



GEORGE TOWN COUNCIL

2019 ANNUAL GENERAL MEETING

UNCONFIRMED MINUTES

Thursday 14th November 2019 @ 6.00pm
Council Chambers, 16-18 Anne Street
George Town

NOTICE OF MEETING

Notice is hereby given that the Annual General Meeting of Council will be held on Thursday 14th November 2019 in the Council Chambers, George Town commencing at 6.00 pm.

CERTIFICATION

Pursuant to the provisions of Section 65 of the Local Government Act 1993, I hereby certify that the advice, information and recommendations contained within this Agenda have been given by a person who has the qualifications and / or experience necessary to give such advice, information and recommendations or such advice was obtained and taken into account in providing the general advice contained within the Agenda.

A handwritten signature in black ink, appearing to read 'SP', with a long horizontal stroke extending to the right.

Shane Power
GENERAL MANAGER

11th November 2019

Local Government Act 1993, Division 3 – Annual General Meeting

72B. Annual General Meeting

1. A council must hold an Annual General Meeting on a date that –
 - a. Is not later than 15 December in each year; and
 - b. Is not before 14 days after the date of the first publication of a notice under subsection (2).
2. A council must publish a notice in a daily newspaper circulating in the municipal area or other prescribed newspaper specifying the date, time and place of the Annual General Meeting.
3. If a quorum of the council is not present at an Annual General Meeting –
 - (a) the Annual General Meeting is to be reconvened and held within 14 days; and
 - (b) a notice is to be published in a daily newspaper circulating in the municipal area specifying the date, time and place of the Annual General Meeting.
4. Only electors in the municipal area are entitled to vote at an Annual General Meeting.
5. A motion at an Annual General Meeting is passed by a majority of votes taken by a show of hands or by any other means of ascertaining the vote the council determines.
6. A motion passed at an Annual General Meeting is to be considered at the next meeting of the council.
7. The general manager is to keep minutes of the Annual General Meeting.

ORDER OF BUSINESS

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Acknowledgement of Country

The George Town Council pays its respect to the traditional and original owners of the land in which we meet, their elders past, present and emerging and we pay respect to those that have passed before us and to acknowledge today's Tasmanian Aboriginal people who are the custodians of this land.

AUDIO RECORDING OF ANNUAL GENERAL MEETING

The public is advised that the 2019 Annual General Meeting will be recorded on digital media to assist in the preparation of minutes, and to clarify any dispute or query relating to the minutes that may be raised.

The recording does not replace the written minutes and a transcript of the recording will not be prepared.

In accordance with the requirements of Council's Audio Recording of Council Meetings Policy No. 40, members of the public are not permitted to make audio recordings of Council meetings.

1. ATTENDANCE

Mayor Greg Kieser (Chair)
Cr Chris Barraclough (arrived 6.04pm)
Cr Justine Brooks
Cr Greg Dawson
Cr Winston Mason
Cr Andrew Michieletto
Cr Peter Parkes
Ms Debbie Rainbow
Mr Phill Hinds
Ms Sue Neilsen
Mr Graeme Neilsen
Mr Gerald O'Doherty
Mr Jack Reilly

Guest: Mrs Bridget Archer MP, Federal Member for Bass

2. APOLOGIES

Cr Heather Barwick JP
Cr Tim Harris, Deputy Mayor
Mrs J. Burt
Mr D. Burt

3. STAFF IN ATTENDANCE

General Manager
Team Leader Corporate & Finance
Team Leader Works & Infrastructure
Team Leader Community & Development Services
People & Performance Business Partner
Marketing & Engagement Business Partner
Executive Support & Governance Officer

4. MEETING PROCEDURES

The Annual General Meeting (AGM) of Council serves much the same purpose as an Annual General Meeting of the public sector, where the Board of Directors (Elected Members) gives an account of their stewardship over the affairs of the municipality for the financial year in review.

Annual meetings also provide an opportunity for residents (the shareholders) to question Council's performance for the year in review.

The Annual General Meeting will be generally conducted in accordance with the procedures outlined below and the usual Council procedures for the conduct of its meetings.

