



# CITY OF HOBART MINUTES

OPEN PORTION  
WEDNESDAY, 27 JANUARY 2021  
AT 5:00 PM  
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.



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## ORDER OF BUSINESS

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**PRESENT:**

The Lord Mayor Reynolds Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen M Zucco, J R Briscoe, D C Thomas, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Ewin, Z E Sherlock and W N S Coats.

**APOLOGIES:**

Nil.

**LEAVE OF ABSENCE:**

Alderman Dr P T Sexton.

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Thursday, 17 December 2020](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BRISCOE  
BURNET

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

The minutes were signed.

## **2. TRANSFER OF AGENDA ITEMS**

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Are there any items, which the meeting believes, should be transferred from this agenda to the closed agenda or from the closed agenda to the open agenda, in accordance with the procedures allowed under Section 15 of the *Local Government (Meeting Procedures) Regulations 2015*?

No items were transferred.

## **3. COMMUNICATION FROM THE CHAIRMAN**

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### **3.1 Australia Day Awards**

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The Lord Mayor acknowledged the recipients of the 2021 City of Hobart Australia Day Awards presented by the Deputy Lord Mayor at the Citizenship Ceremony at Long Beach, Sandy Bay on Tuesday 26 January 2021.

The City of Hobart 2021 Citizen of the Year recipient is Vicki Chapman. Vicki's award is in recognition of her long-term and ongoing commitment to promoting the arts.

The City of Hobart 2021 Young Citizen of the Year recipient is Sheng-Yuan Lynch, a talented pianist who in 2020 raised a mammoth \$110,000 for the Red Cross Australia Disaster Relief bushfire appeal through a charity piano concert.

The Community Event of the Year was awarded to the Show Hope Program, implemented by the Wellspring Anglican Church to provide food relief to those most in need as a result of COVID-19.

The Lord Mayor also acknowledged the 2021 Australian of the Year and first Tasmania recipient of the award in its 61 year history, Grace Tame.

Grace was awarded the 2021 Australian of the Year for her advocacy for childhood sexual abuse survivors.

### **3.2 Passing of Mr Ali Sultan**

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The Lord Mayor acknowledged the passing of Mr Ali Sultan.

The meeting noted Mr Ali Sultan's passion for Hobart and the significant contribution he made to the City since his arrival in 1972.

From humble beginnings Mr Sultan established a significant commercial, retail, tourism and residential property portfolio to become a leading property investor and developer in Tasmania.

His developments included:

- Mantra Hotel, Collins Street
- Savoy Hotel and Baths Complex
- Vodafone building
- Wellington Centre
- Several car parks including Market Place and Montpelier Retreat
- The airport hotel and service station at Cambridge

Mr Sultan was someone who loved and cared for our City and he will be sorely missed.

### **3.3 Passing of Mr Bill Mearns**

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The meeting also acknowledged the passing of Mr Bill Mearns, a Hobart maritime artist.

Mr Mearns was a well-known maritime artist throughout Australia with a strong following in Hobart. His works have been collected in Australia, the United Kingdom, Canada, the USA, Italy, New Zealand, Japan and the Netherlands.

ZUCCO  
THOMAS

That the meeting observe a minute's silence and send its condolences to the families of both gentlemen.

MOTION CARRIED

#### VOTING RECORD

AYES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

NOES

The meeting observed a minute's silence.

#### **4. NOTIFICATION OF COUNCIL WORKSHOPS**

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In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the General Manager reports that no Council workshops have been conducted since the last ordinary meeting of the Council.

#### **5. PUBLIC QUESTION TIME**

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No questions were received.

#### **6. PETITIONS**

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No petitions were received.

#### **7. 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 Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

No supplementary items were received.

#### **8. 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*.

Elected members 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 Council has resolved to deal with.

No interest was indicated.

## REPORTS OF COMMITTEES

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### CITY PLANNING COMMITTEE

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#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

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In accordance with the provisions of Part 2 Regulation 25 of the *Local Government (Meeting Procedures) Regulations 2015*, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted.

In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under this heading on the agenda, inclusive of any supplementary items.

