



CITY OF HOBART

MINUTES

Governance Committee Meeting

Open Portion

Tuesday, 28 March 2017 at 5:00 pm

ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

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**Minutes of the Governance Committee Meeting (Open Portion) held on
Tuesday, 28 March 2017 at 5.00 pm in the Lady Osborne Room, Town Hall.**

COMMITTEE MEMBERS

Ruzicka (Chairman)
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

ALDERMEN

Lord Mayor Hickey
Zucco
Briscoe
Sexton
Burnet
Denison
Harvey

PRESENT: Alderman E R Ruzicka
(Chairman), the Deputy Lord Mayor
Alderman R G Christie, Aldermen
P S Cocker, D C Thomas, A M Reynolds
and the Lord Mayor Alderman S L
Hickey.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A
VACANCY**

No Aldermen were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

COCKER

That the minutes of the Open Portion of the Governance Committee meeting held on [Tuesday, 28 February 2017](#), the Special Governance Committee meeting held on [Monday, 6 March 2017](#) and the Special Governance Committee meeting held on [Tuesday, 14 March 2017](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

THOMAS

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Aldermen are requested to indicate where they may have any pecuniary or conflicts of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the committee has resolved to deal with.

No interest was indicated.

5. TRANSFER OF AGENDA ITEMS

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

No items were transferred.

6 REPORTS

6.1 Greater Hobart: Local Government Reform Final Feasibility Study File Ref: F17/29339

THOMAS

- That:
1. Clauses 1 and 2 of the recommendation contained in the report of the Acting General Manager of 23 March 2017, be adopted.
 2. Advice be provided to the Committee after the meeting planned with Commissioner Sue Smith of the Glenorchy City Council, currently scheduled for 4 April 2017, has occurred.
 3. The Council then conduct a workshop to facilitate questions and discussion around the Greater Hobart: Local Government Reform Final Feasibility Study, prior to formal consideration of its position in respect to the Report, going forward.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

COMMITTEE RESOLUTION:

- That:
1. The Council receive and note the SGS Economics and Planning Greater Hobart: Local Government Reform Final Feasibility Study.
 2. The Council note the actions which have occurred in respect to the Greater Hobart: Local Government Reform Final Feasibility Study as a result of the 6 March 2017 Council meeting.
 3. Advice be provided to the Committee after the meeting planned with Commissioner Sue Smith of the Glenorchy City Council, currently scheduled for 4 April 2017, has occurred.
 4. The Council then conduct a workshop to facilitate questions and discussion around the Greater Hobart: Local Government Reform Final Feasibility Study, prior to formal consideration of its position in respect to the Report, going forward.

Delegation: Council

**6.2 Australian Local Government Association - National General
Assembly - Motions
File Ref: F17/29501**

DEPUTY LORD MAYOR

That consideration of motions for the Australian Local Government Association National General Assembly be deferred pending further advice on the motions being proposed by the Council of Capital Cities Lord Mayors.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

COMMITTEE RESOLUTION:

That consideration of motions for the Australian Local Government Association National General Assembly be deferred pending further advice on the motions being proposed by the Council of Capital Cities Lord Mayors.

Delegation: Council

**6.3 Local Government Association of Tasmania - General Meeting
Motions
File Ref: F17/29497**

That the recommendation contained in the report of the Acting General Manager of 23 March 2017, be adopted.

REYNOLDS

That: 1. The Council submit the following motion to the LGAT General Meeting to be held in July 2017:

That the State Government be urged to increase its per capita spending on the provision of public transport services within metropolitan and regional Tasmania.

2. Further motions be invited at the Council meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

COMMITTEE RESOLUTION:

That: 1. The Council submit the following motion to the LGAT General Meeting to be held in July 2017:

That the State Government be urged to increase its per capita spending on the provision of public transport services within metropolitan and regional Tasmania.

2. Further motions be invited at the Council meeting.

Delegation: Council

6.4 New City of Hobart Mission Statement
File Ref: F17/15309

REYNOLDS

That: 1. The upcoming consultation project which will inform the creation of the future vision and strategic framework for the City also include consideration of a revised mission statement.

