



CITY OF HOBART

MINUTES

Finance and Governance Committee Meeting

Open Portion

Tuesday, 17 July 2018 at 5:00 pm

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Finance and Governance Committee Meeting (Open Portion) held on Tuesday, 17 July 2018 at 5.00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Ruzicka (Joint Chairman – Governance Items)
Thomas (Joint Chairman – Finance Items)
Lord Mayor Christie
Deputy Lord Mayor Sexton
Zucco
Cocker
Reynolds

ALDERMEN

Briscoe
Burnet
Denison
Harvey

PRESENT: Alderman Dr E R Ruzicka (Joint Chairman – Governance Items), the Lord Mayor Alderman R G Christie, the Deputy Lord Mayor Alderman Dr P T Sexton, Aldermen M Zucco, P S Cocker, H C Burnet and W F Harvey.

Alderman Ruzicka chaired the full meeting in the absence of Alderman Thomas.

APOLOGIES: Nil.

Alderman Zucco arrived at the meeting at 5:02 pm during the discussion of item 7.1, was present for items 6.1 to 6.3, retiring from the meeting at 5:56 pm.

LEAVE OF ABSENCE:

Alderman D C Thomas (Joint Chairman – Finance Items).
Alderman A M Reynolds.

Alderman Burnet was co-opted to the Committee and was present for items 2 to 6.2 and item 7.1, retiring from the meeting at 5:46 pm.

Alderman Harvey arrived at the meeting at 6:00 pm during the discussion of item 6.4 and was co-opted to the Committee for items 6.6 to 6.10, 8 to 11 and the Closed portion of the meeting.

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

DEPUTY LORD MAYOR

That Alderman Burnet be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker

2. CONFIRMATION OF MINUTES

LORD MAYOR

The minutes of the Open Portion of the Finance and Governance Committee meeting held on [Wednesday, 13 June 2018](#), be confirmed as an accurate record.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Burnet

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*.

Aldermen 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.

DEPUTY LORD MAYOR

That item 7.1 be now taken

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Burnet

Item 7.1 was then taken

6. REPORTS

FINANCE ITEM

6.1 Condell Place Car Park - Development Opportunities and EOI Request
File Ref: F18/73709

ZUCCO

That the recommendation contained in the report of the General Manager of 10 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Ruzicka	Cocker
Lord Mayor Christie	Burnet
Deputy Lord Mayor Sexton	
Zucco	

COMMITTEE RESOLUTION:

- That:
1. The General Manager be authorised to undertake a formal expression of interest process 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.
 2. The draft Expression of Interest document be signed off by the Council before being released.

Delegation: Council

GOVERNANCE ITEMS

6.2 Aldermanic Professional Development
File Ref: F18/78598

DEPUTY LORD MAYOR

That the matter be deferred to the next meeting to allow the presentation of a draft Professional Development Policy.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Zucco
Cocker
Burnet

COMMITTEE RESOLUTION:

That the matter be deferred to the next meeting to allow the presentation of a draft Professional Development Policy.

Delegation: Committee

6.3 Review of the Electoral Act
File Ref: F18/73036

DEPUTY LORD MAYOR

- That:
1. The Council provide a submission as part of the review to the Electoral Act.
 2. The Council's submission be based on information provided in the report marked as item 6.3 of the Open Finance and Governance Committee agenda of 17 July 2018 and to include the following:
 - (i) Reference to the Council's 2015 submission to the inquiry into the operation of the Tasmanian Electoral Commission.
 - (ii) Consistency in electoral signage.
 - (iii) Robo calls be made illegal.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Ruzicka	Cocker
Lord Mayor Christie	
Deputy Lord Mayor Sexton	
Zucco	

COMMITTEE RESOLUTION:

- That: 1. The Council provide a submission as part of the review to the Electoral Act.
2. The Council's submission be based on information provided in the report marked as item 6.3 of the Open Finance and Governance Committee agenda of 17 July 2018 and to include the following:
- (i) Reference to the Council's 2015 submission to the inquiry into the operation of the Tasmanian Electoral Commission.
 - (ii) Consistency in electoral signage.
 - (iii) Robo calls be made illegal.