The Council is reminded that in order to comply with Regulation 25(2), the General Manager is to ensure that the reasons for a decision by a Council or Council Committee acting as a planning authority are recorded in the minutes.

##### 9.1 109-113 Liverpool Street, Hobart - Signage PLN-20-698 - File Ref: F20/136469

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Ref: Open [CPC 7.2.3](#), 18/01/2021  
Application Expiry Date: 27 January 2021

That pursuant to the *Hobart Interim Planning Scheme 2015*, and section 39(10) of the *Historic Cultural Heritage Act 1995*, the Council refuse the application for signage, at 109-113 Liverpool Street, Hobart for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E17.7.2 P1 of the *Hobart Interim Planning Scheme 2015* because the above awning sign is of a size, design, location, has modern trademarks, has fixings and is illuminated in a manner that does not complement the heritage character of the place.
2. Because the application has been refused by the Tasmanian Heritage Council pursuant to section 39(6)(c) of the *Historic Cultural Heritage Act 1995*. Refer Notice of Heritage Decision reference 6378 dated 10 December 2020 marked as Attachment B to item 7.2.3 of the Open city Planning Committee agenda of 18 January 2021.

BURNET  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

**9.2 Amendment PSA-20-2 - Hobart Interim Planning Scheme 2015 - 321-323A to 325 Elizabeth Street and 16A Lefroy Street**  
**File Ref: F20/134169**

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Ref: Open [CPC 7.3.1](#), 18/01/2021

- That: 1. Pursuant to Section 34(1) (a) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council resolve to initiate an amendment to the Hobart Interim Planning Scheme 2015 to modify the Inner Residential Zone Use Table to include Vehicle Parking as a discretionary use with the qualification “only if at 321-323A Elizabeth Street (CT 137808/1 and 2); or 325 Elizabeth Street (CT 176661/1 and CT 137807/1); or 16A Lefroy Street (CT 112639/1 and CT 112639/2)”, as indicated in the revised Inner Residential Use Table provided in Attachment B to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.
2. The applicant submit landowner consent from the City of Hobart General Manager as landowner of 16A Lefroy Street (CT 112639/1 and CT 112639/2) and the Director of Housing as landowner of 45A Burnett Street (CT 121837/1) prior to public exhibition of the amendment.
3. Pursuant to Section 35 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council certify that the amendment to the Hobart Interim Planning Scheme 2015 PSA-20-2 meets the requirements of Section 32 of the former provisions of the *Land Use Planning and Approvals Act 1993* and authorise the General Manager and the Deputy General Manager to sign the Instrument of Certification marked as Attachment E to item 7.3.1 of the Open City Planning Committee agenda of 18 January 2021.

4. Pursuant to Section 38 of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council place Amendment PSA-20-2 to the Hobart Interim Planning Scheme 2015 on public exhibition for a 28 day period following certification.

BURNET  
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

**10. Southern Tasmania Regional Land Use Strategy - Proposed Review Process and Draft New Policy - Submission to the Minister for Planning  
File Ref: F21/324**

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Ref: Open [CPC 8.1](#), 18/01/2021

That the Council endorse the submission to the Minister for Planning, in response to a roadmap for review of the Southern Tasmania Regional Land Use Strategy 2010-2035 and a proposed new interim policy relating to urban zoning beyond the Urban Growth Boundary, as shown in Attachment A to item 8.1 of the Open City Planning Committee agenda of 18 January 2021.

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

**11. Monthly Building Statistics - 1 December - 31 December 2020**  
**File Ref: F21/1139**

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Ref: Open [CPC 8.2](#), 18/01/2021

That the report of the Director City Planning be received and noted:

1. During the period 1 December 2020 to 31 December 2020, 56 building permits were issued to the value of \$11,649,479 which included:
  - (i) 31 for Extensions/Alterations to Dwellings to the value of \$4,509,648;
  - (ii) 7 New Dwellings to the value of \$2,567,000; and
  - (iii) 2 Major Projects:
    - (a) 21-27 Elizabeth Street, Hobart - Commercial Internal Alterations - \$1,167,381;
    - (b) 7 Wilks Road, Lenah Valley - New Commercial Building - \$1,100,000;
2. During the period 1 December 2019 to 31 December 2019, 61 building permits were issued to the value of \$32,977,425 which included:
  - (i) 35 for Extensions/Alterations to Dwellings to the value of

