



CITY OF HOBART

MINUTES

Finance and Governance Committee Meeting

Open Portion

Wednesday, 12 June 2019 at 4:30 pm

ORDER OF BUSINESS

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**Finance and Governance Committee Meeting (Open Portion) held on
Wednesday, 12 June 2019 at 4:30 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, Alderman D C Thomas, the Lord Mayor Councillor A M Reynolds, Alderman J R Briscoe and Councillor W F Harvey.

APOLOGIES: Nil.

LEAVE OF ABSENCE:

Alderman Dr P T Sexton and Councillor M Dutta.

Alderman Thomas retired from the meeting at 6.19 pm and was not present for items 8 to 11 and supplementary item 12.

The Lord Mayor and Councillor Harvey were co-opted to the Committee.

Alderman Briscoe arrived at the meeting at 4.36 pm during the discussion of item 6.1 and retired from the meeting at 5.20 pm during the discussion of item 6.3.

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

DEPUTY LORD MAYOR BURNET

That the Lord Mayor and Councillor Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Deputy Lord Mayor Burnet
Thomas

NOES

2. CONFIRMATION OF MINUTES

THOMAS

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Tuesday, 14 May 2019](#), and the Special Finance and Governance Committee meeting held on [Monday, 20 May 2019](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

LORD MAYOR REYNOLDS

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

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

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 Budget Estimates 2019-20 **File Ref: F19/57884**

DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Acting Director City Governance of 7 June 2019, be adopted.

AMENDMENT

THOMAS

That the rate increase for the 2019-20 financial year be 3.25%.

AMENDMENT LOST

VOTING RECORD

AYES	NOES
Zucco Thomas	Deputy Lord Mayor Burnet Lord Mayor Reynolds Harvey

MOTION CARRIED

VOTING RECORD

AYES	NOES
Deputy Lord Mayor Burnet Lord Mayor Reynolds Harvey	Zucco Thomas

COMMITTEE RESOLUTION:

- That: 1. The expenses, revenues, capital expenditure, and plant and equipment expenditure detailed in the document 'City of Hobart, Budget Estimates, for the 2019-20 Financial Year', marked as Attachment A to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be approved.
2. New borrowings of up to \$20M be approved for infrastructure.
3. The Council delegate to the General Manager the power to enter into loan agreements to source the above borrowings on the most favourable terms.
4. The General Rate be 6.87 cents in the dollar of assessed annual value (AAV).
5. The following Service Rates be made:
- (i) A Stormwater Removal Service Rate of 0.38 cents in the dollar of AAV; and
 - (ii) A Fire Service Rate of 1.13 cents in the dollar of AAV.
6. A Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
- (i) A Service charge of \$250 to apply to residential properties;
 - (ii) A Service charge of \$500 to apply to non-residential properties;

7. A Waste Management Service Charge of \$50 be made for kerbside green waste collection for all rateable land within the municipal area to which Council supplies or makes available a green waste collection service utilising a green waste collection bin.
8. A Landfill Rehabilitation Service Charge be made and varied according to the use or predominant use of land as follows:
 - (i) A Service charge of \$10 to apply to residential properties;
 - (ii) A Service charge of \$20 to apply to non-residential properties.
9. The rates be subject to the following remissions:
 - (i) A remission of 0.83 cents in the dollar on the AAV of any land or building which is within the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
 - (ii) A remission of 0.85 cents in the dollar on the AAV of any land or building which is within areas other than Permanent Brigade Rating Districts or the Fern Tree Volunteer Brigade Rating District as defined by the State Fire Commission.
10. Unspent 2018-19 capital funding be carried-forward into 2019-20, with any necessary adjustments to be made in the September 2019 quarter financial report to Council.
11. The interest rate on unpaid rates be 8.1% per annum, charged monthly.
12. The 2019-20 Annual Plan, marked as Attachment B to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be adopted.
13. The Long Term Financial Management plan 2020-40, marked as Attachment C to item 6.1 of the Open Finance and Governance Committee agenda of 12 June 2019 be adopted.
14. The following delegations be approved:
 - (i) Pursuant to Section 22 of the *Local Government Act 1993*, the Council delegate to the General Manager the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan; and, the Council authorise the General Manager to delegate, pursuant Section 64 of the *Local Government Act 1993*, to such employees of the Council as he considers appropriate, the power to expend monies on Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan.

