



ANNUAL GENERAL MEETING

MINUTES

To be submitted to the
ONE HUNDRED AND FIRST SESSION OF THE ASSOCIATION

Will be held on
24 July 2013

Commencing
11.00am

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 24 July, 2013**

**NOTICE IS ALSO GIVEN THAT
the Association's Annual General Meeting
will be held at the
Wrest Point Casino, Hobart.
Commencing at 11.00am
on
Wednesday 24 July, 2013.**

**NOTICE IS ALSO GIVEN THAT THE
One Hundred and First General Meeting
of the Association
will be held at the
Wrest Point Casino, Hobart
commencing immediately following the conclusion
of the
Annual General Meeting
on Wednesday 24 July, 2013.**

**To consider
Local Government Policy and Motions
from Member Councils**

**Allan Garcia
CHIEF EXECUTIVE OFFICER**

2013 CONFERENCE PROGRAM



WEDNESDAY 24 JULY 2013

10.00–2.00pm	Registration Desk Open	
11.00am	AGM	
	General Meeting	Commences immediately following the conclusion of AGM
1.00pm	Lunch	<i>With thanks to Medicare Local Tasmania</i>
2.00pm	Meetings continue	
5.00pm	Telstra/ALGWA Networking Hour	

THURSDAY 25 JULY 2013

8.00am	Registration Desk Opens	
9.00am	Welcome and Opening	
9.10am	Paul Gilding	
10.10am	Moving Moment	
10.15am	Lauren Anderson	
11.00am	Morning Tea	<i>With thanks to Jardine Lloyd Thompson</i>
11.30am	Paul Porteous	
12.30pm	Lunch	<i>With thanks to Jardine Lloyd Thompson</i>
1.30pm	Workshop Program	
3.00pm	Afternoon Tea	<i>With thanks to Commonwealth Bank</i>
3.30pm	Brett Spinks	
3.35pm	Panel Discussion	
4.45-5.45pm	Happy Hour	<i>With thanks to Commonwealth Bank</i>
7.30pm	MAV Insurance Conference Dinner	

FRIDAY 26 JULY 2013

9.00am	Workshop Program	
10.30	Morning Tea	<i>With thanks to TASPLAN</i>
11.00am	Mayor Felicity-ann Lewis, ALGA President	
11.30am	2013 Local Government Awards for Excellence	
12.00am	Moving Moment	
12.05pm	Peter Thurin	
1.00pm	Conference wrap up and Wrest Point prize draw	
1.15pm	Lunch	<i>With thanks to TASPLAN</i>



2013 ANNUAL GENERAL MEETING

The President, Mayor Barry Easter, welcomed Members and declared the Annual General Meeting open at 11am.

Apologies were received from -

Mayor Steve Kons	Burnie City Council
Mr Ian McCallum	Devonport City Council
Mr Gerald Monson	Latrobe & Kentish Councils
Mayor Graham Bury	Kingborough Council
Mayor Kim Polley	Northern Midlands Council
Mayor Sarah Schmerl	Break O'Day Council
Mr David Metcalf	Glamorgan Spring Bay Council
Clr Bob Richardson	Meander Valley Council

A copy of the Rules of the Association are available on the Association's website at - <http://www.lgat.tas.gov.au/page.aspx?u=628>

In a year dominated by debate over whether there will be a referendum or there won't be, we finally got confirmation that there would be one only to find that we are not sure when it will be. While it may not appear that there has been much activity in terms of the campaign, I can assure members that planning for the campaign and procuring the experts and resources to manage the campaign have been a significant undertaking. The product of this activity is now becoming more apparent as the day draws closer and the call to action from members is now on in earnest. This is a "hands-on" battle and we will need all councils and communities to get their hands dirty on Election Day to ensure a resounding YES vote.

In addition to the backroom planning and plotting on the referendum, the Association coordinated and facilitated the bringing together of the regional water and sewerage corporations into a single entity, managing the legal and legislative requirements while ensuring that owner councils were fully informed and engaged in the process as it was rolled out. While this all appeared to run smoothly and with only the occasional hiccup, the work behind the scenes in developing of scenarios and options to ensure that the requirements of owners were met and briefing and lobbying parliamentarians was no mean feat. Developing and implementing the governance arrangements and processes to ensure that the corporation could commence on 1 July with an expert board and CEO in place were significant tasks and I commend the LGAT team on their diligence and persistence in getting the job done.

