



CITY OF HOBART

# **MINUTES**

## **Finance and Governance Committee Meeting**

**Open Portion**

**Wednesday, 13 February 2019 at 4:33 pm**

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## ORDER OF BUSINESS

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**Finance and Governance Committee Meeting (Open Portion) held on Wednesday, 13 February 2019 at 4:33 pm in the Lady Osborne Room, Town Hall.**

**COMMITTEE MEMBERS**

Zucco (Chairman)  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

**NON-MEMBERS**

Lord Mayor Reynolds  
Briscoe  
Denison  
Harvey  
Behrakis  
Ewin  
Sherlock

**PRESENT:** Alderman M Zucco (Chairman), the Deputy Lord Mayor Councillor H Burnet, Aldermen Dr P T Sexton, D C Thomas, Councillor M Dutta, the Lord Mayor Councillor A M Reynolds, Aldermen J R Briscoe, T M Denison, Councillor W F Harvey, Alderman S Behrakis and Councillor Z Sherlock.

The Lord Mayor was co-opted to the Committee for items 2 to 6.2.

Alderman Sexton arrived at the meeting at 4.41 pm during the discussion of item 6.2 and was not present for items 1 to 6.1.

Councillor Dutta left the meeting at 5.20 pm returning at 5.24 pm.

**APOLOGIES:** Nil.

Alderman Behrakis left the meeting at 5.32 pm returning at 5.35 pm.

**LEAVE OF ABSENCE:** Nil.

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

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DEPUTY LORD MAYOR BURNET

That the Lord Mayor be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta

## **2. CONFIRMATION OF MINUTES**

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THOMAS

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Tuesday, 15 January 2019](#) and the Special Finance and Governance Committee meeting held on [Monday, 21 January 2019](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

The minutes were signed.

## **3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

### **Recommendation**

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

No supplementary items were received.

## **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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

Members of the Committee 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

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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

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### 6.1 Aldermanic Development and Support Policy - Annual Endorsement and Attestation and Policy Amendments File Ref: F19/15727

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LORD MAYOR REYNOLDS

That the recommendation contained in the memorandum of the Deputy General Manager of 8 February 2019, be adopted.

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

#### **COMMITTEE RESOLUTION:**

That: 1. The Council approve the amendments to the Council policy in relation to aldermanic development and support, as shown in revisions format on Attachment A to item 6.1 of the Open Finance and Governance Committee agenda of 13 February 2019:

- 1.1 Amending the stipulation in the existing policy relating to the provision of a "Council" vehicle for use by the Lord Mayor, by deleting the word "Council"; and substituting the word "chauffeur" with the word "driver";

- 1.2 Amending the policy provisions regarding the loan of equipment to reflect current practice and specifying the services provided within the schedule shown as Attachment B to item 6.1 of the Open Finance and Governance Committee agenda of 13 February 2019.
2. The Council endorse the amended Elected Member Development and Support Policy, noting the changes to the terminology for elected members as approved by the Council at its meeting of 19 November 2018 and which will be reflected in the policy.
3. In endorsing the policy, and in line with the policy provisions, elected members attest their compliance with the policy.

**Delegation: Council**

**6.2 Local Government Legislative Framework Review**  
**File Ref: F19/9199; 15/153-201**

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THOMAS

That the recommendation contained in the memorandum of the Manager Legal and Governance of 8 February 2019, be adopted.

**AMENDMENT**

THOMAS

That updated legal advice be obtained from Mr Shaun McElwaine SC in relation to his previous advice from 2015 regarding possible amendments to the *Local Government Act 1993* relating to legal liability for local Government in responding to climate change.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

**AMENDMENT**

DUTTA

The mechanisms for the election of the Lord Mayor and Deputy Lord Mayor be reviewed.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

**AMENDMENT**

LORD MAYOR REYNOLDS

The Government legislate for the compulsory disclosure in “real time” of campaign donations from all sources.