\$3,869,310;

(ii) 37 New Dwellings to the value of \$15,935,615; and

(iii) 3 Major Projects:

(a) 110 Giblin Street, New Town - Multiple New Dwellings -  
\$12,000,000;

(b) 15-17 Liverpool Street, Hobart - Brooker Highway Pedestrian  
Bridge - \$6,500,000;

(c) 254-286 Liverpool Street, Hobart - Commercial Internal  
Alterations - \$4,200,000;

3. In the twelve months ending December 2020, 641 building permits were  
issued to the value of \$180,406,244 and

4. In the twelve months ending December 2019, 621 building permits were  
issued to the value of \$341,462,108.

BURNET  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

**COMMUNITY, CULTURE AND EVENTS COMMITTEE**

**12. Tasmania's Own Market - Fee Structure**  
**File Ref: F21/2785**

Ref: Special Open [CCEC 4.1](#), 27/01/2021

- That:
1. The Council delegate to the General Manager the authority to set the stallholder fees for Tasmania's Own Market until 30 June 2021.
  2. Tasmania's Own Market stallholder fees be set between the following ranges: \$60 and \$70 for a single site; \$90 and \$100 for a double site; and \$10 power charge. All fees are GST inclusive.

SHERLOCK  
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

**FINANCE AND GOVERNANCE COMMITTEE**

**13. Giblin Street Quarry - Expressions of Interest to Lease Land**

**File Ref: F20/127125; 34-10-3/06**

Ref: Closed [FGC 4.2](#), 19/01/2021

- That:
1. Expressions of interest be sought for the lease of the upper quarry at 3B Giblin Street, Lenah Valley.
  2. A report be provided detailing the expressions of interest received.
  3. The Expression of Interest documents note:
    - (i) The presence of future road corridors within the subject land;
    - (ii) The need for any potential use to be the subject of separate approvals;
    - (iii) The need for any individual or groups leasing the area to undertake necessary works to mitigate potential rock falls;
    - (iv) Potential lessees be responsible for the connection of the site to required services (water, sewer, electricity etc);
    - (v) Potential lessees be required to undertake engagement with neighbours and other stakeholders.

ZUCCO  
EWIN

That the recommendation be adopted.

MOTION LOST

VOTING RECORD

AYES

Zucco  
Harvey  
Behrakis  
Sherlock  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Briscoe  
Thomas  
Dutta  
Ewin

THOMAS  
DUTTA

- That: 1. Due to the risks identified in relation to the structural integrity of the Giblin Street Quarry walls, the property remain undeveloped and expressions of interest not be sought for the lease of the upper quarry area at 3B Giblin Street, Lenah Valley.
2. Advice of Councils decision be relayed to proponents who have an interest in developing the property.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Harvey
Briscoe	Behrakis
Thomas	Sherlock
Dutta	Coats
Ewin	

**COUNCIL RESOLUTION:**

- That: 1. Due to the risks identified in relation to the structural integrity of the Giblin Street Quarry walls, the property remain undeveloped and expressions of interest not be sought for the lease of the upper quarry area at 3B Giblin Street, Lenah Valley.
2. Advice of Council's decision be relayed to proponents who have an interest in developing the property.

**PARKS AND RECREATION COMMITTEE**

**14. Australian Government Local Roads and Community Infrastructure Program - Grant Funding**  
**File Ref: F21/3420**

Ref: Special Open [PRC 4.1](#), 27/01/2021

- That: 1. Council approve the extension of the City's Intercity Cycleway from McVilly Drive via a pathway under the Bridge of Remembrance and onto the existing shared path along Tasman Highway.
- a. The previously approved extension of the City's Intercity Cycleway from the Regatta Grounds Car Park (adjacent to the public toilets) to the northern boundary of the Macquarie Point Development Corporation site, be deferred at this time due to the Corporation re-routing its cycleway away from Evans Street to its new service road onto the Tasman Highway.
2. The 2<sup>nd</sup> round of the Australian Government's Local Roads and Community Infrastructure Program grant funding allocation of \$1.89M be utilised for the following projects previously approved by the Council, but deferred due to financial impacts of the COVID-19 pandemic on the City's financial position:
- a. Tolmans Hill Playground New Public Toilets and BBQ facilities (\$685,000),
  - b. New Replacement Public Toilets at Long Beach Reserve (\$657,000) and
  - c. Swan Street Park Redevelopment (\$551,303).