- (ii) Pursuant to Section 22 of the Local Government Act 1993, the Council delegate to all the Council Committees the power to expend monies on Council's behalf identified as Delegation Classification 2 items in the Council's Annual Plan.

Delegation: Council

6.2 Financial Report as at 31 March 2019
File Ref: F19/70419

DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Budget and Reporting Manager and the Acting Director City Governance of 5 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Thomas	
Lord Mayor Reynolds	
Harvey	

COMMITTEE RESOLUTION:

- That:
1. That the information be received and noted.
 2. The Council approve the changes to the 2018-19 Estimates as recommended, listed in tables 4, 5, 7 and 9 of Attachment A to item 6.2 of the Open Finance and Governance Committee agenda of 12 June 2019, the financial impacts of which are to increase the underlying surplus by \$1.03M, and to decrease the cash balance by \$0.5M.
 3. That Council note that the Council remains in a strong, sustainable financial position.

Delegation: Council

6.3 Local Government Act 1993 - Petitions, Polls and Meetings
File Ref: F19/71168; S16-001-02

DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the General Manager of 11 June 2019, be adopted, as amended to include the following sub-clause:

- (i) The letter to the Director of Local Government include consideration of the state government meeting the costs associated with elector polls.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

That the General Manager write to the Director of Local Government highlighting the concerns with Part 6 of the *Local Government Act 1993*, as detailed in the report marked as item 6.3 of the Open Finance and Governance Committee agenda of 12 June 2019, as part of the current review of the Tasmanian local government legislative framework.

- (i) The correspondence to include consideration of the state government meeting the cost of elector polls.

Delegation: Council

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* in order to take items 1 to 4.1 of the Closed portion of the meeting which contains the following matter:

- Commercial information of a confidential nature.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

Items 1 to 4.1 of the Closed agenda was then taken.

6.4 Delegation - Use of Common Seal
File Ref: F19/70952

HARVEY

That the recommendation contained in the report of the General Manager of 4 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

That the Council endorse the delegation in respect to the affixation of the Common Seal in accordance with the instrument of delegation marked as Attachment A to item 6.4 of the Open Finance and Governance Committee agenda of 12 June 2019.

Delegation: Council

6.5 Town Hall - Provision of Additional Flagpoles
File Ref: F19/53814

THOMAS

That the recommendation contained in the report of the Group Manager City Government and Customer Relations of 7 June 2019, be adopted.

MOTION CARRIED


VOTING RECORD

AYES	NOES
Zucco	Deputy Lord Mayor Burnet
Thomas	
Lord Mayor Reynolds	
Harvey	

COMMITTEE RESOLUTION:

- That:
1. That Council utilise a row of up to six of the existing flagpole holes located towards the Argyle Street side of the Town Hall Forecourt, shown in the plan marked as Attachment A to the minutes of the Open Finance and Governance Committee meeting of 12 June 2019, to enable the co-ordinated display of flags.
 2. A policy be developed to manage the flagpoles on both the Town Hall and Council Centre buildings, including the display of flags and those occasions when the Town Hall poles will be temporarily removed for civic purposes.
 3. The purchase and installation of the flagpoles estimated at \$7200 be funded from the Corporate Property function of the 2018/2019 Annual Plan.

Attachment

A. Flag Poles - Town Hall ⇨ 

Delegation: Council

6.6 Revised City of Hobart Code for Tenders and Contracts
File Ref: F19/70421

THOMAS

That the recommendation contained in the report of the Acting Director City Governance of 6 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	Deputy Lord Mayor Burnet
Thomas	Harvey
Lord Mayor Reynolds	

COMMITTEE RESOLUTION:

- That: 1. The Council adopt the revised City of Hobart Code for Tenders and Contracts marked as Attachment B to item 6.6 of the Open Finance and Governance Committee agenda of 12 June 2019.
2. 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.

Delegation: Council

6.7 City of Hobart and UTAS Governance Forum
File Ref: F19/70655

LORD MAYOR REYNOLDS

That the recommendation contained in the report of the General Manager of 7 June 2019, be adopted, as amended with changes to clause 3 and a new clause 4.

