



City of **HOBART**

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Our Ref: 16/119-001

PAJ:PAJ

23 July 2021

Mr Brian Corr

Via Email: brian@corr.net.au

Dear Mr Corr,

PUBLIC QUESTION TIME

I refer to your public question asked at the Council meeting of 5 July 2021 in relation to the legal expenses incurred by Alderman Marti Zucco in responding to two code of conduct complaints made by yourself.

Specifically, you asked:

What were the costs of:

- 1. Legal advice before, during, and after, the Panel's decision, given to Alderman Zucco, and, if any, to the City of Hobart?*
- 2. The Code of Conduct Panel?*
- 3. Time spent on the matter by City of Hobart staff?*
- 4. Any other cost(s) not included in 1 to 3?*

What amount was paid by each of the following:

- 1. City of Hobart i.e. ratepayers?*
- 2. Insurance policies or the like?*
- 3. Alderman Zucco himself?*
- 4. Any others not included in 1 to 3?*

RESPONSE:

In accordance with the Elected Member Development and Support Policy ("the Policy") and in accordance with Clause 1(2)(b) of Schedule 5 of the *Local Government Act 1993* ("the Act"), an elected member can be reimbursed their reasonable legal expenses in a circumstance where they are defending or

responding to a claim, action or demand made by a third party against the elected member.

Alderman Zucco sought reimbursement of **legal expenses** to defend the Code of Conduct complaints brought against him totalling **\$30,500** excluding GST.

In accordance with the Policy, officers obtained **third party legal advice** in relation to whether the reimbursement sought met the criteria of the Policy. The cost of this advice was in the order of **\$3,031.60** including GST.

The City of Hobart made a claim through its insurance provider which resulted in the City being **reimbursed** a total of **\$20,968.33** excluding GST.

The **cost of the Code of Conduct Panel's** determination in relation to the two complaints were **\$2,555.85** and **\$10,282.25** respectively.

It is not possible to accurately quantify the time spent on this matter by Council officers however, it would include the time required to execute the statutory requirements associated with a code of conduct complaint being made, time associated with obtaining third party legal advice, processing of the reimbursement claim, lodgement of an insurance claim and preparing a response to your questions.

Lastly, I am unable to comment on any additional personal costs Alderman Zucco may have incurred through this process, I am only aware of those he sought reimbursement for.

Yours sincerely



(Kelly Grigsby)
CHIEF EXECUTIVE OFFICER

Code of Conduct Determination

Ald Zucco found guilty of 21 breaches

+ 30,500 Zucco's legal expenses
+ 3,032 3rd party legal advice
+ 2,556 Code of Conduct Panel
+ 10,282 Code of Conduct Panel

+ 46,370 Total Cost

- 20,968 Insurance recoup

+ 25,402 Paid by ratepayers

Highlights and summary added