BRISCOE  
EWIN

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

**SPECIAL REPORTS – GENERAL MANAGER**

**15. 2019-2020 Annual General Meeting**  
**File Ref: F21/723**

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BURNET  
BRISCOE

That the recommendation contained in the Special Report of the General Manager of 22 January 2021 be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	
Coats	

**COUNCIL RESOLUTION:**

That the 2019-20 Annual General Meeting be conducted at 7.30pm on Monday 22 February 2021.

**16. Works on Display in the Council Chamber**  
**File Ref: F21/4657**

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BURNET  
HARVEY

That the recommendation contained in the Special Report of the General Manager of 21 January 2021 be adopted.

**AMENDMENT**

BRISCOE  
THOMAS

That clauses 1 and 2 be amended to read as follows:

That:

1. In acknowledgement of the City of Hobart's Aboriginal heritage and in alignment with the Council's Aboriginal commitment, the General Manager be delegated to select and install Tasmanian Aboriginal artwork for permanent display.
2. As a reminder of the values of the City of Hobart and its people, the Aboriginal art work, Community Vision statement and an updated image of Queen Elizabeth II be displayed together in the Council Chamber on the wall behind the Lord Mayor's chair.

AMENDMENT CARRIED

**VOTING RECORD**

AYES	NOES
Lord Mayor Reynolds	Deputy Lord Mayor Burnet
Zucco	Harvey
Briscoe	Ewin
Thomas	
Behrakis	
Dutta	
Sherlock	
Coats	

SUBSTANTIVE MOTION CARRIED

**VOTING RECORD**

AYES	NOES
Lord Mayor Reynolds	Coats
Deputy Lord Mayor Burnet	
Zucco	
Briscoe	
Thomas	
Harvey	
Behrakis	
Dutta	
Ewin	
Sherlock	

## COUNCIL RESOLUTION:

- That:
1. In acknowledgement of the City of Hobart's Aboriginal heritage and in alignment with the Council's Aboriginal commitment, the General Manager be delegated to select and install Tasmanian Aboriginal artwork for permanent display.
  2. As a reminder of the values of the City of Hobart and its people, the Aboriginal art work, Community Vision statement and an updated image of Queen Elizabeth II be displayed together in the Council Chamber on the wall behind the Lord Mayor's chair.

## 17. CLOSED PORTION OF THE MEETING

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That the Council resolve by absolute 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 following items were discussed:-

- Legal action involving the Council.
- Proposal for land that Council has an interest in.
- Commercial information of a confidential nature.

- |              |  |
|--------------|--|
| Item No. 1   | Minutes of the last meeting of the Closed Portion of the Council Meeting |
| Item No. 2   | Communication from the Chairman  |
| Item No. 3   | Leave of Absence   |
| Item No. 4   | Consideration of supplementary Items to the agenda                       |
| Item No. 5   | Indications of pecuniary and conflicts of interest                       |
| Item No. 6.1 | PLN-19-640 - 14 Byron Street, Sandy Bay - Appeal - Mediation             |
|              | LG(MP)R 15(4)(a)   |
| Item No. 7   | Civic Square - Expression of Interest Process                            |
|              | LG(MP)R 15(2)(b), (f) and (g)  |

BURNET  
ZUCCO

That the recommendation be adopted.

MOTION CARRIED BY  
ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Ewin  
Sherlock  
Coats

There being no further business Open Portion of the meeting closed at 6.38pm.

TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
9<sup>TH</sup> DAY OF FEBRUARY 2021.

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**CHAIRMAN**