



CITY OF HOBART

AGENDA

Community, Culture and Events Committee Meeting

Open Portion

Thursday, 30 June 2022

at 5.30 pm

Council Chamber, Town Hall

THE MISSION

Working together to make Hobart a better place for the community.

THE VALUES

The Council is:

People	We care about people – our community, our customers and colleagues.
Teamwork	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
Focus and Direction	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
Creativity and Innovation	We embrace new approaches and continuously improve to achieve better outcomes for our community.
Accountability	We are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

ORDER OF BUSINESS

Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

APOLOGIES AND LEAVE OF ABSENCE

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**Community, Culture and Events Committee Meeting (Open Portion) held
Thursday, 30 June 2022 at 5.30 pm in the Council Chamber, Town Hall.**

This meeting of the Community Culture and Events Committee is held in accordance with a Notice issued by the Premier on 31 March 2022 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

COMMITTEE MEMBERS

Councillor Dr Z Sherlock (Chairman)
Alderman Dr P T Sexton
Councillor W F Harvey
Councillor M Dutta
Councillor J Fox

Apologies:

Leave of Absence: Nil.

NON-MEMBERS

Lord Mayor Councillor A M Reynolds
Deputy Lord Mayor Councillor H Burnet
Alderman M Zucco
Alderman J R Briscoe
Alderman D C Thomas
Alderman S Behrakis
Councillor W Coats

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

2. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the Community, Culture and Events Committee meeting held on [Thursday, 5 May 2022](#), are submitted for confirming as an accurate record.

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 Chief Executive Officer.

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 conflict 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.

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?

6. REPORTS

6.1 Salamanca Market By-Law No.1 of 2022 **File Ref: F22/46521; S33-060-02/38**

Report of the Senior Commercial Advisor Salamanca Market and the Director City Futures of 20 June 2022 and attachments.

Delegation: Council

REPORT TITLE: SALAMANCA MARKET BY-LAW NO.1 OF 2022

REPORT PROVIDED BY: Senior Commercial Advisor Salamanca Market
Director City Futures

1. Report Purpose and Community Benefit

- 1.1. The purpose of this report is to present submissions received as a result of the statutory consultation for the Salamanca Market By-Law No. 1 of 2022.

2. Report Summary

- 2.1. The current Salamanca Market By-Law No. 1 of 2010 expired on 26 May 2020.
- 2.2. The new Salamanca Market By-Law No. 1 of 2022 (**Attachment A**) has been drafted and considered by the Council on 11 April 2022.
- 2.3. At that meeting the Council provided delegation to advertise the public consultation process.
- 2.4. A public consultation period inviting submissions commenced on Wednesday, 20 April 2022 and concluded on Tuesday, 17 May 2022.
- 2.5. One submission was received during the public consultation period (**Attachment B**).
- 2.6. The City's Legal Officer has reviewed the submission and has advised that the content raised in the submission are operational matters which has no relevance to the Salamanca Market By-Law No. 1 of 2022.
- 2.7. As a result of this advice, no changes to the draft by-law have been made.

3. Recommendation

That the Council delegate authority to the Chief Executive Officer to take the remaining necessary steps to create the Salamanca Market By-Law No. 1 of 2022 marked as Attachment A to this report.

4. Background

- 4.1. The current Salamanca Market By-Law No. 1 of 2010 expired on 26 May 2020 and city officers have been working closely with the Director of Local Government and Simmons Wolfhagen to renew the by-law.

- 4.2. The Director of Local Government issued a Certificate of Compliance dated 9 February 2022 and instructed the City to undertake a statutory consultation period.
- 4.3. The new Salamanca Market By-Law No. 1 of 2022 (**Attachment A**) has been drafted and considered by the Council on 11 April 2022.
- 4.4. At that meeting the Council provided delegation to the CEO to advertise the public consultation process.
- 4.5. The public consultation commenced on Wednesday 20 April 2022 and concluded on Tuesday 17 May 2022.
- 4.6. The by-law was made available for public comment through the City's engagement platform 'Your Say' and this was circulated to all Salamanca Market stallholders and other key stakeholders.
- 4.7. An advertisement was placed in the Mercury newspaper on Wednesday 20 April 2022 and a copy of the by-law was made available for inspection at the Council's Customer Service Centre during business hours during the consultation period.

