



CITY OF HOBART

MINUTES

Finance and Governance Committee Meeting

Open Portion

Tuesday, 17 September 2019 at 4:30 pm

ORDER OF BUSINESS

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Finance and Governance Committee Meeting (Open Portion) held on Tuesday, 17 September 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, Aldermen Dr P T Sexton, D C Thomas, Councillors M Dutta and W F Harvey.

The Deputy Lord Mayor retired from the meeting at 5.45 pm and was not present for items 8 to 11.

Councillor Harvey was co-opted to the Committee for items 8 to 11.

APOLOGIES: Nil.

LEAVE OF ABSENCE: Nil.

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

DUTTA

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

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

NOES

The minutes were signed.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

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 Legislative Framework Review File Ref: F19/121549; 15/153-201

THOMAS

That the recommendation contained in the report of the General Manager of 11 September 2019, be adopted, with a revised Attachment B.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
 Deputy Lord Mayor Burnet
 Sexton
 Thomas
 Dutta

COMMITTEE RESOLUTION:

That: 1. The Council adopt the positions in respect of each Reform Direction identified in the table in Attachment B to item 6.1 of the Open Finance and Governance Committee agenda of 17 September 2019, as amended to include the following revised clauses within the table:

Option	Reform	Officer Recommendation	Finance and Governance Committee Position
5. Reform eligibility for the General Manager's Roll.		Council fully supports the review of eligibility for the General Manager's Roll but a position is required on the criteria to be applied, however that ought to include 'permanent residency'.	Council supports reform of eligibility for inclusion on the General Manager's Roll with the following criteria: <ul style="list-style-type: none"> • Inclusion on the House of Assembly electoral roll; • Land owner in the municipal area but not on the electoral roll; • Permanent resident; and • No requirement to be an Australian citizen.
7. Simplify the election process for the positions of mayor and deputy mayor.		A position is required on the options put forward to simplify the election process for the positions of mayor and deputy mayor.	The Council support retaining the status quo.
13. Introduce a candidate nomination fee.		A position is required on the options put forward to introduce a candidate nomination fee.	The Council support the concept of introducing a candidate nomination fee.
16. Remove the title of 'Alderman'.		A position is required on the proposed reform to remove the title "Alderman" from the Act.	The Council support its existing position that each individual elected representative be given their own choice between 'councillor' and 'alderman'.

19. Remove requirements for public meetings and elector polls.	Council supports the reform to remove requirements for public meetings and elector polls from the Act, or as an alternative supports an increase of the current thresholds to require a public meeting to, for example, 5,000 or 10% of electors, whichever is the lesser.	The Council supports the retention of community initiated public meetings on the basis that the threshold number of electors are increased; and The Council support the proposed reform for elector polls be council initiated and also suggest that these only be capable of being held in conjunction with an election.
24. Establish principles for all council staff that set minimum standards of behaviour.	Council not support the reform to establish principles for all council staff that set minimum standards of behaviour on the basis it is not necessary for these to be included within legislation.	Council not support the reform to establish principles for all council staff that set minimum standards of behaviour on the basis it is not necessary for these to be included within legislation, however it is supported that these be included within Ministerial Guidelines.
25. Prescribe minimum standards for general manager recruitment, contracts, performance management and termination.	Council not support the reform to prescribe minimum standards for general manager recruitment, contracts, performance management and termination in the new Act. Alternatively development of a good practice guide would be more valuable in assisting Councils with the recruitment and assessment of the general manager's performance.	Council not support the reform to prescribe minimum standards for general manager recruitment, contracts, performance management and termination in the new Act. Alternatively development of a good practice guide would be more valuable in assisting Councils with the recruitment and assessment of the general manager's performance and it is supported that these be included within Ministerial Guidelines.
29. Establish an independent rates oversight mechanism.	Council not support the reform to create powers to establish an independent rates oversight mechanism in the new Act.	Council support the reform to create powers to establish an independent rates oversight mechanism in the new Act in principle and subject to considering the detail in any draft legislation.
37. Create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues.	Council not support the reform to create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues.	Council support the reform to create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues in principle and subject to considering the detail in any draft legislation.
39. Establish the power to appoint a Financial Controller.	Council not support the reform to establish the power to appoint a Financial Controller	Council support the reform to establish the power to appoint a Financial Controller in principle and subject to considering the detail in any draft legislation.
40. Continue to conduct formal investigations by the Director of Local Government.	Council not support the reform to continue to conduct formal investigations by the Director of Local Government.	Council support the reform to continue to conduct formal investigations by the Director of Local Government in principle and subject to considering the detail in any draft legislation.

