



CITY OF HOBART

# **MINUTES**

## **Finance and Governance Committee Meeting**

**Open Portion**

**Tuesday, 15 October 2019 at 4:30 pm**

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## ORDER OF BUSINESS

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**Finance and Governance Committee Meeting (Open Portion) held on Tuesday, 15 October 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:** Councillor M Dutta (Acting Chairman), the Deputy Lord Mayor Councillor H Burnet, Aldermen Dr P T Sexton, D C Thomas, J R Briscoe and T M Denison.

Alderman Sexton retired from the meeting at 5.16 pm and was present for item 1 to 6.3.

Alderman Briscoe was co-opted to the Committee.

**APOLOGIES:** Alderman M Zucco.

Alderman Denison arrived at the meeting at 4.34 pm and was co-opted to the Committee for items 6.4 to 10.

**LEAVE OF ABSENCE:** Nil.

DEPUTY LORD MAYOR BURNET

That Councillor Dutta chair the meeting in the absence of the Chairman.

MOTION CARRIED

VOTING RECORD

AYES

Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Dutta

NOES

Councillor Dutta assumed the Chair.

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

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DEPUTY LORD MAYOR BURNET

That Alderman Briscoe be co-opted to the Committee.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Sexton  
Thomas

## 2. CONFIRMATION OF MINUTES

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SEXTON

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Tuesday, 17 September 2019](#), be confirmed as an accurate record.

MOTION CARRIED

### VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Briscoe

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 Southern Tasmania Netball Association - Request to Amend (Increase) Loan Guarantee File Ref: F18/107405; 18/17

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SEXTON

That the recommendation contained in the report of the Group Manager Rates & Procurement and the Deputy General Manager of 11 October 2019, be adopted, amended with a revised clause 1:

- “1. The Council guarantee a loan to Southern Tasmanian Netball Association (STNA) from Westpac Banking Corporation for \$505,000, subject to the General Manager being satisfied, following further information to be provided by the STNA, in regard to:
- Electricity usage and expected savings
  - Capacity to meet repayments in changed economic circumstances
  - Opportunities for combining the loans and refinancing”

MOTION CARRIED

#### VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Briscoe

#### **COMMITTEE RESOLUTION:**

- That: 1. The Council guarantee a loan to Southern Tasmanian Netball Association (STNA) from Westpac Banking Corporation for \$505,000, subject to the General Manager being satisfied, following further information to be provided by the STNA, in regard to:
- Electricity usage and expected savings
  - Capacity to meet repayments in changed economic circumstances
  - Opportunities for combining the loans and refinancing.
2. The General Manager be delegated authority to negotiate and finalise the terms of the loan guarantee.
3. Council receive quarterly loan updates from STNA and/or Westpac Banking Corporation, and other financial information such as financial statements, and year to date performance information, at Council's discretion.

4. STNA immediately notify Council in the event of any default in loan payments.
5. STNA notify Council of any legal actions that they enter or are joined to, and any intention to take out further borrowings.
6. Any future changes to loan arrangements be subject to Council approval.

**Delegation: Council**

**6.2 Charitable Rates Exemptions - Rates Remission Request from  
Uniting Agewell  
File Ref: F19/130524**

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SEXTON

That the recommendation contained in the report of the Group Manager Rates & Procurement and the Deputy General Manager of 11 October 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Briscoe

**COMMITTEE RESOLUTION:**

That the Council approve a remission of general rates paid by Uniting Agewell for 3 Peel Street, Sandy Bay and 51 Cross Street, New Town for the period 1 July 2016 to 30 June 2019 pursuant to section 129 of the *Local Government Act 1993 (Tas)*.

**Delegation: Council**

**6.3 Proposed 2020 Council and Committee Meeting Schedule and  
Temporary City Planning Committee Delegation  
File Ref: F19/131963**

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DEPUTY LORD MAYOR BURNET

That the recommendation contained in the report of the Deputy General Manager of 9 October 2019, be adopted, as amended with a revised clause 1:

- “1. The Council adopt Option B, marked as Attachment B to item 6.3 of the Open Finance and Governance Committee agenda of 15 October 2019, for a 2020 Council and Council Committee meeting schedule with the Economic Development and Communications Committee to precede the Community Culture and Events Committee.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Sexton  
Thomas  
Briscoe

**COMMITTEE RESOLUTION:**

- That: 1. The Council adopt Option B, marked as Attachment B to item 6.3 of the Open Finance and Governance Committee agenda of 15 October 2019, for a 2020 Council and Council Committee meeting schedule with the Economic Development and Communications Committee to precede the Community Culture and Events Committee.
2. In the event that any urgent matters arise which cannot be accommodated within the preferred 2020 meeting schedule option, special meetings be convened as required.
3. The City Planning Committee be provided with the following delegation in order to facilitate the processing of planning permit applications during the Christmas period:
- (i) To determine all planning permit applications which would otherwise be determined by the Council, between 10 December 2019 and the first ordinary scheduled Council meeting in January 2020, in circumstances where it would not otherwise be possible to determine the application within the statutory time period required under Sections 57(6), 57(6A), 58(2) or 58(2A) of the *Land Use Planning and Approvals Act 1993*, and an extension of time cannot be obtained, unless an Elected Member has requested the convening of a special meeting or meetings to determine the application.