- Attendees are asked to complete the Attendance Register.
- Only submissions, questions or motions relating to the Annual Report will be accepted.
- A person shall only speak on a matter or a motion once, with the mover of a motion having a brief right of reply not exceeding a period of 2 minutes.
- A motion must be seconded and passed by a majority of votes taken by a show of hands.
- Only electors in the George Town municipal area are entitled to vote at an AGM.
- A motion passed at the AGM will be considered at the next ordinary meeting of the Council.
- Minutes of the AGM will be kept by the General Manager to accurately record the content of the meeting, attendances and apologies, any matter discussed, any motions moved and any questions asked and the answers provided by (whom).
- Questions which cannot be answered will be taken on notice and responded to in writing.
- The Chairperson's ruling is to be final.

5. MINUTES OF 2018 ANNUAL GENERAL MEETING

The Minutes of the Annual General Meeting of the George Town Council held on the 15th November 2018 were confirmed as a true record of proceedings at the Ordinary Council meeting held on the 21st November 2018 (Minute no. 194/18).

6. MAYOR'S MESSAGE – 2018/2019 ANNUAL REPORT

I'm very pleased to present the 2018/19 Annual Report of the George Town Council.

The 2018-19 annual report marks my final contribution as Mayor of George Town Council. In May 2019, following almost 10 years in local government in George Town and four as Mayor. I was fortunate to be elected as the Federal Member of Parliament for the division of Bass and consequently relinquished my local government role. It has been a tremendous privilege to serve the George Town community as an elected representative and I am delighted that I will have the opportunity to continue that work albeit in a different capacity.

6. MAYOR'S MESSAGE – 2018/2019 ANNUAL REPORT (CONT.)

The 2018-19 year was a very productive year for George Town Council and one that I am sure will set the Council and the community in very good stead for the future. After many challenging decisions and a lot of hard work over several years the budget was returned to the black and the organisation enjoys improved governance and culture.

There are some exciting plans set to come to fruition over the coming years including the much anticipated mountain bike project and the redevelopment of Regent Square, these will both be transformational projects for the community – bringing tourists and locals alike together to enjoy all that our town has to offer. I congratulate everyone that has been involved over many years in planning for these important projects.

Likewise it will be very pleasing to see the Healthy George Town project roll out in the months and years ahead, along with the return of the YMCA programs in George Town. These have been many years in the making and it is thanks to the persistence and dedication of Council officers that they will now be realised and hopefully improve the health and wellbeing of our community.

It was very pleasing during this period to welcome new General Manager Shane Power to George Town. Shane was recruited after an extensive process and brings with him not only a wealth of local government experience across many areas of expertise but also a dynamic and inclusive attitude. Shane has relocated with his lovely family and is settling in well to the community and I wish him every success as he with newly elected Mayor Greg Kieser takes the Council forward in the next phase. I look forward to continuing to work together with the Council for our shared interests of a vibrant George Town municipality.

I would like to conclude by thanking the George Town community and the wonderful Council staff and of course my Council colleagues for your support and encouragement over many years.

I wish you all a happy and successful future.

Bridget Archer
MAYOR

Cr Barraclough arrived at 6.04 pm

7. GENERAL MANAGER'S MESSAGE

I am pleased to present Council's 2018/2019 Annual Report. It has been a busy year at George Town Council, one full of great change and great achievement.

The Annual Report provides insight into Council's achievements and highlights throughout the year, details Council's operations and performance and is my first as General Manager of George Town Council.

Commencing in the role of General Manager in January, I was pleased to find the organisation in a sound financial position. For the first year in many, the organisation delivered an operating surplus (almost \$400k), which is largely due to the extraordinary efforts of former General Manager Justine Brooks and Acting General Manager Harry Galea. I take this opportunity to recognise their efforts and thank them on behalf of the organisation and the community.

7. GENERAL MANAGER'S MESSAGE (CONT.)

The federal election was contested in May which saw our former Mayor Bridget Archer successfully gaining office as the federal member for Bass. Bridget served Council for almost 10 years, providing leadership to Council and community as mayor for 4 years. I take this opportunity to thank Bridget for her guidance and leadership and look forward to working with her in her new capacity, particularly in achieving our shared commitment to enhancing the prosperity of our community.

I have enjoyed establishing relationships with local groups, regional councils, state and federal agencies, business, industry and our broader community.