Delegation: Council

**6.4 Local Government Association of Tasmania - General Meeting
Motions
File Ref: F18/76540**

DEPUTY LORD MAYOR

That the recommendation contained in the report of the General Manager of 10 July 2018, be adopted, amended by an additional clause to read as follows:

- "2. The Lord Mayor or his nominee be given the authority to vote on issues which arise in the course of the LGAT General meeting after taking advice from the General Manager."

MOTION CARRIED


VOTING RECORD

AYES	NOES
Ruzicka	
Lord Mayor Christie	
Deputy Lord Mayor Sexton	
Cocker	

COMMITTEE RESOLUTION:

- That: 1. The Council endorse the proposed positions as contained in Attachment A to this item in respect to motions for the Local Government Association of Tasmania General Meeting to be held on Wednesday 25 July 2018.
2. The Lord Mayor or his nominee be given the authority to vote on issues which arise in the course of the LGAT General meeting after taking advice from the General Manager.

Attachment

- A LGAT Motions - Suggested Position and Background Comments - Finance and Governance Committee Amendments of 17 July 2018 ⇒ 

Delegation: Council

**6.5 Public Spaces By-law, No. 4 of 2018
Parking By-law, No. 5 of 2018
File Ref: F18/76135**

LORD MAYOR

That the recommendation contained in the report of the Manager Legal and Governance and the Deputy General Manager of 12 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker

COMMITTEE RESOLUTION:

- That: 1. The Council notes the submissions made to it in relation to the Parking By-law and the Public Spaces By-law, marked as Attachments A, B, C and D to item 6.5 of the Open Finance and Governance Committee agenda of 17 July 2018, pursuant to s159 of the *Local Government Act 1993*.
2. The Council resolves by absolute majority to amend the Public Spaces By-law marked as Attachment E to item 6.5 of the Open Finance and Governance agenda of 17 July 2018.

3. The General Manager be authorised to arrange the necessary actions to enact the By-law.

Delegation: Council

LORD MAYOR

That Alderman Harvey be co-opted to the Committee.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker

6.6 Hobart: A Community Vision for Our Island Capital - Final Document
File Ref: F18/77491; 2017-0189-01

HARVEY

That the recommendation contained in the report of the Project and Research Officer and the Acting Associate Director Community Development of 11 July 2018, be adopted, amended by an additional clause to read as follows:

- “3. A media release be prepared and distributed at the appropriate time.”

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

COMMITTEE RESOLUTION:

- That: 1. The Council receive and note the updated vision document, Hobart: A community vision for our island capital marked as Attachment A to item 6.6 of the Open Finance and Governance agenda of 17 July 2018.
2. The Council endorse the final vision document to guide the City of Hobart's work into the future.
3. A media release be prepared and distributed at the appropriate time.

Delegation: Council

6.7 Annual Aldermanic Representation on External Bodies & Membership of the Tasmanian Polar Network
File Ref: F18/71971

COCKER

That the recommendation contained in the report of the General Manager of 11 July 2018, be adopted, be amended by the addition of the following clauses:

- "3. Any further reports from Aldermen be submitted to the next meeting of the Finance and Governance Committee.
4. Issues raised by Alderman Cocker in his report on the Wellington Park Management Trust and by the General Manager be referred to the Parks and Recreation Committee for further consideration."

MOTION CARRIED

VOTING RECORD

AYES



NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

COMMITTEE RESOLUTION:

- That: 1. The written reports marked as Attachment A and B to the Open Finance and Governance agenda of 17 July 2018, together with the verbal and tabled reports by the following Alderman at the Finance and Governance Committee meeting of the 17 July 2018 with respect to their representation on external bodies for the period 1 January 2017 to 30 June 2018 be received and noted:
- (i) Alderman Ruzicka: Friends of Soldiers Memorial Avenue Inc
Martime Museum of Tasmania Inc
 - (ii) Alderman Cocker: Wellington Park Management Trust
2. The Council continue its annual membership of the Tasmanian Polar Network to be funded from the Economic Development Function of the 2018/2019 Annual Plan.
3. Any further reports from Aldermen be submitted to the next meeting of the Finance and Governance Committee.
4. Issues raised by Alderman Cocker in his report on the Wellington Park Management Trust and by the General Manager be referred to the Parks and Recreation Committee for further consideration.