5. Proposal and Implementation

- 5.1. One submission was received during the public consultation period (**Attachment B**).
- 5.2. The City's Legal Officer has reviewed the submission and has advised that the content raised in the submission are operational matters which has no relevance to the Salamanca Market By-Law No. 1 of 2022.
- 5.3. In considering this advice, no changes to the draft by-law have been made.
- 5.4. The matters raised in the received submission will be considered in the operational planning of security at Salamanca Market and the ongoing efforts in this space.

6. Strategic Planning and Policy Considerations

- 6.1. The by-law is compatible with the Capital City Strategic Plan 2019-2029:
 - 3.1.5 Support and deliver events, festivals and markets.
 - 8.1.1 Practise integrity, accountability, strong ethics and transparency in the City's governance, policymaking and operations.

7. Financial Implications

- 7.1. Funding Source and Impact on Current Year Operating Result
 - 7.1.1. Not applicable

7.2. Impact on Future Years' Financial Result

7.2.1. Infringements permitted under the Salamanca Market By-Law No. 1 of 2022 is budgeted for \$4160.00 in 2022-2023.

7.3. Asset Related Implications

7.3.1. Not applicable

8. Legal, Risk and Legislative Considerations

8.1. The Council has the power to create by-laws under Section 145 of the *Local Government Act 1993* ('the Act').

9. Community and Stakeholder Engagement

9.1. The City has completed the mandatory public consultation period utilising the Your Say platform, an advertisement in The Mercury and a copy of the by-law being available for inspection at the Council's Customer Service Centre.

9.2. The Legal Officer has reviewed the submission and provided advice.

10. Delegation

10.1. The Council has delegation in this matter.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Taryn Townsend
SENIOR COMMERCIAL ADVISOR
SALAMANCA MARKET



Katy Cooper
DIRECTOR CITY FUTURES

Date: 20 June 2022
File Reference: F22/46521; S33-060-02/38

Attachment A: Draft Salamanca Market By-Law No. 1 of 2022 ↓ 
Attachment B: Submission received addressing the draft Salamanca Market By-Law No.1 of 2022 ↓ 

HOBART CITY COUNCIL**SALAMANCA MARKET BY-LAW****BY-LAW No. 1 of 2022****TABLE OF CONTENTS**

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HOBART CITY COUNCIL
SALAMANCA MARKET BY-LAW
BY-LAW No. 1 of 2022

PART 1 – PRELIMINARY

1. This by-law is made pursuant to section 145 of the Act for the purpose of managing and controlling conduct in relation to the Salamanca Market.
2. This by-law may be cited as the Salamanca Market By-law.
3. This by-law applies to Salamanca Place in Hobart and the surrounding road reserve, including the footpaths.
4. In this by-law:
 - Act** means the *Local Government Act 1993*;
 - authorised officer** means an employee or contractor of the Council authorised by the Chief Executive Officer for the purposes of this by-law, and any reference to an authorised officer in this by-law includes the Market Supervisor;
 - bicycle** has the same meaning as in the Road Rules;
 - Chief Executive Officer** has the same meaning as 'General Manager' under the Act;
 - Council** means Hobart City Council;
 - Fee Unit** means the sum as prescribed under the provisions of *the Fee Unit Act 1997*;
 - market area** means that part of Salamanca Place, Hobart which is closed to facilitate the Salamanca Market being held, including the surrounding footpaths and other land under the control of the Council, or

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any part of it, as specified in a market notice;

market day means the period of time on any day on which Salamanca Place, or any part of it, is closed to facilitate the Salamanca Market being held, as specified in a market notice;

market notice means a notice published pursuant to section 189(2) of the Act;