I have learned very early on that we are a diverse, proud and passionate community that 'punches above its weight' across all areas. Some examples include the re-invigoration of the Future Impact Group, a 'collective impact' initiative comprising membership from across a broad range of stakeholders that share a common goal to enhance the quality of life of our community. The establishment of a Place Making Advisory Group, a committee of Council that comprises of community members from diverse backgrounds who are passionate about enhancing the enjoyment of our public spaces. The Community Safety Committee was recognised for its outstanding work by way of nomination for an award at the 2019 Annual Road Safety Awards, as was the Bell Bay Advanced Manufacturing Zone Committee, who in collaboration with Council received the award for Contributing to Regional Growth at the 2019 National Awards for Local Government.

The community have been treated with a multitude of exciting events that have either been hosted or sponsored by Council this financial year. From car rallies, street parades to music festivals, it gives Council great pleasure to offer these social platforms in which the community can engage in fellowship with neighbours and friends.

Council's advocacy efforts were well rewarded receiving funding commitments from the Federal Government of \$4.4M for the construction of the George Town mountain bike trail, \$2.45M for the redevelopment of Regent Square and \$250k for the installation of AFL standard lighting at the George Town football ground. These funding commitments are in addition to funding received each year from the Commonwealth under the Financial Assistant Grant Scheme in which Council is appreciative of.

The community will also benefit from programs funded through State grants including the roll out of Healthy GT. An evidence-based, communitywide, holistic, collaborative and sustainable health and wellbeing project that aims to create a safe, connected, vibrant, healthy and positive community! 2018/2019 has been a successful year for Council and community.

The Council has budgeted for long term financial sustainability despite increasing costs, providing vital community services and progressing much-needed capital projects. I would like to acknowledge and thank the Mayor and Councillors for their vision and leadership, together with the dedication and support of the Council Leadership Team and staff.

I hope you enjoy some of the highlights of the year as presented in this Annual Report.