- “3. The Chairmen of the City Planning Committee and the Finance and Governance Committee be appointed as members of the City of Hobart and UTAS Governance Forum.
4. The Council write to the Vice Chancellor requesting consideration for the Chairman of the Economic Development and Communications also being appointed to the UTAS Governance Forum.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco	
Deputy Lord Mayor Burnet	
Thomas	
Lord Mayor Reynolds	
Harvey	

COMMITTEE RESOLUTION:

- That: 1. The Council note the correspondence from the UTAS' Vice Chancellor, Professor Rufus Black.
2. The Lord Mayor and General Manager be appointed to the City of Hobart and UTAS Governance Forum.
3. The Chairmen of the City Planning Committee and the Finance and Governance Committee be appointed as members of the City of Hobart and UTAS Governance Forum.
4. The Council write to the Vice Chancellor requesting consideration for the Chairman of the Economic Development and Communications Committee also being appointed to the City of Hobart and UTAS Governance Forum.

Delegation: Council

**6.8 Lease - Christina Henri - Part of Level 4 Council Centre
File Ref: F19/72063**

DEPUTY LORD MAYOR

That the recommendation contained in the report of the Manager Inclusive, Resilient and Creative Communities and the Director Community Life of 5 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

- That: 1. The Council grant a lease to Dr Christina Henri for an office space located on level 4 of the Council Centre building for a period of two years at no cost.

2. The lease and associated grant value of \$3,200 be recorded in the City's Annual Report in accordance with its policy on 'Leases to Non-Profit Organisations'.
3. The General Manager be authorised to negotiate the terms and conditions of the lease.

Delegation: Committee

**6.9 Lease - Tasmanian Writers' Centre - Part of Level 4 Council Centre
File Ref: F19/72173**

HARVEY

That the recommendation contained in the report of the Manager Inclusive, Resilient and Creative Communities and the Director Community Life of 5 June 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Thomas
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

- That:
1. The Tasmanian Writers' Centre be granted a new twelve (12) month lease at a nominal rent for office space on the fourth floor of the Hobart Council Centre that they currently occupy.
 2. The General Manager be authorised to finalise the terms and conditions of the lease with the Tasmanian Writers' Centre and to execute the agreement on the Council's behalf.
 3. The lease and grant of \$9,400 be recorded in the City's Annual Report in accordance with its policy on 'Leases to Non-Profit Organisations'.

Delegation: Committee

The Chairman vacated the Chair for item 7.1.

HARVEY

That the Lord Mayor Chair the meeting for item 7.1

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Zucco		
Deputy Lord Mayor Burnet		
Thomas		
Lord Mayor Reynolds		
Harvey		

The Lord Mayor assumed the Chair for item 7.1.

7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 Notices of Motion
File Ref: F19/64803; s13-001-10

ZUCCO

That section 13, "Notices of Motion" of the Council Policy, Meetings: Procedures and Guidelines be reviewed, as amended by the following:

The deletion of the words *to consider the deletion of the urgency motion provisions* after the word *reviewed* in clause 1.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Lord Mayor Reynolds		
Zucco		
Deputy Lord Mayor Burnet		
Thomas		
Harvey		

COMMITTEE RESOLUTION:

Motion:

“That section 13, “Notices of Motion” of the Council Policy, Meetings: Procedures and Guidelines be reviewed.”

Rationale:

“Clause 13 of the Policy states:

13. NOTICES OF MOTION

In accordance with the resolution of the Council dated 14 February 2012 and 8 October 2012, the following procedures apply in respect to the lodgement of Notices of Motions (NoMs), pursuant to Section 16 of the Local Government (Meeting Procedures) Regulations 2015:

1. *All NoMs be submitted on the agenda of the relevant Council committee, in accordance with the committees’ Terms of Reference, unless the Alderman submitting the Motion deems the matter to be urgent and therefore requiring determination prior to the next scheduled ordinary meeting of the relevant committee, in which case the Motion may be submitted directly to the Council where the following process shall apply:*
 - (i) *The Council, upon considering a NoM deemed urgent by the proponent is firstly to ratify by resolution that such a Motion is urgent, prior to considering the substance of the Motion.*
 - (ii) *Should the Council determine that the Motion is not urgent, the Motion may not be further debated but be subsequently referred to the next ordinary meeting of the appropriate committee for consideration.*
2. *Whether a Notice of Motion be won or lost at a committee meeting, the Motion will be referred to the Council for consideration where the normal rules of debate shall apply.*
 - (i) *Where a Notice of Motion may not be supported at Committee and an alternative resolution is passed by the Committee, the items be listed separately on the Council agenda.*
3. *When a Notice of Motion is debated at Council, Aldermen may speak to a motion for no longer than three minutes with no extensions of time being granted.*
4. *Should an Alderman proposing a Notice of Motion not be a member of the committee considering the Notice of Motion, the Alderman is to become a supernumerary member of that committee, solely for the purposes of moving and resolving their Motion.*

