



CITY OF HOBART

MINUTES

Finance and Governance Committee Meeting

Open Portion

Tuesday, 9 April 2019 at 4:38 pm

ORDER OF BUSINESS

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Finance and Governance Committee Meeting (Open Portion) held on Tuesday, 9 April 2019 at 4:38 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, Councillor W F Harvey and Alderman S Behrakis.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

The Chairman vacated the Chair at 5:02 pm for item 7.1 and Alderman Sexton assumed the Chair.

Alderman Sexton vacated the Chair at 5:45 pm at the conclusion of item 7.1 and the Chairman assumed the Chair.

The Deputy Lord Mayor retired from the meeting at 6.13 pm and was not present for item 11.

Alderman Thomas retired from the meeting at 5.50 pm during the discussion of item 7.2 and was not present for items 7.3 to 12.

The Lord Mayor was co-opted to the Committee for items 7.3 to 10 and item 12 and retired from the meeting at 6.13 pm.

Councillor Harvey was co-opted to the Committee for item 7.4 and retired from the meeting at 6.13 pm.

Alderman Behrakis was co-opted to the meeting for items 7.2 and 11.

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

No Elected Members were co-opted to the Committee.

2. CONFIRMATION OF MINUTES

SEXTON

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Wednesday, 13 March 2019](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

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 Acting General Manager.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

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 Local Government Association of Tasmania General Meeting Motions and 2019 General Management Committee Election File Ref: F19/34738

SEXTON

That the recommendation contained in the report of the Acting General Manager of 4 April 2019, be adopted, as amended by a revised clause 2 to read as follows:

- “2. The Deputy Lord Mayor be nominated for the position of President of LGAT”.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

COMMITTEE RESOLUTION:

- That: 1. The Council determine whether it wishes to submit any motions to the Local Government Association of Tasmania's (LGAT) July General Meeting.
2. The Deputy Lord Mayor be nominated for the position of President of LGAT.

3. The Lord Mayor be authorised to vote on the Council's behalf for the position of President of the Local Government Association of Tasmania.

Delegation: Council

6.2 Revised City of Hobart Code for Tenders and Contracts

File Ref: F19/35436

SEXTON

That the recommendation contained in the report of the Acting Director City Governance of 2 April 2019, be adopted, as amended by a revised clause 2 to read as follows:

- "2. Council adopt the revised City of Hobart Code for Tenders and Contracts marked as Attachment B to this report, noting that the first threshold where a minimum of one quotation is to be sought is reduced from \$10,000 to \$5,000."

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	Deputy Lord Mayor Burnet
Sexton	
Thomas	
Dutta	

COMMITTEE RESOLUTION:

- That:
1. The Report 'Revised City of Hobart Code for Tenders and Contracts' be received and noted.
 2. Council adopt the revised City of Hobart Code for Tenders and Contracts as amended, shown in revisions format on the attachment to the minutes of this meeting.
 3. The General Manager be authorised to finalise the City of Hobart Code for Tenders and Contracts and arrange for it to be made available to the public in paper format from the Council's Customer Service Centre and in electronic format from Council's website.

Attachment

- A. Revised City of Hobart Code for Tenders and Contracts ⇒ 

Delegation: Council

6.3 Insurance Policy
File Ref: F19/36524

PROCEDURAL MOTION

SEXTON

That the item be deferred to enable the policy to be considered by the Risk and Audit Panel.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

COMMITTEE RESOLUTION:

That the item be deferred to enable the policy to be considered by the Risk and Audit Panel.

Delegation: Committee

DEPUTY LORD MAYOR

That Alderman Sexton chair the meeting for item 7.1

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

The Chairman vacated the Chair and Alderman Sexton assumed the Chair.

7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 Local Government Act - Petitions Polls & Meetings File Ref: F19/33120; 13-1-9

ZUCCO

“That in order to enhance the democratic process a report be prepared to review Part 6 of the *Local Government Act 1993* in relation to petitions, polls and meetings with a view to the Act being amended to place controls around the requirements for councils to hold elector meetings and conduct elector polls, including:

- (i) the threshold for petitions requiring councils to hold an elector meeting or conduct an elector poll
- (ii) the timing of an elector poll
- (iii) the costs to communities for both and
- (iv) the potential for electronic elector polls to be undertaken online,

while addressing anomalies and unintended consequences.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Sexton
Zucco
Deputy Lord Mayor Burnet
Thomas
Dutta

COMMITTEE RESOLUTION:

Motion:

“That in order to enhance the democratic process a report be prepared to review Part 6 of the *Local Government Act 1993* in relation to petitions, polls and meetings with a view to the Act being amended to place controls around the requirements for councils to hold elector meetings and conduct elector polls, including:

- (i) the threshold for petitions requiring councils to hold an elector meeting or conduct an elector poll
- (ii) the timing of an elector poll
- (iii) the costs to communities for both and
- (iv) the potential for electronic elector polls to be undertaken online,

while addressing anomalies and unintended consequences.”