4. A calendar of workshops be developed to include the following topics:
- Budget estimates
  - Good governance

**Delegation: Council**

DEPUTY LORD MAYOR

That Alderman Denison be co-opted to the Committee

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Thomas  
Briscoe

**6.4 Mawson Place - Matilda**  
**File Ref: F19/132749**

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BRISCOE

That the recommendation contained in the report of the General Manager of 10 October 2019, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Thomas  
Briscoe  
Denison

**COMMITTEE RESOLUTION:**

- That: 1. The Council authorise the General Manager to formally approach the Port Arthur Historic Site with regard to the return of the Matilda.
2. If the Port Arthur Historic Site is not interested in the return, an Expression of Interest be called to identify possible options for the future of The Matilda.

**Delegation: Council**

**6.5 Update of Customer Service Charter and Annual Complaint Report  
2018/19  
File Ref: F19/119268; 11-15-9**

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THOMAS

That the recommendation contained in the report of the Principal Advisor - Customer Relations and Hallkeeping and the Deputy General Manager of 10 October 2019, be adopted, as amended with the General Manager being delegated the authority to make editorial amendments to the Charter.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Thomas  
Briscoe  
Denison

**COMMITTEE RESOLUTION:**

That the Council endorse the updated Customer Service Charter marked as Attachment B to item 6.5 of the Open Finance and Governance Committee agenda of 15 October 2019, and the General Manger be delegated the authority to make editorial amendments to the Charter.

**Delegation: Council**

## **7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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### **7.1 Elected Members - Random Illicit Drug and Alcohol Testing File Ref: F19/129656; s13-001-09**

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BRISCOE

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

"That a report be prepared addressing the following:

- The Elected Members (All Aldermen, Councillors, Deputy Lord Mayor and Lord Mayor) be included in the City of Hobart staff random illicit drug and alcohol testing program.
- The results (including nil results) of the Elected Members drug and alcohol testing be published on the City of Hobart webpage regularly as part of the monthly reporting.
- The consequences if an Elected Member fails the drug or alcohol test, including not participating in any meetings for that day, and appropriate counselling be offered (similar to the City of Hobart staff policy)"

MOTION CARRIED

#### VOTING RECORD

AYES	NOES
Thomas Briscoe Denison	Dutta Deputy Lord Mayor Burnet

#### **COMMITTEE RESOLUTION:**

##### **Motion:**

"That a report be prepared addressing the following:

- The Elected Members (All Aldermen, Councillors, Deputy Lord Mayor and Lord Mayor) be included in the City of Hobart staff random illicit drug and alcohol testing program.
- The results (including nil results) of the Elected Members drug and alcohol testing be published on the City of Hobart webpage regularly as part of the monthly reporting.
- The consequences if an Elected Member fails the drug or alcohol test, including not participating in any meetings for that day, and appropriate counselling be offered (similar to the City of Hobart staff policy)"

**Rationale:**

“Elected Members are held to the highest standard of behaviour, as the decisions they make involve, at times, spending high sums of money and making important strategic and planning decisions.

Impaired judgment through illicit drug or alcohol use prior to meetings would affect the quality of decisions made. Only zero tolerance is acceptable.

The absence of testing of the Elected Members of HCC is an anomaly that can be readily corrected by this motion.

It is also arguable that the Council Chamber and meeting rooms are a workplace under the Work Health and Safety legislation and that the elected members are workers under the legislation and that similar rules should apply to elected members as they do to employees. All City of Hobart employees are subject to random drug and alcohol testing.

The Unions in the past have called for the testing of Elected Members in line with the City of Hobart staff.”

**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 safety in the Council workplace.”

**Delegation: Council**

**8. COMMITTEE ACTION STATUS REPORT**

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**8.1 Committee Actions - Status Report**  
**File Ref: F19/132713; 18/17**

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DEPUTY LORD MAYOR BURNET

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Thomas  
Briscoe  
Denison

**Delegation: Committee**

## 9. QUESTIONS WITHOUT NOTICE

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

### 9.1 Alderman Briscoe - Town Hall Reception File Ref: 13-1-10

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Question: A reception is proposed to be held for the new initiative "Night Shelter" for the Salvation Army and the Hobart City Mission. How much would this reception cost?

Would it be better to donate the reception costs to the Salvation Army and the Hobart City Mission?

Answer: The General Manager took the question on notice.

## 10. 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:

- contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;
- 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;
- matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council; and
- the personal hardship of any person who is resident in, or is a ratepayer in, the relevant municipal area.

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 | Contract Extension - Contract No. 5798 - Provision of Mobile Phone Services<br>LG(MP)R 15(2)(d) |

- Item No. 4.2 Request to Waive Requirement to Tender - Australia Post  
PostBillPay Services  
LG(MP)R 15(2)(d)
- Item No. 4.3 Sale of Land for Unpaid Rates  
LG(MP)R 15(2)(f), (g), (i) and (j)
- Item No. 4.4 Write-Off of Debts  
LG(MP)R 15(2)(g)
- Item No. 4.5 Outstanding Sundry Debts as at 30 September 2019  
LG(MP)R 15(2)(g)
- Item No. 4.6 Remissions of Rates and Charges Granted  
LG(MP)R 15(2)(g)
- Item No. 4.7 Outstanding Long Term Parking Permit Debts as at 30  
September 2019  
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)(i), e(ii), (f), (i) and (j)
- Item No. 6 Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES

NOES

Dutta  
Deputy Lord Mayor Burnet  
Thomas  
Briscoe  
Denison

**Delegation: Committee**

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

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

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**CHAIRMAN**