2. The General Manager be authorised to provide a submission to the Local Government Legislation Review conveying the Council's position as adopted.

Delegation: Council

THOMAS

That item 6.5 be now taken

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

NOES

Item 6.5 was taken.

6.2 Council Policy Manual Review 2019
File Ref: F19/121485

SEXTON

That the recommendation contained in the report of the Deputy General Manager of 12 September 2019, be adopted, as amended by the inclusion of a revised clause 2 and a new clause 3:

- “2. A portion of the policy portfolio be reviewed every six months
3. The Elected Members’ Development and Support policy be referred back to committee for further consideration to include investigation of the policy positions of other capital cities with regards international travel.”

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

NOES

COMMITTEE RESOLUTION:

- That: 1. The Council endorse the schedule of Council Policies, as shown in Attachment A to item 6.2 of the Open Finance and Governance Committee agenda of 17 September 2019 with the exception of the Elected Members’ Development and Support policy (marked as Appendix 10).

2. A portion of the policy portfolio be reviewed every six months such that all policies are reviewed within a two year period.
3. The Elected Members' Development and Support policy be referred back to committee for further consideration to include investigation of the policy positions of other capital cities with regards international travel.

Delegation: Council

6.3 2018-19 Annual Plan - Final Report
File Ref: F19/102440

DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Manager Economic Development, Engagement and Strategy and the Director Community Life of 6 September 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

COMMITTEE RESOLUTION:

That the Council endorse the Annual Plan Final Report for the period ending 30 June 2019, marked as Attachment A to item 6.3 of the Open Finance and Governance Committee agenda of 17 September 2019.

Delegation: Council

6.4 Annual Review of Loan and Investment Portfolios - 30 June 2019
File Ref: F19/120810

SEXTON

That the recommendation contained in the report of the Manager Finance and the Deputy General Manager of 12 September 2019, be adopted as amended by an additional clause 2:

“2. That the Council write to our lenders at the appropriate time.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

COMMITTEE RESOLUTION:

- That:
1. The Finance and Governance Committee receive and note the information contained in the report titled “Annual Review of Loan and Investment Portfolios – June 2019”.
 2. That the Council write to our lenders at the appropriate time.

Delegation: Committee

6.5 Southern Tasmania Council Authority Update
File Ref: F19/120777; 18/17

DEPUTY LORD MAYOR

That the recommendation contained in the report of the General Manager of 9 September 2019, be adopted, as amended by the addition of a clause 2:

“2. The Council consider those proposed infrastructure projects that may be beneficial to the region.”

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco Deputy Lord Mayor Burnet Sexton Thomas Dutta	

COMMITTEE RESOLUTION:

- That: 1 The update on the activities on the Southern Tasmania Council Authority as detailed in the memorandum marked as item 6.5 on the Open Finance and Governance Committee agenda of 17 September 2019 be noted.
2. The Council consider those proposed infrastructure projects that may be beneficial to the region.

Delegation: Council

Item 6.2 was then taken.

The Chairman vacated the Chair for item 7.1.

THOMAS

That the Alderman Sexton Chair the meeting for item 7.1

MOTION CARRIED

VOTING RECORD

AYES	NOES
Zucco Deputy Lord Mayor Burnet Sexton Thomas Dutta	

Alderman Sexton assumed the Chair for item 7.1.

7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 Condell Place Car Park - Redevelopment File Ref: F19/113809; s13-001-09

ZUCCO

That in accordance with Council's policy, the following Notice of Motion which was adopted by the Finance and Governance Committee of 17 September 2019, be considered by the Council.

Motion:

- That: 1. An urgent report be prepared addressing any issues for the Council immediately pursuing expressions of interest for the redevelopment of the Condell carpark in North Hobart, as per the most recent report to Council (as attached to the agenda for the Finance and Governance Committee meeting held on 17 July 2018).
2. A further report to also address the broader parking, mobility and smart cities issues and solutions for North Hobart (as per the Council decision of 23 July 2018).
3. The report to consider any other existing report relevant to the development of car parking within the North Hobart precinct.
4. The Council's preferred position be subject to community engagement at the appropriate time.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Deputy Lord Mayor Burnet
Sexton
Thomas
Dutta

COMMITTEE RESOLUTION:

Motion:

- "That: 1. An urgent report be prepared addressing any issues for the Council immediately pursuing expressions of interest for the redevelopment of the Condell carpark in North Hobart, as per the most recent report to Council (as attached to the agenda for the Finance and Governance Committee meeting held on 17 July 2018).
2. A further report to also address the broader parking, mobility and smart cities issues and solutions for North Hobart (as per the Council decision of 23 July 2018).