5. *The General Manager is to provide qualification as to whether the substance of a NoM resides within the jurisdiction of the Hobart City Council.*

The urgency motion provision requires review as its purpose can be accommodated under the authority of the General Manager either by:

- The calling of an urgent Council meeting;
- The General Manager providing an urgent report to the Council.

The latter has been the case in the past.

In conjunction with the points mentioned above the current meeting cycle can adequately accommodate an orderly Notices of Motion process.”

The 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 a Council Policy.”

Delegation: Council

The Lord Mayor vacated the Chair and the Chairman assumed the Chair.

8. COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report **File Ref: F19/72419**

DEPUTY LORD MAYOR BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Lord Mayor Reynolds
Harvey

Delegation: Committee

9. RESPONSES TO QUESTIONS WITHOUT NOTICE

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

9.1 Committees - Structure File Ref: F19/55920; 13-1-10

Memorandum of the Acting Director City Governance of 5 June 2019.

9.2 Parking Meters - Performance File Ref: F19/58665; 13-1-10

Memorandum of the Director City Innovation of 5 June 2019.

9.3 Parking Meters - Integration Enhancements File Ref: F19/58673

Memorandum of the Director City Innovation of 5 June 2019.

9.4 Employment Policy File Ref: F19/67489; 13-1-10

Memorandum of the Acting Director City Governance of 5 June 2019.

DEPUTY LORD MAYOR BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Lord Mayor Reynolds
Harvey

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 BURNET

That supplementary item 12 be now taken.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Lord Mayor Reynolds
Harvey

Supplementary item 12 was then taken.

11. CLOSED PORTION OF THE MEETING

DEPUTY LORD MAYOR

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
- legal action involving the Council
- tender for the supply of goods

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 | Hobart City Hall Master Plan
LG(MP)R 15(2)(c)(i) |
| Item No. 4.2 | Lease - Equality Tasmania - Part of Level 4 Council Centre
LG(MP)R 15(2)(f) |
| Item No. 4.3 | Contract Variation - Degraeves Street Rivulet Wall
Reconstruction
LG(MP)R 15(2)(d) |
| Item No. 4.4 | Bad Debt Write-Off
LG(MP)R 15(2)(g) |
| Item No. 4.5 | Write-Off of Debts
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) and e(i)
Item No. 6 Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Lord Mayor Reynolds
Harvey

Delegation: Committee

SUPPLEMENTARY ITEM

**12. Local Government Association of Tasmania General Meeting
Motions
File Ref: F19/72553**

HARVEY

That the recommendation contained in the report of the General Manager of 11 June 2019, be adopted, as amended by a revised clause 2.

- “2. The Council support the two motions relating to Climate Change to be considered at the Local Government Association of Tasmania General Meeting to be held on Wednesday 3 July 2019.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Zucco
Lord Mayor Reynolds
Harvey

COMMITTEE RESOLUTION:

- That:
1. In accordance with Attachment A to supplementary item 12 of the Open Finance and Governance Committee agenda of 12 June 2019, the Council endorse the motions recommended for support, to be considered at the Local Government Association of Tasmania General Meeting to be held on Wednesday 3 July 2019.
 2. The Council support the two motions relating to Climate Change to be considered at the Local Government Association of Tasmania General Meeting to be held on Wednesday 3 July 2019.

Delegation: Council

Item 11 was then taken

The Chairman adjourned the meeting at 5.33 pm, to conduct items 1 to 4.1 of the Closed portion of the meeting.

The meeting was reconvened at 5.48 pm.

Item 6.4 was then taken

There being no further business the Open portion of the meeting closed at 6.23 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
16TH DAY OF JULY 2019.

CHAIRMAN