Attachments

- A Alderman Ruzicka - Tabled Report - Friends of Soldiers Memorial Avenue Inc ⇒ 
- B Alderman Ruzicka - Tabled Report - Maritime Museum of Tasmania Inc ⇒ 

Delegation: Council

**6.8 Council of Managers of National Antarctic Programs (COMNAP) - Annual General Meeting - August 2020- Request to Use Town Hall
File Ref: F18/79201**

DEPUTY LORD MAYOR

That the recommendation contained in the report of the Group Manager City Government and Customer Relations and the Deputy General Manager of 12 July 2018, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

COMMITTEE RESOLUTION:

- That: 1. The Council approve the request from the Australian Antarctic Division to use the Town Hall for the 2020 COMNAP Annual General Meeting, to be conducted from 2-7 August, at no charge.
2. The General Manager be authorised to waive the hire fees associated with the use of the Town Hall for the event.
3. Details of the fees waived be included in the 2020/21 Annual Report, in accordance with the Council's policy in relation to grants and benefits.

Delegation: Council

6.9 Stakeholder Relations and Advocacy with Local, State and Federal Tiers of Government
File Ref: F18/78472

HARVEY

That the recommendation contained in the report of the General Manager of 12 July 2018, be adopted, as amended by the insertion of the words *and the agendas and minutes from the meetings with the key stakeholder groups be published on the Aldermanic hub.* after the word *noted*.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

COMMITTEE RESOLUTION:

That the information be received and noted and the agendas and minutes from the meetings with the key stakeholder groups be published on the Aldermanic hub.

Delegation: Committee

6.10 Weather Event - Update
File Ref: F18/79426

HARVEY

That the recommendation contained in the report of the General Manager of 12 July 2018, be adopted, amended by the addition of the following clauses:

- “3. A briefing be provided to Aldermen on the Weather Event prior to the Council meeting on 23 July 2018.
4. Appropriate regular media releases be distributed to keep the public informed.”

MOTION CARRIED

VOTING RECORD

AYES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

NOES

COMMITTEE RESOLUTION:

- That: 1. The information be received and noted.
2. The General Manager continue to keep the Council updated on the outcomes of the weather event on a no less than quarterly basis.
 3. A briefing be provided to Aldermen on the Weather Event prior to the Council meeting on 23 July 2018.
 4. Appropriate regular media releases be distributed to keep the public informed.

Delegation: Committee

Item 8.1 was then taken.

7. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

7.1 Informal Vote

File Ref: F18/78454; 13-1-9

BURNET

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Burnet

COMMITTEE RESOLUTION:

Motion:

"The last Local Government election continued a trend of low voter participation in the Hobart municipality. Additionally, many ballot papers were not completed properly, and therefore were counted as informal.

This motion requests that:

1. A report be prepared that determines ways to address Hobart's low rates of voter participation and the high number of informal votes cast particularly for the position of alderman in the 2014 Hobart Council election
2. The report determine how best to address both issues-to increase voter participation and to ensure successful completion of ballot papers to make their vote count in the forthcoming 2018 Hobart elections.
3. That consideration be given to "how to make your vote count" advertising that is specific for Hobart electors, and lobbying both the state government and Tasmanian Electoral Commission to also run an active education campaign to address these and any other anomalies identified.
4. Consideration also be given to reviewing the process for applying to be included on the General Manager's role, to ensure it is sufficiently robust for people to participate
5. The report also consider setting targets for attaining more successful participation of eligible voters."