3. The report to consider any other existing report relevant to the development of car parking within the North Hobart precinct.
4. The Council's preferred position be subject to community engagement at the appropriate time."

Rationale:

"The Finance and Governance Committee considered a report at its meeting held on 17 July 2018 proposing a formal expression of interest process be undertaken for the development of the Condell Place Car Park site with the provision that submissions must include a provision for expansion of the number of parking spaces in the car park.

The report outlined that the provision of additional parking will be looked upon favourable by business owners and patrons of the North Hobart are with the North Hobart Traders Association commenting that they believed the only way to provide an adequate parking supply is by developing existing land/property.

Whilst some measures have been implemented to improve parking availability in the area, it was disappointing that when the Council considered this report it resolved to seek another report consolidating information in relation to the Condell Place site rather than taking action.

North Hobart is one of Hobart's premier dining locations playing host to a significant number of patrons on a daily basis – the required infrastructure needs to be in place to cater for this demand."

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 Council property."

Delegation: Council

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

SEXTON

That Councillor Harvey be co-opted to the Committee

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Zucco		
Sexton		
Thomas		
Dutta		

8. COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report **File Ref: F19/122034**

SEXTON

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

	AYES	NOES
Zucco		
Sexton		
Thomas		
Dutta		
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 Refinancing of Loans File Ref: F19/98430

Memorandum of the Manager Finance of 11 September 2019.

9.2 Sewage Spill File Ref: F19/113270; 13-1-10

Memorandum of the General Manager of 11 September 2019 and attachment.

SEXTON

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Sexton
Thomas
Dutta
Harvey

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Alderman Sexton - Council Delegations File Ref: 13-1-10

Question: It is acknowledged that the use of delegations allows Council to respond more effectively to the community and provide for timely, consistent decisions. However, a Council can still choose to exercise a power themselves even after a power has been delegated.

Once a power is delegated, the delegate has the authority to use the power and does not need to seek further approval or endorsement before exercising the power.

Good governance requires that delegations be reviewed annually, or at least on the occasion of a new Council being elected, to ensure that the delegations are still appropriate.

Delegations register:

The Local Government Act requires under section 22 that:

- (4) The general manager is to –
 - (a) keep a register of any **delegation**; and
 - (b) make the register available for inspection at a public office.

Is there a delegations policy?

Can a quarterly report be made available to Council detailing the delegations exercised during each quarter?

Answer: The General Manager took the question on notice.

10.2 Councillor Dutta - Parking kunanyi / Mount Wellington
File Ref: 13-1-10

Question: Could the General Manager advise if it is possible to introduce paid vehicle parking at the pinnacle of kunanyi / Mount Wellington? What would the likely revenue be?

Answer: The General Manager took the question on notice.

11. CLOSED PORTION OF THE MEETING

SEXTON

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:

- Proposals for the council to acquire land or an interest in land or for the disposal of land;
- Information of a personal and confidential nature or information provided to the council on the condition it is kept confidential; and
- Contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal.

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 | 55 Elizabeth Street
LG(MP)R 15(2)(f) |
| Item No. 4.2 | Sale of Land for Unpaid Rates: 5/646 Sandy Bay Road - Update
LG(MP)R 15(2)(f) and (g) |
| Item No. 4.3 | Council Rates - Methods of Payment
LG(MP)R 15(2)(d) |
| Item No. 5 | Committee Action Status Report |
| Item No. 5.1 | Committee Actions - Status Report
LG(MP)R 15(2)(a), (c)(i), (f), (i), (j) and e(i) |
| Item No. 6 | Questions Without Notice |

MOTION CARRIED

VOTING RECORD

AYES

NOES

Zucco
Sexton
Thomas
Dutta
Harvey

Delegation: Committee

There being no further business the Open portion of the meeting closed at 5.47 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
15TH DAY OF OCTOBER 2019.

CHAIRMAN

DRAFT