



# **ANNUAL GENERAL MEETING**

# **AGENDA**

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 <sup>th</sup> 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 Easter, will welcome Members, accept apologies and declare the Annual General Meeting open.

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

The President will present his report to the 2011 Annual General Meeting.

#### Decision Sought

**That the President's report be received.**

### 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.**

#### Decision Sought

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

### **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.

#### **Decision Sought**

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

### **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.

#### **Decision Sought**

**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.**

## 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.

**Decision Sought**

**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”.*

**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.

**Decision Sought**

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



## **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.**

### **Decision Sought**

**That the Meeting adopt the Budget as presented.**

## 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 Cultural 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.**

### Decision Sought

- (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.**

## 9 CLOSURE

The President will declare the Annual General Meeting closed.