Rationale:

“Council elections will occur in September and October 2018. The last Hobart Council election recorded both the lowest voter participation of any Local Government Area and the highest rate of informal votes, 7.6% for aldermen.

From the TEC Report of the Hobart election of 2014:

https://www.tec.tas.gov.au/Info/Publications/LocalGovernmentElectionReports/Current_Reports/Individual_Reports/2014%20Hobart%20City%20Council%20election%20report.pdf

“37 624 Hobart City electors were enrolled for the 2014 elections, comprising 35 810 (95.18%) from the State House of Assembly roll and 1 814 (4.82%) from the General Manager’s roll. 51.70% of Hobart City electors returned their ballot papers in comparison with 54.58% statewide.”

The high rate of informal votes counted at the last Council election, and the relatively low rate of participation in Hobart City Council elections, suggests a gap in effective democracy. The poor turnout is a pattern, with Hobart percentages consistently below the state average. This motion looks to increase voter participation in Hobart municipal elections.

The last election had a field of 30 candidates for Alderman/councillor, and this large number may have contributed to the high rate of informal votes.

This motion looks at ways of promoting voter participation for the Hobart municipal elections, and how voters can cast an effective ballot.

The responsibility to improve effective voter participation is both that of the TEC, and HCC. Whilst Hobart City Council has previously lobbied for compulsory voting, this issue is not part of this motion.”

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 Local Government elections.”

Delegation: Council

Item 6.1 was then taken.

8. COMMITTEE ACTION STATUS REPORT

8.1 Committee Actions - Status Report **File Ref: F18/78432; 18/17**

DEPUTY LORD MAYOR

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
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 Parking University Sandy Bay Campus **File Ref: F18/74513; 13-1-10**

DEPUTY LORD MAYOR

That the information be received and noted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Ruzicka
Lord Mayor Christie
Deputy Lord Mayor Sexton
Cocker
Harvey

Delegation: Committee

10. QUESTIONS WITHOUT NOTICE

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

10.1 Lord Mayor - Myer - Development Assistance Deed **File Ref: 13-1-10**

Question: Can the General Manager advise if Myer reached the financial goal for gross sales in accordance with the Development Assistance Deed?

Answer: The General Manager advised that Myer did not reach the financial goal for gross sales as stated in the Development Assistance Deed (the Deed). Audited accounts from Myer have been received. External legal advice from Cam Jones and Associates and external financial advice from KPMG has been sought to provide assurance that the information provided by Myer has met the conditions of the Deed with regards to gross sales. This advice concludes that the requirements of the Deed have been met so the Council must pay the amount as stipulated in the Deed. The General Manager further advised that given he has financial delegation from the Council, he intends to make payment to Myer in the next day or so.

10.2 Deputy Lord Mayor - Myer - Development Assistance Deed - Gross Sales **File Ref: 13-1-10**

Question: Can the General Manager advise what constitutes gross sales under the Deed agreement. Does this include on line sales?

Answer: The General Manager took the question on notice.

10.3 Alderman Cocker - General Manager Roll **File Ref: 13-1-10**

Question: Can the General Manager advise if the Council has legislative authority to cease with the General Manager Roll?

Answer: The General Manager advised that no, the Council does not have the legislative authority to cease with the General Manager Roll. Section 258 of the *Local Government Act 1993* prescribes for the General Manager to keep in a manner determined by the Electoral Commissioner, an electoral roll in respect of each electoral area.

11. CLOSED PORTION OF THE MEETING

COCKER

That the Council 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:

- information of a personal and confidential nature

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	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)(i), (c)(ii), (f), (g), (i), (j), e(i) and e(ii)
Item No. 6	Questions Without Notice

MOTION CARRIED

VOTING RECORD

AYES	NOES
Ruzicka	
Lord Mayor Christie	
Deputy Lord Mayor Sexton	
Cocker	
Harvey	

Delegation: Committee

There being no further business the open portion of the meeting closed at 6:45 pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
14TH DAY OF AUGUST 2018.

CHAIRMAN