2. The mission statement prepared through consultation amongst City of Hobart employees be applied and utilised in an appropriate manner as an internal statement of purpose to guide their roles and functions within the organisation.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Thomas
Reynolds

Cocker

COMMITTEE RESOLUTION:

That: 1. The upcoming consultation project which will inform the creation of the future vision and strategic framework for the City also include consideration of a revised mission statement.

2. The mission statement prepared through consultation amongst City of Hobart employees be applied and utilised in an appropriate manner as an internal statement of purpose to guide their roles and functions within the organisation.

Delegation: Council

7 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 kunanyi/Mount Wellington - State Government's Proposed Land Acquisition **File Ref: F17/30515**

REYNOLDS

That the motion outlined at item 7.1 of the Open Governance Committee agenda of 28 March 2017, be adopted, as amended by the replacement of the existing clauses (i) and (ii) and substitution with the following clauses:

1. Consider a draft letter to the Premier and Minister Groom in respect to the following matters:
 - 1.1. Clarification of the facts regarding the Council's dealings with the cable car proponent in respect to any request for landowner consent and the lodgement of a development application for the proposal.
 - 1.2. The Government's failure to consult with the City of Hobart as landowner of the site, prior to announcing its plans in the media.
 - 1.3. The legal basis upon which the government is proposing its action to forcibly acquire City of Hobart land.
2. Request a report from the Acting General Manager prior to the proposed meeting with the Minister on the legal basis for and potential precedent created by the state government's forcible acquisition of Council land. The report also provide advice about issues that a forcible acquisition may raise for Hobart City's assets, day-to-day management and for the current Council projects on kunanyi/Mt Wellington, and all other related matters.

MOTION CARRIED

VOTING RECORD

AYES

Ruzicka
Cocker
Thomas
Reynolds

NOES

Deputy Lord Mayor Christie

COMMITTEE RESOLUTION:

Motion:

“That Council notes that:

- The Hobart City Council is an active and important caretaker of kunanyi/Mt Wellington, spending significant resources every year on management of the park;
- Hobart City Council is working proactively to improve and enhance the visitor experience on kunanyi/Mt Wellington and has recently approved the development of three exciting new visitor experiences set out in the *One Mountain* prospectus;
- Hobart City Council has approved and is currently developing a major upgrade of the Organ Pipes track and will be spending over \$1 million in the next two years to create a world class visitor experience on par with the Wineglass Bay walking track;

And resolves to:

- 1 Consider a draft letter to the Premier and Minister Groom in respect to the following matters:
 - 1.1 Clarification of the facts regarding the Council’s dealings with the cable car proponent in respect to any request for landowner consent and the lodgement of a development application for the proposal.
 - 1.2 The Government’s failure to consult with the City of Hobart as landowner of the site, prior to announcing its plans in the media.
 - 1.3 The legal basis upon which the government is proposing its action to forcibly acquire City of Hobart land.
- 2 Request a report from the Acting General Manager prior to the proposed meeting with the Minister on the legal basis for and potential precedent created by the state government's forcible acquisition of Council land. The report also provide advice about issues that a forcible acquisition may raise for Hobart City's assets, day-to-day management and for the current Council projects on kunanyi/Mt Wellington, and all other related matters.

Rationale:

“The State Government announced to the media on 25 February that it has decided to take public land on kunanyi/Mt Wellington from Council ownership. They made this announcement to the media but did not inform the Council, except via a phone call to the Mayor within minutes of informing the media.

The City of Hobart invests significant time and money looking after and providing infrastructure for the mountain park. It is a significant asset to the City of Hobart and the proposal to forcibly acquire council land to facilitate one particular development needs the consideration of and discussion by the Council.”

The Acting General Manager reports:

“In line with the Council’s policy in relation to Notices of Motion, I advise that the motion is considered to be within the jurisdiction of the Hobart City Council as it relates to the use of Council owned land.”