Market Supervisor means any person who is authorised by the Chief Executive Officer to act in that capacity;

meeting means any assembly of people and includes a parade, performance, spectacle, entertainment, exhibition, rally, march, demonstration or other event which causes or is likely to cause people to assemble;

motor vehicle has the same meaning as in the Road Rules;

motorised scooter has the same meaning as in the Road Rules;

municipal area has the same meaning as it does in the Act;

occupy and occupying includes:

- (a) to place tables and chairs, umbrellas, signs or barriers to enable the service of food or beverages;
- (b) to fence or divide any part of a market area to exclude members of the public; and
- (c) to erect any temporary structure;

owner means, in relation to a vehicle:

- (a) the person or people who are registered as the owner of a vehicle under the *Vehicle and Traffic Act 1999*, or any corresponding enactment or ordinance of a State or Territory of the Commonwealth; or
- (b) a person who has use of the vehicle under a hiring or a hire-purchase agreement;

at the time at which there was a contravention of this by-law with that vehicle;

permit means:

- (a) a current permit or other written approval (including a booking confirmation provided by electronic means) granted pursuant to this by-law;

providing that:

- (b) if the permit or written approval was issued for a certain time period, that time period has not expired; or
- (c) if the permit or written approval was issued for a certain event, that event has not yet taken place;

permit holder means a person who holds a permit;

person means an individual, partnership, corporation or other legal entity (other than the Crown) and their authorised contractors and employees;

Road Rules means the *Road Rules 2019*;

Salamanca Market means any market operated by the Council pursuant to section 189(1)(a) of the Act and held on Salamanca Place, Hobart;

scooter has the same meaning as in the Road Rules;

signboard means any board, sign, plaque, or banner which in any way makes an announcement or is an advertisement for any restaurant, shop, place of business, product, wares or any other thing which is not permanently attached to any building or other structure;

stallholder means a person who has entered into a stallholder agreement;

stallholder agreement means a current agreement entered into between a person and the Council, pursuant to section 189(1)(a) of the Act to operate in the market area;

stall site means part of the market area which has been designated by the Council or the Market Supervisor as an area to be used for a stall at the Salamanca Market;

vehicle has the same meaning as in the Road Rules;

wares includes any subscription, good, thing, article, or matter, and any food, or article of food, within the meaning of the *Food Act 2003*;

wheeled recreational device has the same meaning as in the Road Rules.

PART 2 – STALLHOLDERS

Obligations of stallholders

5. A stallholder must comply with the terms of the stallholder agreement.

Penalty: 2 penalty units

Waste and refuse

6. A stallholder must not dispose of or leave any dirt, filth, offal or trade waste or any other refuse in any stall site or within the market area.

Penalty: 2 penalty units

Cleanliness of stalls

7. A stallholder, during its occupation of a stall site, must maintain that stall site in a clean and sanitary condition.

Penalty: 2 penalty units

Production of a stallholder agreement

8. A stallholder must produce evidence of the stallholder agreement immediately when requested to do so by a police officer or an authorised officer, and the stallholder must answer all questions which are reasonably necessary to establish that the person holds a

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stallholder agreement in good faith.

Penalty: 2 penalty units

PART 3 – PROHIBITIONS

Division 1 – Control of stall sites & other market areas

Occupation of stall site

9. A person must not occupy a stall site unless they have entered into a stallholder agreement and have been allocated that stall site for that market day by the Market Supervisor.

Penalty: 2 penalty units

Occupation of market area

10. A person must not occupy any market area, other than a stall site, unless they have entered into a stallholder agreement or have been granted a permit to do so.

Penalty: 2 penalty units

Surrender of stall site or market area

11. Any person who is using or occupying a stall site or any market area in breach of this by-law must immediately cease using or occupying the stall site or market area as directed to do so by the Market Supervisor.

Penalty: 5 penalty units

Division 2 – Commercial conduct

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Offer wares or services

12. A person must not offer or expose for sale any wares or offer any services in a market area, whether in exchange for money or otherwise, unless the person has entered into a stallholder agreement.

