

EXTRACT FROM COUNCIL MINUTES – 14 December 2018 (Petitions)

14.2

Petitions

Author – Acting General Manager

Responsible Officer – Acting General Manager

Background

Council's Acting General Manager received two paper petitions on 28th November 2018. One petition requests that Tasman Council hold an Elector Poll in relation to the proposed amalgamation with Sorell Council. The other petition requests that Tasman Council hold a public meeting in relation to the proposed amalgamation with Sorell Council. Each petition contains 222 signatures.

Legislative Requirements

Under Section 58 (2) of The Act, the general manager must ensure that petitions received comply with Section 57 and then table them at the next available Council Meeting.

Both petitions comply with Section 57.

Within 42 days of tabling a petition, the Council must determine at a meeting any action to be taken in relation to the petition, and in the case of the petition requesting a public meeting, the General Manager must advise if the petition complies with Section 59. It is envisaged that these matters will be addressed at the Ordinary Council Meeting scheduled for January 23, which will be within the 42-day period.

It should be noted that if at the January meeting the petition requesting a public meeting is determined to comply with Section 59, then a public meeting will need to be held within 30 days of that meeting: sometime between January 23 and February 22.

Consultation

Consultation has occurred between the Acting General Manager and the Local Government Division to ensure compliance with the Act.

Financial Impacts

There are significant costs associated with conducting an Elector Poll, however Council resolved at its November meeting to conduct one already. As such, there is no additional cost.

There may be minor costs associated with holding a public meeting, such as advertising and administrative.

Discussion

At its November Meeting Council resolved to conduct an Elector Poll off its own bat. As such, the petition requesting this process is now unnecessary. Nevertheless, it will be formally considered and a formal response provided to the petitioner within 42 days of tabling.

Risk Implications

The only risks are associated with Council ensuring it acts in accordance with the relevant sections of the Act and the prescribed processes for dealing with petitions.

Resolution 06/12.2018/C

Moved: Cr P Fenerty

Seconded: Cr J Barwick

That the Council resolve to receive:

1. Electors petition requesting Tasman Council hold a Public Meeting in relation to the proposed amalgamation with Sorell Council, dated 28/11/18, signed by J. E. Fazackerley, and
2. Electors petition requesting Tasman Council hold an Elector Poll in relation to the proposed amalgamation with Sorell Council, dated 28/11/18, signed by J. E. Fazackerley.

Carried Unanimously