Shane Power
GENERAL MANAGER

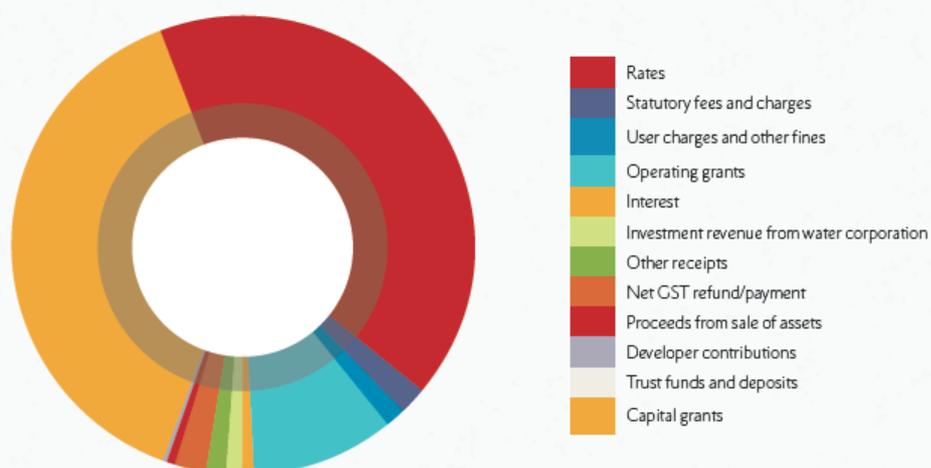
8. FINANCIAL REPORT – TEAM LEADER CORPORATE AND FINANCE

Overview of Financial Performance

Statement of Cash Flows

Sources of income

Cash Inflows



Cash Inflows

2018/2019

2018/2019

%

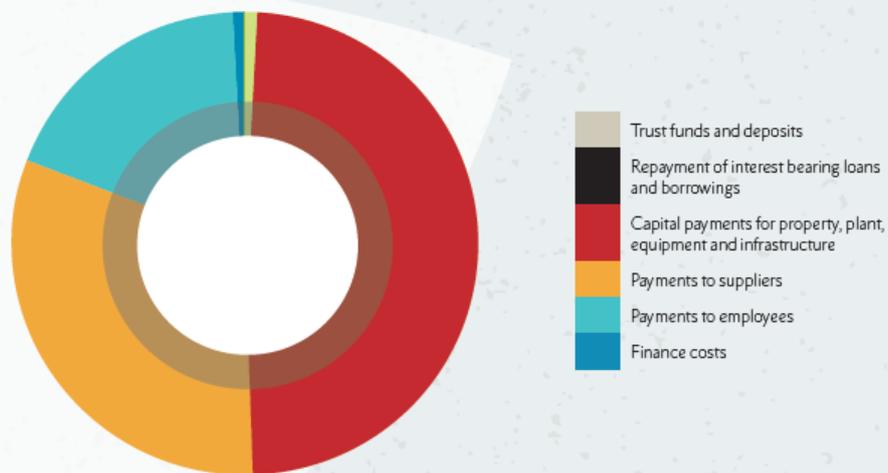
\$

	2018/2019	2018/2019
	%	\$
Rates	41.57	\$7,958,902
Statutory fees and charges	1.92	\$367,035
User charges and other fines	1.55	\$296,142
Operating Grants	10.06	\$1,925,721
Interest	0.58	\$110,249
Investment revenue from water corporation	1.18	\$226,000
Other receipts	1.37	\$262,027
Net GST refund/payment	2.30	\$441,284
Proceeds from sale of assets	0.59	\$113,602
Developer contributions	0.11	\$21,861
Trust funds and deposits	0.04	\$-
Capital grants	38.77	\$7,423,011
Total Cash Inflows		\$19,145,834

8. FINANCIAL REPORT – TEAM LEADER CORPORATE AND FINANCE (CONT.)

Expenditure

Cash Outflows



Cash Outflows

	2018/2019 %	2018/2019 \$
Trust funds and deposits	0.04	\$6,329
Repayment of interest bearing loans and borrowings	0.81	\$140,337
Capital payments for property, plant, equipment and infrastructure	48.71	\$8,466,402
Payments to suppliers	31.43	\$5,462,725
Payments to employees	18.37	\$3,192,265
Finance costs	0.64	\$111,813
Total Cash Outflows		\$17,379,871

9. 2018/2019 ANNUAL REPORT

The 2018/2019 Annual Report as presented was adopted by Council at its Ordinary meeting held on the 22nd October 2019 (Minute No.: 191/19).

10. SUBMISSIONS TO THE 2018/2019 ANNUAL REPORT

Nil.

11. QUESTIONS TO THE 2018/2019 ANNUAL REPORT

Q1. Mrs Neilsen, George Town

I refer to Page 23 of the report re Regent Square Development.

Whilst the report is encouraging it is indeed extremely disappointing that the Regent Square Reference Group has not been acknowledged in the report. This group was formed after a call from Council for interested residents to liaise with the community and Council. Hundreds if not thousands of accumulative hours were spent by the group meeting with consultants and as a group. Plans and recommendations were formulated. Each and every one had a passion for the development of our historic square.

The Chair advised he had repeatedly expressed gratitude to the Reference Group for their contribution and the oversight of not printing this in Annual Report is a point well taken.

Q2. & 3. Mrs Neilsen, George Town

Stage 1 of the playground is now in place. My question relates to the acquisition of this equipment. Page 33 of the Annual Report refers to the reporting of Non Application of Public Tender Process stating that a public tender process was not undertaken for the purchase of items of play equipment given extenuating circumstances and unavailability of competitive tenders. My question is two-fold.

What were the extenuating circumstances? And why were competitive tenders unavailable or not sought?

Through the Chair, the Team Leader Corporate & Finance advised that this matter was dealt with at the Ordinary Council meeting held in November 2018 and refer you to those minutes.

The Chair advised both questions will be taken on notice.

Mrs Neilsen then went on to say that she did not receive an invitation to the opening of the playground.

The Chair advised that the Regent Square Reference Group were invited personally and he was disappointed that you did not receive a personal invitation.

Q1. Mr Neilsen, George Town

Mr Neilsen thanked the General Manager on the 2018/2019 Annual Report.

Mr Neilsen went on to ask in relation to any writing off or collection of debts in the reporting period, Section 76 of the Local Government Act states that a Council may write off any debt owed to Council. If the cost of writing off the debt is likely to equal or exceed the amount to be recovered that the General Manager has certified to be the case.