Rationale:

“In the last 18 months the Council has received three elector petitions requiring the Council to conduct elector meetings. Provided the petitions exceed the threshold in the Act of 1,000 electors or 5% of the electors, whichever is the lesser, the Council is obliged to hold the elector meeting.

Elector meetings are expensive and the Council does not have the ability to not hold the meetings. In addition, following an elector meeting, the Act allows for a further petition to be lodged within thirty days of the meeting requiring the Council (provided the elector threshold is met) to conduct an elector poll.

An elector poll is expensive (in Hobart’s case the cost would be +/- \$140,000 - \$175,000 based on a \$4-5 per Elector x 35,000 electors plus officer time) and the result of the poll is not binding on the Council.

The tight time frames imposed under the Act plus the obligatory requirements for the Council to hold a meeting and conduct an elector poll require review.

In addition, elector polls should not be conducted outside the ordinary council election cycle.”

The Acting General Manager reports:

“In line with the Council’s policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it relates to the provisions of the *Local Government Act 1993*.”

Delegation: Council

Alderman Sexton vacated the Chair and the Chairman assumed the Chair.

THOMAS

That Alderman Behrakis be co-opted to the Committee for item 7.2.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

7.2 Local Government Association of Tasmania - Membership
File Ref: F19/32255; 13-1-9

BEHRAKIS

That in accordance with Council's policy, the following Notice of Motion which was adopted by the Finance and Governance Committee at its meeting of 9 April 2019, be considered by the Council.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	Dutta
Deputy Lord Mayor Burnet	
Sexton	
Behrakis	

COMMITTEE RESOLUTION:

Motion:

"That a report be prepared on the strategic value of the City of Hobart maintaining its membership to the Local Government Association of Tasmania (LGAT) and explore opportunities for the formation of a metropolitan councils association."

Rationale:

"With the recent signing of the Greater Hobart City Deal and the development of the Greater Hobart Act a governance structure will be established to guide and support the three levels of government to work together in collaboration to implement the Greater Hobart City Deal.

Given the opportunities that this governance structure presents for the City of Hobart to work with our neighbouring urban councils (Clarence City, Glenorchy City and Kingborough) along with the Australian and Tasmanian governments, continued membership to the LGAT warrants serious consideration 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 matter is considered to be within the jurisdiction of the Hobart City Council as it relates to the Council's membership of the LGAT."

Delegation: Council

DEPUTY LORD MAYOR

That the Lord Mayor be co-opted to the Committee

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta

7.3 Joining the ICAN Nuclear Weapons-Free Cities Appeal
File Ref: F19/36723; 13-1-9

DEPUTY LORD MAYOR

That in accordance with Council's policy, the following Notice of Motion which was adopted by the Finance and Governance Committee at its meeting of 9 April 2019, be considered by the Council.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds

COMMITTEE RESOLUTION:

Motion:

"Given the lack of action by the federal government on signing the UN Treaty on the Prohibition of Nuclear Weapons (2017), and the ongoing concern of Hobart residents about the threat nuclear weapons pose to communities throughout the world, the City of Hobart:

- 1) Endorse and join the [ICAN Cities Appeal](#) for a nuclear weapons-free planet. The UN Prohibition of Nuclear Weapons Treaty is the first treaty to comprehensively outlaw nuclear weapons, setting out a pathway for their total elimination.

- 2) Write to the federal government, leader of the Opposition Party and other parties endorsing the ICAN Cities Appeal
- 3) Ensure that funds administered by the City of Hobart are not invested in companies that produce nuclear weapons.
- 4) Issue a press release announcing that Hobart has joined other cities across the world to call on their governments to sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons.”

Rationale:

“More than seven decades on from the atomic destruction of Hiroshima and Nagasaki, we are still living under the shadow of the bomb. Almost 15,000 nuclear weapons remain in our world, held by nine nations.

Many Hobart citizens are deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world.

The Treaty on the Prohibition of Nuclear Weapons endorsed by the United Nations in 2017 has not yet been signed by Australia.

As a member of Mayors for Peace, the City of Hobart has already committed to working towards a nuclear-free planet. Mayors for Peace has also endorsed a Nuclear Weapons-free Treaty, and supports the actions of the International Campaign for the Abolition of Nuclear Weapons. A letter of endorsement for the Treaty and the ICAN Cities Appeal can be read [here](#).”