Delegation: Council

8 COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report
File Ref: F17/30638

THOMAS

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

9.1 Elector Poll Process **File Ref: F17/23621**

9.2 Local Government Reform **File Ref: F17/23323**

9.3 Capital Cities Acts **File Ref: F17/23319**

THOMAS

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|----------------------------|------|
| Ruzicka | |
| Deputy Lord Mayor Christie | |
| Cocker | |
| Thomas | |
| Reynolds | |

10. QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

10.1 Alderman Reynolds - Elizabeth Mall – Speakers' Corner Activities **File Ref: 13-1-10**

Question: What are the conditions of usage for Speakers' Corner in the Elizabeth Mall and can they be reviewed to ensure the arrangements are implemented effectively.

Answer: The Acting General Manager took the question on notice.

10.2 Alderman Cocker – TasWater
File Ref: 13-1-10

Question: What process is required for the Council to resolve and communicate the reasons behind its decision on the governments' proposal for TasWater.

Answer: The Acting General Manager took the question on notice.

10.3 The Lord Mayor – TasWater's Input to the Bureau of Meteorology (BOM) Report
File Ref: 13-1-10

Question: Can the officers determine why TasWater did not provide information in relation to breakages, sewer problems and complaints received as part of the information collected for the BOM Report.

Answer: The Acting General Manager took the question on notice.

10.4 Alderman Cocker - Use Of Public/Crown Land – Boat Harbour – Precedent For City Of Hobart
File Ref: 13-1-10

Question: Can the Council ascertain whether the Crown is undertaking any discussions with private parties in relation to Crown Land in the Hobart municipal area?

Answer: The Acting General Manager took the question on notice.

11. CLOSED PORTION OF THE MEETING

The following items were discussed: -

- Item No. 1 Minutes of the last meeting of the Closed Portion of the Council Meeting
- Item No. 2 Consideration of supplementary items to the agenda
- Item No. 3 Indications of pecuniary and conflicts of interest
- Item No. 4 Committee Action Status Report
- Item No. 4.1 Committee Actions - Status Report
LG(MP)R 15(2)(a) and (i)
- Item No. 5 Questions Without Notice

THOMAS That the items be noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Deputy Lord Mayor Christie
Cocker
Thomas
Reynolds

SUPPLEMENTARY ITEM

12 Going Global 2017 Conference, London - 22-24 May 2017 File Ref: F17/30434

DEPUTY LORD MAYOR

- That:
1. The City of Hobart participate in the 'Going Global Conference' in London from 22–24 May 2017, and a study tour to visit exemplar university cities in the United Kingdom and Europe prior to attending the conference.
 2. Nominations to attend received from the Lord Mayor (subject to her availability), Aldermen Ruzicka, Cocker and Thomas be noted and further Aldermanic nominations be invited at the Council meeting.
 3. The Council approve the participation the General Manager and / or his nominee(s).
 4. The estimated cost of \$13,733 per Alderman be attributed to the general Aldermanic conferences allocation in the City Government Function and the Economic Development Function of the 2016/2017 Annual Plan.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|----------------------------|----------|
| Ruzicka | Reynolds |
| Deputy Lord Mayor Christie | |
| Cocker | |
| Thomas | |

COMMITTEE RESOLUTION:

- That: 1. The City of Hobart participate in the 'Going Global Conference' in London from 22–24 May 2017, and a study tour to visit exemplar university cities in the United Kingdom and Europe prior to attending the conference.
2. Nominations to attend received from the Lord Mayor (subject to her availability), Aldermen Ruzicka, Cocker and Thomas be noted and further Aldermanic nominations be invited at the Council meeting.
3. The Council approve the participation the General Manager and / or his nominee(s).
4. The estimated cost of \$13,733 per Alderman be attributed to the general Aldermanic conferences allocation in the City Government Function and the Economic Development Function of the 2016/2017 Annual Plan.

Delegation: Council

The Chairman adjourned the meeting at 6.12 pm to conduct the closed portion of the meeting.

The meeting reconvened at 6.15 pm.

Item 11 was then taken.

There being no further business the meeting closed at 6.16 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
2ND DAY OF MAY 2017.

CHAIRMAN