The eligibility for being enrolled on the General Managers Roll including the concept of one person, one vote be reviewed.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Thomas  
Dutta  
Lord Mayor Reynolds

**COMMITTEE RESOLUTION:**

**Part A**

That the Council endorse the suggested response contained in Attachment B to item 6.2 of the Open Finance and Governance Committee agenda of 13 February 2019, as amended and that it be incorporated into a formal submission prepared by the General Manager and included on the Council agenda for 18 February 2019.

**Part B**

That updated legal advice be obtained from Mr Shaun McElwaine SC in relation to his previous advice from 2015 regarding possible amendments to the *Local Government Act 1993* relating to legal liability for local Government in responding to climate change.

**Delegation: Council (Part A) / Committee (Part B)**

**6.3 Australian Local Government Association - National General Assembly - Call for Motions  
File Ref: F19/13274**

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DUTTA

That the recommendation contained in the memorandum of the General Manager of 7 February 2019, be adopted.

**AMENDMENT**

DUTTA

The National Disaster Relief and Recovery Arrangements be reviewed to consider broadening the definition of essential assets to include assets that are currently regarded as non-essential e.g. tracks and trails and sporting facilities.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta



**AMENDMENT**

BRISCOE

Lobby the federal government to establish an infrastructure fund for the construction of active transport initiatives including pedestrian and bicycle facilities.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

**AMENDMENT**

DEPUTY LORD MAYOR BURNET

The federal government give consideration to indemnifying Council's that undertake climate change mitigation initiatives.

AMENDMENT CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

**COMMITTEE RESOLUTION:**

- That: 1. The Council submit the following motions to the Australian Local Government Association's National General Assembly:
- Calling for an extension of and an increase to funding for the Smart Cities and Suburbs Program.
  - The National Disaster Relief and Recovery Arrangements be reviewed to consider broadening the definition of essential assets to include assets that are currently regarded as non-essential e.g. tracks and trails and sporting facilities.
  - Lobby the federal government to establish an infrastructure fund for the construction of active transport initiatives including pedestrian and bicycle facilities.
  - The federal government give consideration to indemnifying Council's that undertake climate change mitigation initiatives.
2. The Council determine whether it wishes to provide any other motions, which are consistent with the themes and topics in the discussion paper, to the Australian Local Government Association's National General Assembly.

**Delegation: Council**

**6.4 Petition Requesting Public Meeting - Hobart Not Highrise**  
**File Ref: F19/13660; 15/10-01**

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**PROCEDURAL MOTION**

SEXTON

That the item be deferred for the provision of further information regarding the venue and costings.

MOTION CARRIED

**VOTING RECORD**

AYES

Zucco  
Sexton  
Thomas  
Dutta

NOES

Deputy Lord Mayor Burnet

**COMMITTEE RESOLUTION:**

That the item be deferred for the provision of further information regarding the venue and costings.

**Delegation: Council**

**6.5 Petition Requesting Public Meeting - Residents Opposed to the Cable Car Inc.**  
**File Ref: F19/9663; 16/119-005 & 16/119-006**

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DEPUTY LORD MAYOR BURNET

That the recommendation contained in the memorandum of the General Manager of 7 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Sexton	
Thomas	
Dutta	

**COMMITTEE RESOLUTION:**

- That: 1. The Council note that in respect to the petition received on 21 January 2019 from the Residents Opposed to the Cable Car Inc., the minimum requirement for 1,000 signatures of electors of the Hobart City Council, as provided in s59 of the *Local Government Act 1993*, has not been achieved to require the Council to hold a public meeting to address the subject matter of the petition.
2. The proponent of the petition by the Residents Opposed to the Cable Car Inc. be advised of the Council's resolution.