The Acting General Manager reports:

“In line with the Council’s policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as the motion, as proposed, supports the work undertaken by the Mayors for Peace towards a nuclear-free planet. The City of Hobart is a member of the Mayors for Peace.”

Delegation: Council

DEPUTY LORD MAYOR

That Councillor Harvey be co-opted to the Committee for item 7.4

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds

7.4 Safe and Welcoming Community
File Ref: F19/36761; 13-1-9

HARVEY

That in accordance with Council's policy, the following Notice of Motion which was adopted by the Finance and Governance Committee at its meeting of 9 April 2019, be considered by the Council.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

Motion:

“That, in line with the *Hobart Community Vision* and *City of Hobart Social Inclusion Policy 2014-2019*; the Council reaffirm its commitment to creating a safe and welcoming City, by supporting strong gun regulation and rejecting any attempt to weaken gun control laws, and in doing so, the Council implement the following actions:

1. Write to the leaders of all political parties (State and Federal) urging them to stand firm against efforts to weaken gun control laws and to reject political donations from the gun lobby; and
2. Write to the Prime Minister and the Tasmanian Premier affirming the Council's position for strong gun control laws.”

Rationale:

“In light of the recent events in Christchurch, the exposure of One Nation's attempt to influence and weaken gun control laws in association with, and tactics derived from, the National Rifle Association (NRA) in the USA, and the uncovering and highlighting of large political donations from the gun lobby in Australia to political parties, it is in the public interest and wellbeing of citizens that the Council affirm its commitment to creating a safe and welcoming city and to reject any attempt by any political party at either a state or federal level to weaken gun control laws.

Part two of Hobart's Vision document strongly articulates that as an island, Tasmania is a socially inclusive community where people feel informed, safe, happy, healthy and resilient. Hobart prides itself on being a safe city where we look out for each other and, given the tragic events in New Zealand, there is an opportunity for the Council to affirm its commitment to creating a safe and welcoming place for all.

The guiding principles of the City's *Social Inclusion Policy 2014-2019* highlights that recognising diversity in the community is one of our greatest strengths. We ensure that our practices, policies and procedures actively build social inclusion and do not contribute to social exclusion by creating a liveable, safe and people friendly city.

As the capital city council it is beholden on us to take a lead role in ensuring that our community is a safe place for all."

The Acting General Manager reports:

"In line with the Council's policy in relation to Notices of Motion, I advise that the matter is considered to be within the jurisdiction of the Hobart City Council as it is based on the City's *Hobart Community Vision* and *City of Hobart Social Inclusion Policy 2014-2019*."

Delegation: Council

8. COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report **File Ref: F19/38277**

DEPUTY LORD MAYOR

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 Public Infrastructure Funding File Ref: F19/31959

Memorandum of the Group Manager Rates and Procurement and the
Deputy General Manager of 21 March 2019.

DEPUTY LORD MAYOR

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

No questions were asked at the meeting.

DEPUTY LORD MAYOR

That supplementary item 12 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Dutta
Lord Mayor Reynolds

Supplementary item 12 was then taken.

11. CLOSED PORTION OF THE MEETING

BEHRAKIS

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:

- the disposal of land
- lease of land
- legal action involving the Council
- tender for the supply of goods
- information of a personal and confidential

The following items were discussed: -

- | | |
|--------------|---|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Committee 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 | Charitable Rates Exemptions
LG(MP)R 15(2)(g) |
| Item No. 4.2 | Bad Debt Write-Off - Paul Paxton
LG(MP)R 15(2)(g) |
| Item No. 4.3 | Remissions of Rates and Charges Granted
LG(MP)R 15(2)(g) |
| Item No. 4.4 | Write-Off of Debts
LG(MP)R 15(2)(g) |
| Item No. 4.5 | Street ReNumbering Request - Sandy Bay Road
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)(a), (c)(ii), (f), (g) and e(i) |
| Item No. 6 | Questions Without Notice |

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Zucco		
Sexton		
Dutta		
Behrakis		

Delegation: Committee

SUPPLEMENTARY ITEM

12. Southern Tasmanian Councils Authority Membership **File Ref: F19/39198**

DEPUTY LORD MAYOR

That the Council remain in the Southern Tasmanian Councils Association and a review of the membership be undertaken in 12 months' time.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet	Zucco
Dutta	Sexton
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

That the Council remain in the Southern Tasmanian Councils Association and a review of the membership be undertaken in 12 months' time.

Delegation: Council

SEXTON

That Alderman Behrakis be co-opted to the Committee

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Sexton	
Dutta	

Item 11 was then taken.

There being no further business the open portion of the meeting closed at 6:14 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
14TH DAY OF MAY 2019.

CHAIRMAN