But we didn't just restructure water and sewerage, we dabbled in the future governance and electoral arrangements for our own sector coordinating and arguing the case in relation to compulsory voting, all-in/all-out elections and the dual representation of elected members.

Giant strides were made with members in strategic asset management and long term financial planning with almost all councils now having in place their asset management plans and many others a long way down the track with their financial plans. Efforts continue in supporting those requiring more refinement and assistance and also in moulding the legislation that will underpin these instruments.

In the area of emergency management there were significant issues arising from the Victorian bushfires of a few years ago coupled with coordinating efforts in relation to our own Tasmanian tragedies in various council areas across the state. It was particularly pleasing to witness and be part of the camaraderie among councils assisting those affected by hardship and loss.

Unfortunately standards panel activity continued to tick over although ground has been made in convincing the State Government that significant change is required to the current arrangements. A working group has been formed to assess the extent and type of change necessary.

On the training front we offered the planning course to elected members and while numbers were down, feedback from participants was positive. We entered a partnership with the LGA of NSW to provide access to Local Government webinars, facilitated the conduct of asset management workshops throughout the state and provided mayors with media training. Successful Mayors and General Managers' workshops were conducted throughout the year and regular inputs to the Communications and HR forums were provided by LGAT personnel. Award modernisation was and remains a key matter for resolution with LGAT coordinating activity in this space.

Aggregated purchasing and procurement activity increased throughout the year with focus now moving to raising awareness of opportunities, improving practices and growing council and sector capability and efficiency in the procurement process.

Asbestos, forestry, plastic bags, street lighting, climate change, liquor licensing, a range of planning activity, workplace health and safety, establishment of a crane network and raising awareness on the new heavy vehicle registration arrangements were key areas of endeavour throughout the year.

We have at the Association a team of highly dedicated and professional staff under the leadership of CEO Allan Garcia. The support given to me as President is greatly appreciated and on behalf of all members of the Association I say thank you all for a job well done and for the commitment you continue to give as together we strive to strengthen the local government sector throughout the State.

The year ahead presents its own set of challenges with a State election staring us in the face, an analysis of gaps and opportunities arising from the Role of Local Government project, legislative amendments in the areas of asset and financial management, derelict buildings, planning and implementation of the electoral reforms.

It promises to be another busy and exciting year so hang on to your hats and remember to simply say YES!

I commend my report to the meeting.

Devonport City Council/Central Highlands Councils

That the President's report be received.

Carried

2 MINUTES OF 100TH ANNUAL GENERAL MEETING *

The Minutes of the 100th Annual General Meeting of the Local Government Association of Tasmania, held in Hobart on 11 July, 2012 as circulated, are submitted for confirmation.

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

Circular Head Council/Burnie City Council

That the Minutes of the 100th Annual General Meeting, held 11 July, 2012 be confirmed.

Carried

3 FINANCIAL STATEMENTS TO 30 JUNE 2012 *

The General Management Committee recommends consideration and adoption of the Association's Financial Statements for the period 1 July 2011 to 30 June 2012, an abridged version of which is included at **Attachment to Item 3.**

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

A copy of the Association's Profit and Loss report for the period 1 July 2012 to 20 June 2013 is also included at **Attachment to Item 3** to provide members with an indication of the current financial position of the Association. At the time of preparation of the report one week remained to the end of the Financial Year with year end adjustments also pending. It is anticipated that there will be a minor surplus.

Circular Head Council/Southern Midlands Council

That the Financial Statements for the period 1 July 2011 to 30 June 2012 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. The last review was undertaken in 2009 by the Tasmanian Chamber of Commerce and Industry.

The result of that 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, bringing the allowances into line with the escalation factor used for elected member allowances across councils.

The President and Vice President allowances have been 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 was to be conducted.

However, as the escalation factor used for elected member allowances remains the wages price index it is deemed appropriate that the President and Vice President Honorariums escalate on the same basis going forward.