**Delegation: Council**

**6.6 Request for Council Reception - The Federation of Ethnic Communities' Council of Australia**  
**File Ref: F19/8078; 18/17**

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SEXTON

That the recommendation contained in the report of the Projects & Executive Officer - Lord Mayor of 6 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Sexton	
Thomas	
Dutta	

**COMMITTEE RESOLUTION:**

- That: 1. The Council host a Civic Reception for the Federation of Ethnic Communities' Council of Australia to be held in the Town Hall Ballroom on Wednesday 9 October 2019 for up to 300 guests, up to a maximum of \$9,000.
- (i) The reception be funded from the Council reception line item in budget function 110 – Civic Support in the 2019/20 financial year.
  - (ii) The Council's assistance be listed in the 2019/2020 Annual Report in accordance with its policy in respect to the disclosure of grants and benefits.

**Delegation: Council**

**6.7 Purchasing Card Policy**  
**File Ref: F18/98404**

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DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Group Manager Rates and Procurement and the Director Financial Services of 9 January 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Sexton	
Thomas	
Dutta	

**COMMITTEE RESOLUTION:**

- That: 1. The Council approve the revised City of Hobart Purchasing Card Policy, marked as Attachment D to item 6.7 of the Open Finance and Governance Committee agenda of 13 February 2019.
2. The General Manager be authorised to make any minor amendments and finalise.
3. The Aldermanic Development and Support Policy be updated to reflect consistency with the revised City of Hobart Purchasing Card Policy.
4. The revised policy be communicated widely to Council officers and made available from the City's website.

**Attachment**

A Draft CoH Purchasing Card Policy ⇒ 

**Delegation: Council**

**6.8 Financial Report as at 31 December 2018**  
**File Ref: F19/11853; 21-1-1**

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SEXTON

That the recommendation contained in the report of the Budget and Reporting Manager and the Director Financial Services of 7 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

**COMMITTEE RESOLUTION:**

That the Council approve the changes to the 2018/2019 Estimates listed in tables 4, 5, 7 and 9 of Attachment A to item 6.8 of the Open Finance and Governance Committee agenda of 13 February 2019, the financial impacts of which are to decrease the underlying surplus by \$1.06M, and to decrease the cash balance by \$1.5M.

**Delegation: Council**

**6.9 Grants and Benefits Listing as at 31 December 2018**  
**File Ref: F19/11724; 25-2-1**

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DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Group Manager Rates and Procurement of 6 February 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Sexton	
Thomas	
Dutta	

**COMMITTEE RESOLUTION:**

That the Finance and Governance Committee receive and note the information contained in the report titled "Grants and Benefits Listing as at 31 December 2018".

**Delegation: Committee**

**7. COMMITTEE ACTION STATUS REPORT**

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**7.1 Committee Actions - Status Report**  
**File Ref: F19/15594**

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DEPUTY LORD MAYOR

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Sexton	
Thomas	
Dutta	

**Delegation: Committee**

## 8. QUESTIONS WITHOUT NOTICE

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

No questions were asked at the meeting.

## 9. CLOSED PORTION OF THE MEETING

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DEPUTY LORD MAYOR BURNET

That the Committee resolve by majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- request to waive requirements to tender
- the sale of land for unpaid rates
- appointment to panel

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	Reports
Item No. 4.1	Sale of Land for Unpaid Rates LG(MP)R 15(2)(f), (i) and (j)
Item No. 4.2	Sale of Land for Unpaid Rates - Update LG(MP)R 15(2)(f), (g), (i) and (j)
Item No. 4.3	Request to Waive Requirement to Tender LG(MP)R 15(2)(d)
Item No. 4.4	Appointment of Independent Member of Risk and Audit Panel LG(MP)R 15(2)(g)
Item No. 5	Committee Action Status Report
Item No. 5.1	Committee Actions - Status Report LG(MP)R 15(2)(c)(i), (d), (f) and e(i)
Item No. 6	Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

There being no further business the open portion of the meeting closed at 5.36 pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
13<sup>TH</sup> DAY OF MARCH 2019.

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**CHAIRMAN**