheme which allows employees access to a more economical choice of health cover.

And at the national level, Constitutional Recognition again loomed large and it was pleasing to secure a Tasmanian sectoral commitment to furthering this important and significant reform. As I reported last year, there is still a long way to go!

Finally, I wish to recognise the team we have at the Association. Under the leadership of CEO Allan Garcia we have a great group of dedicated and professional people. In the busy lives we all live it is sometimes easy for us to take for granted or overlook the vast amount of work they undertake for the benefit of local government in Tasmania.

I am personally very appreciative of the support given to me by Allan and his team and so from me and on behalf of all members, I say thank you all at the Association for your commitment and continuing support of your membership as together we work to strengthen Local Government in Tasmania.

West Tamar Council/Waratah Wynyard Council

That the President's report be received.

Carried



2 MINUTES OF 98TH ANNUAL GENERAL MEETING *

The Minutes of the 98th Annual General Meeting of the Local Government Association of Tasmania, held in Hobart on 12 May, 2010 as circulated, are submitted for confirmation.

The Minutes are at **Attachment to Item 2.**

Central Highlands Council/West Coast Council

That the Minutes of the 98th Annual General Meeting, held 12 May 2010, be confirmed.

Carried

3 FINANCIAL STATEMENTS TO 30 JUNE 2010 *

The General Management Committee recommends consideration and adoption of the Association's Financial Statements for the period 1 July 2009 to 30 June 2010, an abridged version of which is included at **Attachment to Item 3.**

A full version is available from the Association's offices.

Circular Head Council/Latrobe Council

That the Financial Statements for the period 1 July 2009 to 30 June 2010 be received and adopted.

Carried

4 PRESIDENT AND VICE PRESIDENT HONORARIUMS

The Rules of the Association provide that the Annual General Meeting will grant an annual allowance to the President and Vice President.

It has been practice to undertake an independent review of the allowances of the President and Vice President in the same financial year as the four yearly review of allowances of Local Government Elected Members. That review was undertaken in 2009 by the Tasmanian Chamber of Commerce and Industry.

The result of the review was a proposal to retain the basis of the present allowances unchanged for the two positions with annual movements for the next four years being in accord with the wages price index. This brings these allowances into line with the escalation factor used for elected member allowances across councils. The resultant application of the 3.6% wages price index meant allowances for the 2009 - 2010 were:

- President allowance \$37,712 per annum.
- Vice President allowance \$9,428 per annum.

Allowances will then be increased in line with adjustments with the Wages Price Index for the financial years ending 30 June 2010, 30 June 2011 and 30 June 2012 after which a further review of allowances will be conducted.

The wage price index will also be applied to GMC sitting fees.

Hobart City Council/Launceston City Council

That the President's and Vice President's allowance for the period 1 July 2011 to 30 June 2012 be adjusted in accordance with the movement in the Wages Price Index.

Carried

5 CHANGE TO THE RULES OF THE ASSOCIATION

As part of the process of withdrawal from the Association by the Glenorchy City Council, the Association withdrew access by Glenorchy City Council to the services provided through LGAT Assist. This meant that council employees were no longer eligible for grants and loans available through this facility.

Following representations from some Board Members of LGAT Assist regarding the equity of this action and a view that the facility was open to all Local Government employees, not just those employed by Association members, the Association sought legal advice on the matter.

The legal advice obtained, while not conclusive, did suggest that Rule 52(a)(ii) of the Association could be interpreted in a court as relating to people who are employed by a council established under Section 18 of the Local Government Act. It was held that the rule does not necessarily limit use of funds to employees of member councils. The view expressed that if the rule was intended to expressly benefit only employees of members of the Association, then the rule should be amended accordingly.

While not specifically sought, there was a suggestion made in relation to the eligibility of water and sewerage authority employees that they may not necessarily be deemed Local Government employees in the context of eligibility under the rules. The legal advice proposed clarification within the rules if it was proposed that these officers should continue to be eligible.

These matters were considered by the General Management Committee at its August 2010 meeting where it was agreed that Glenorchy City Council employees continue to be provided access to LGAT Assist and that a motion be presented at the next AGM to amend the Rules of the Association to make it clear that all Local Government employees and employees of Local Government owned entities are eligible to access LGAT Assist.

Rule 52 is set out in full below:

52. LGAT ASSIST

- (a) The General Management Committee is responsible for the management and operation of the monies of the Association identified as LGAT ASSIST
- (a) The monies of the Association identified as LGAT ASSIST may be used for the following purposes:
 - (i) the welfare of Local Government employees and/or their dependants through grants or other assistance;
 - (ii) loans to all Local Government employees; and
 - (iii) any other purpose approved by the General Management Committee which benefits the employees of Local Government and/or their dependants.
- (b) The General Management Committee may do all acts and things which it considers necessary, desirable or expedient for the administration, maintenance, investment and preservation of the monies of the Association identified as LGAT ASSIST.
- (c) The General Management Committee may by simple majority delegate any of its powers, duties or discretions in relation to the monies of the Association identified as LGAT ASSIST on any terms it determines.