If in the future, the escalation of the Elected Member Allowances are reviewed or alter, the Honorariums can also be reviewed.

The resultant application of the wages price index has meant allowances for the 2012 - 2013 were:

- President allowance \$41,852 per annum.
- Vice President allowance \$10,463 per annum.

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

Dorset Council/George Town Council

That the President's and Vice President's allowance for the period 1 July 2013 to 30 June 2014 be adjusted in accordance with the movement in the Wages Price Index.

Carried

5 SUBSCRIPTIONS 1 JULY 2013 TO 30 JUNE 2014 *

At the time that Glenorchy City Council withdrew from the Association, subscriptions that otherwise would have been payable by that council were met from Association reserves in the first year. In the following year members determined that they would cover the full cost of operations, each sharing a proportion of the subscription shortfall.

With the Hobart City Council withdrawal, an amount of \$50,920 will be unfunded in the Association budget. The Association runs a very tight and modest budget that is very salary dependent. While cuts to the budget could be made to cover the shortfall, the resultant impact on member services and the effective functioning of the Association would be significant.

On this basis it is proposed that members agree to again fund the shortfall from reserves. The Association is in a sound financial position and this poses no major drain on the broader finances of the Association. In the event that Hobart remains outside of the Association the member contribution could be revisited at next year's budget.

In framing this year's budget, the Association has applied a 3.05% increase (in line with the council cost index) to subscriptions resulting in a call of \$997,461. 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 (Southern Midlands, Dorset, Devonport and Glenorchy) and Kentish moving down in that process.

While the recommendation is to meet the cost of subscriptions attributable to Hobart, in the event that they do not pay, two tables have been produced for members, the other demonstrating the cost to members if they covered the cost of the Hobart subscription.

Although 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 and the Constitutional Recognition Campaign.

The subscription table for councils is at **Attachment to Item 5** and is submitted to the Annual General Meeting for adoption.

Circular Head Council/Glamorgan Spring Bay Council

That subscriptions be increased by 3.05% to meet the operating costs of the Association.

Carried

6 BUDGET FOR THE TWELVE MONTHS 1 JULY 2013 TO 30 JUNE 2014 *

There are few major variations in the budget for the upcoming year. There will be a continuation of the call on contributions for the Constitutional Recognition campaign with member contributions meeting \$225,000 and approximately \$150,000 being met from Association reserves.

Major expenditures associated with the purchase of 326 Macquarie Street and subsequent upgrades to information technology, security and kitchens along with general fit out have been completed. The board room is undergoing a sizing upgrade with a smaller table to be installed and audio visual equipment to be installed. This will effectively complete the upgrade and update of the building with the funding for these works coming from the building reserve established at the time of sale of 34 Patrick Street some decade ago.

Revenues from procurement activity continue to grow although licensing arrangements for software to provide access to members to contracts presently offsets some of those revenues. Although these fees are likely to be absorbed this year, pending further negotiations with providers, a more transparent and articulated costing will be included in the budget next financial year.

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

A copy of the budget is at **Attachment to Item 6**.

Kingborough Council/Brighton Council

That the Meeting adopt the Budget as presented.
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Carried

7.1 Motion - Remove The "As Of Right" Entitlement Of The Lord Mayor Or Proxy To Sit On The GMC

Background Comment

The Hobart City Council recently gave formal notice of its intention to cease its membership of LGAT effective at 30 June 2013. The reasons given for withdrawing from the membership of LGAT were that the Council believes it can lobby the State and Australian Governments more effectively on its own.

The Rules of LGAT allow councils to withdraw its membership from LGAT and as such members of that Council can no longer participate in meetings of LGAT.

These rules also outline the process for replacing members of the General Management Committee (GMC) of LGAT, if that member is no longer a councillor or an alderman.

Section 18 of the Rules outlines the "Composition of the General Management Committee". The GMC shall consist of the President, the Lord Mayor or proxy and six members to be elected, as provided in sub-rule (b), from the three electoral districts set out in Rule 19.

Effectively this gives the Hobart City Council an "as of right" membership of the GMC regardless of it being a member of LGAT or not. This appears to be an oversight of the rule makers when drafting the Rules of LGAT, as they would not have envisaged Hobart City Council not being a member of LGAT.