11. QUESTIONS TO THE 2018/2019 ANNUAL REPORT (CONT.)

My question is has Council commenced any debt recovery initiative during the year 2018/2019 that would be contrary of the intent or the provisions of Section 76, that is, the cost of the recovery is greater than the amount sought. If so, what benefit would ratepayers receive and for what purpose?

The Chair advised that Council is still in the proceedings of a legal court case and that this matter has been raised numerous times. That there is no comment until the matter is finalised.

Mr Neilsen stated that it is a generic question and repeated the question.

The Mayor advised that there is no further comment and thanked Mr Neilsen for his question.

Q2. Mr Neilsen, George Town

Mr Neilsen asked has Council engaged any professional to recover any debt and what is the memorandum of professional costs for work engaged to that professional debt collector.

The Chair advised Mr Neilsen that his question was not accepted. That Council does not discuss matters concerning legal advice with members of the public and this includes discussion of whether and how such information is provided to Councillors.

Q3. Mr Neilsen, George Town

Mr Neilsen asked in relation to Page 33 Public Interest Disclosure Statement Council reports that there were no matters referred to during the year to the Ombudsman. Mr Neilsen stated that this is incorrect and can he be provided with an explanation.

Through the Chair, the Team Leader Corporate & Finance advised that the matter referred to by Mr Neilsen was not under the Public Disclosure Act but was under the Right to Information Act 2009 and was not required to be reported in the Annual Report.

The Chair, thanked Mr Neilsen for his question.

Mr Neilsen then stated that his matter was correctly referred to the Ombudsman but the Ombudsman did refer the matter to the Council.

Through the Chair, the Team Leader Corporate & Finance responded by stating this was correct but was referred to Council under the Right to Information Act 2009 and not the Public Disclosure Act and that is why it is not recorded in the table contained in the Annual Report.

Q1. Mr O'Doherty, George Town

Mr O'Doherty asked a question in relation to the Appendix A, page 4 Roads – Franklin Street \$159,000 is that the total amount spent 18/19?

Through the Chair the Team Leader Corporate & Finance replied that was correct.

Q2. Mr O'Doherty, George Town

Mr O'Doherty asked a question in relation to Section 76 of the Local Government Act; can you please explain that it is subject to an ongoing court case?

The Chair advised, that it is subject to legal proceedings and that until it is concluded and there is a final outcome then Council can provide comments and disclosure of details.

11. QUESTIONS TO THE 2018/2019 ANNUAL REPORT (CONT.)

Q3. Mr O'Doherty, George Town

Mr O'Doherty also provided comments on the Regent Square Reference Group being missed out of the Annual Report and that Council going forward try not to have these things happen again.

The Chair advised that he has publically thanked the Regent Square Reference Group for their contribution.

Q4. Mr O'Doherty, George Town

Mr O'Doherty asked that the George Town Chamber of Commerce was public acknowledged for the work on Regent Square when it should have been the Regent Square Reference Group and asked that this be correct.

The Chair noted Mr O'Doherty's question.

12. MOTIONS ON THE 2018/2019 ANNUAL REPORT

Motion:

Moved: Mr Neilsen
Seconded: Mrs Rainbow

That the George Town Council adopt the following in regard to the recovery of debts or the writing off of bad debts:

When Council seeks to recover a debt exposing ratepayers to costs likely to equal or exceed the amount to be recovered as espoused in the Local Government Act 1993 Section 76 "Writing off bad debts" that Council makes available the justification for doing so.

Procedural Motion:

Moved: Cr Dawson
Seconded: Cr Parkes

That the motion be put.

CARRIED

Moved: Mr Neilsen
Seconded: Mrs Rainbow

That the George Town Council adopt the following in regard to the recovery of debts or the writing off of bad debts:

When Council seeks to recover a debt exposing ratepayers to costs likely to equal or exceed the amount to be recovered as espoused in the Local Government Act 1993 Section 76 "Writing off bad debts" that Council makes available the justification for doing so.

MOTION IS LOST

For: 4
Against: 7

13. MEETING CLOSURE

There being no further business, the meeting closed at 6.55 pm.

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Greg Kieser
Mayor