- (e) The General Management Committee may determine by simple majority in its absolute discretion all matters relating to the setting up or operation of any Board or Committee to which it delegates any of its powers, duties or discretions.

In accordance with the previous decision of the GMC it is proposed to amend Rule 52(a)(ii) to read

“loans to all Local Government employees and employees of Local Government owned entities”

This clarifies the standing of water and sewerage corporation employees and allows the continuance of eligibility for Glenorchy City Council employees.

Northern Midlands Council/Hobart City Council

That Rule 52(a)(ii) of the Association relating to the eligibility for employees of Local Government to access the services provided through LGAT Assist be amended to read –

“loans to all Local Government employees and employees of Local Government owned entities”.

Carried

6 SUBSCRIPTIONS 1 JULY 2011 TO 30 JUNE 2012 *

Subscriptions intended to be received from councils last year totalled \$930,375. However, with the subsequent decision by Glenorchy City Council to withdraw from the Association, an amount of \$47,449 was not received in the financial year. An additional call was not made upon remaining members, with the shortfall from the Glenorchy withdrawal being met from Association reserves.

In framing its budget for this year the Association has applied a 1.5% increase to subscriptions resulting in a call of \$944,331. The levels of contributions from individual councils have been adjusted in accordance with the shift to total assessed revenue of councils with some councils moving up a category in that process.

At the time of writing, the Association had not been advised of the position of Glenorchy City Council as to its desire to return as a member of the Association. On this basis, two tables have been developed for consideration by members.

While not forming part of the subscriptions proper, an extension of the table has been provided outlining previously endorsed member contributions to the careers project, the statewide household survey, the environmental mediation process and the fighting fund for constitutional recognition.

For the purposes of council budgets, these documents were forwarded prior to these papers to allow appropriate allocations to be considered in developing those budgets.

The revised subscription levels for councils is at **Attachment to Item 6** and are submitted to the Annual General Meeting for adoption.

George Town Council/Kentish Council

That subscriptions be increased by 1.5% to meet the operating costs of the Association.

Carried

Members were advised that correspondence had only recently been received from the Glenorchy City Council advising they would not be renewing their membership with the Association for the 2011/12 Financial Year.

7 BUDGET FOR THE TWELVE MONTHS 1 JULY 2011 TO 30 JUNE 2012 *

There are very few major shifts in the budget for the upcoming year.

At the last General Meeting member councils endorsed the extension by the Association of the careers and workforce development activity and agreed to funding on top of standard subscriptions of \$146,245.

A further \$50,000 was agreed for environmental mediation and \$75,000 for Constitutional Recognition. The latter funds will be held in a special reserve by the Association on behalf of members and will only be utilized if and when the Constitutional Recognition program is mobilized.

Provision has been made for standard salary increases of Association staff within the budget with most line items remaining constant for the coming year.

The copy of the budget is at **Attachment to Item 7.**

Circular Head Council/Devonport City Council

That the Meeting adopt the Budget as presented.

Carried

8 REPORTS FROM BOARD REPRESENTATIVES *

Listed below are the bodies on which the Association had statutory representation in the 2009/2010 financial year.

Representatives on Statutory Bodies are requested to provide a report for Conference and are also requested to provide regular reports back to the Association during the year.

- **Animal Welfare Advisory Committee**
Mr David Moser
- **Assessment Committee for Dam Construction (ACDC)**
Mr Neil Blaikie
- **Community Review Committee - Threatened Species Protection Act 1995**
Ms Lisa Nelson, Circular Head Council
- **Crime Prevention and Community Safety Council**
Ald Sandra French, Burnie City Council
- **Environmental Management Pollution Control Board**
Mr David Masters, Glamorgan Spring Bay Council
- **Forests & Forest Industry Council**
Mayor Robert Armstrong, Huon Valley Council
- **LGAT Assist**
Mr Kay Reeves
- **Marine Farming Planning Review Panel**
Mayor Jock Campbell, Clarence City Council
- **Plumbers and Gasfitters Registration Board**
Mr John Palmer
- **Tasmanian Planning Commission**
Ms Sandra Hogue
- **State Fire Commission**
Mr Rod Sweetnam, Launceston City Council, Mayor Carmel Torenus, Sorell Council
- **State Fire Management Council**
Dr Stephen Bresnehan, Hobart City Council
- **State Grants Commission**
Mr Barrie Southorn and Mr Hugh Denny
- **Tasmanian Heritage Council**
Ald Sandra French, Burnie City Council, Mr Roger Howlett
- **Tasmanian Library Advisory Board**
Ald Sandra French, Burnie City Council, Mr Stephen Brown, George Town Council, Ald Doug Chipman, Clarence City Council and Ms Narelle Calphy, Glenorchy City Council

The reports received for presentation are at **Attachment to Item 8.**

Hobart City Council/Burnie City Council

- (a) That the reports from representatives on various bodies be received and noted.
- (b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

Carried

9 CLOSURE

There being no further business, the President declared the Annual General Meeting closed at 11.26.am.