With the Hobart City Council no longer being a member of LGAT, this anomaly of the Lord Mayor or proxy being a member of the GMC needs to be addressed. The Rules of LGAT need to be amended by deleting Section 18(a)(ii) from the Rules.

Section 8 of the Rules outline the purpose of the Annual General Meeting, with subsection (a)(x) stating "to consider any amendment to these Rules". The Annual General Meeting (AGM) will be held in Hobart on 24 July 2013 and this will be the best opportunity to address the matter.

The Rules as currently written would appear to allow the Lord Mayor or their proxy to attend a meeting of the GMC, without Hobart City Council actually being a member of LGAT.

LGAT Comment

Section 16 (d)(3) of the LGAT Rules requires that when a vote is being taken to amend the Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by members, whether present at the meeting or not.

With the withdrawal of Hobart City Council from the LGAT, 54 votes are eligible to be cast, thus requiring 36 votes for the rule change to come into effect.

Meander Valley Council/Central Coast Council

That the Rules of the Association be amended by deleting Section 18(a)(ii) thereby removing the Lord Mayor or proxy from the General Management Committee as Hobart City Council will no longer be a member of the Association.

Kingborough Council/Clarence City Council

That the Rules of the Association be changed by amending Section 18(a)(ii) thereby removing the Lord Mayor or proxy from the General Management Committee whilst Hobart City Council is not a member of the Association.

Amended Motion Was Carried

7.2 Motion - Voting At LGAT General Meetings

Background Comment

This matter has been discussed at General Meetings and rejected on the basis of the scale of fees payable, but it has now been supported that a metropolitan grouping of Councils be formed and supported by the Association. With this in place the other issues of the Councils not supporting initiatives of the larger Councils would appear to be substantially minimised, or could in the most part be dealt with by the metropolitan group of Councils.

LGAT Comment

The issue of weighted voting compared to one vote per council has been a matter of conjecture between councils for many years. The weighted voting system attempts to categorise councils on the basis of representation and revenue earned. The weighting thereby seeks to provide an equitable proxy for the constituency each council represents.

Although a vote is taken on all motions at General Meetings and the Annual General Meeting, in the majority of circumstances there are clear majorities in favour or against. Seldom do councils vote on block in terms of size and seldom are there issues for consideration that favour one type of council over another. There are arguments for and against each method of voting but in the main it must be acknowledged that the system at the Association has generally worked adequately.

In recent times, with the reform of water and sewerage, a one vote per council arrangement is the norm with only specific issues being determined on an equity basis or through the calling for a poll. There are a range of models that are possible but ultimately it is for the membership to determine the system that best allows it to achieve the outcomes it is seeking.

Derwent Valley Council/West Coast Council

That the Local Government Association of Tasmania Rules regarding Conduct of General Meeting be amended by deleting from rule 16 voting by population categories and replacing it with one (1) vote per Council.

Lost

8 REPORTS FROM BOARD REPRESENTATIVES *

Listed below are the bodies on which the Association had statutory representation in the 2012/13 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 Liz Quinn, Kingborough Council
- **LGAT Assist**
Mr Kay Reeves
- **Local Government Board**
Mrs Liz Gillam
- **Marine Farming Planning Review Panel**
Mayor Jock Campbell, Clarence City Council
- **Tasmanian Planning Commission**
Ms Sandra Hogue
- **State Fire Commission**
Mr Rod Sweetnam, Launceston City Council, Clr Hannah Rubenach, Break O'Day Council
- **State Fire Management Council**
Dr Stephen Bresnehan, Hobart City Council
- **State Grants Commission**
Mr Grant Atkins and Mr Hugh Denny
- **Tasmanian Heritage Council**
Ald Sandra French, Burnie City Council, Mr Peter Button, Launceston City Council
- **Tasmanian Library Advisory Board**
Ald Sandra French, Burnie City Council, Mr Stephen Brown, George Town Council, Ald Doug Chipman, Clarence City Council and Clr Susan Nolan, Kingborough Council.

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

Burnie City Council/Devonport 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 11.35am.