Penalty: 2 penalty units

Setting up stalls

13. A person must not set up, place, keep, maintain or park any stall in a market area to sell wares or to pursue any business, trade or employment unless the person has entered into a stallholder agreement.

Penalty: 2 penalty units

Display of items

14. A person must not adhere, display, exhibit, promote a petition or distribute any advertisement, book, card, handbill, notice, pamphlet, paper, picture, placard, sticker or other thing whatsoever in a market area, except:
- (a) on any area specifically designated by the Council or the Chief Executive Officer for that purpose; or
 - (b) if the person has obtained a permit to do so.

Penalty: 2 penalty units

Prohibited item, ware or service in the market area

15. A person must not in the market area display, sell or offer for sale any item, ware or service that may reasonably be considered by an authorised officer to be indecent, obscene or offensive.

Penalty: 2 penalty units

Division 3 – Control of animals

16. This Division does not apply to guide dogs as defined in the *Guide Dogs Guide Dogs and Hearing Dogs Act 1967 (Tas)* or an assistance animal as defined in the *Disability Discrimination Act 1992 (Cth)*.

Control of animals in market areas

17. A person who is the owner or keeper of an animal must not allow the animal to be in a market area, including on or inside a vehicle, unless the animal is suitably secured in an area which has been designated by the Chief Executive Officer or Market Supervisor for that type of animal.

Penalty: 2 penalty units

Division 4 – Control of vehicles

Driving in a market area

18. A person must not drive a motor vehicle in the market area between 5.30 am and 6.00 pm on a market day unless, the person is a stallholder or permit holder or a person who is working with or assisting the stallholder or permit holder and that person is complying with any direction of an authorised officer.

Penalty: 2 penalty units

Parking in a market area

19. A person must not park a motor vehicle in the market area between

5.30 am and 6.00 pm on a market day unless, the person is a stallholder or permit holder, or a person who is working with or assisting the stallholder or permit holder, and that person is complying with any direction of an authorised officer.

Penalty: 2 penalty units

Other vehicles

20. A person must not use a wheeled recreational device, bicycle, scooter or motorised scooter in the market area, other than to park them in an area which has been designated by the Chief Executive Officer or Market Supervisor for that purpose.

Penalty: 2 penalty units

Powers of authorised officers

21. An authorised officer may:
- (a) give reasonable directions to the driver, user or the occupants of a vehicle in a market area;
 - (b) prohibit any vehicle from being taken or being allowed to remain on any part of a market area; or
 - (c) require any vehicle to be removed from any road or place in a market area.

Division 5 – Interacting with others**Noisy activities**

22. A person must not in the market area:
- (a) deliver any address or speak to an assembly of people;
 - (b) play any musical instrument or sing;

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- (c) use or operate any television, radio, loudspeaker, record player, tape recorder, compact disc player or any other method of amplifying or playing speech and/or music recorded or otherwise; or
- (d) conduct any amusement or entertainment for financial reward; unless the person has first obtained a permit.

Penalty: 2 penalty units

Meetings

23. A person must not conduct, take part or attend a meeting in or on a market area unless that meeting has been authorised by a permit.

Penalty: 2 penalty units

Tours

24. A person must not, in a market area, act as a guide to organised tours or to individuals to provide assistance or information about matters including architecture, history and cultural matters unless authorised to do so by a permit.

Penalty: 2 penalty units

Sporting activities

25. A person must not engage in sporting activities in a market area, whether or not the participants have paid any fee for participating, unless that sporting activity has been authorised by a permit.

Penalty: 2 penalty units

Division 6 – Miscellaneous**Power to close Salamanca Market**

26. The Chief Executive Officer may close the Salamanca Market at any time and for any reason deemed appropriate by the Chief Executive Officer.

PART 4 – PERMITS**Granting permits**

27. A permit may be granted under this by-law by:
- (a) the Chief Executive Officer; or
 - (b) any electronic method authorised by the Chief Executive Officer, including via Council's website or an application operated by or on behalf of Council.
28. No provision of this by-law is to be construed as preventing the Chief Executive Officer from referring any application for a permit to the Council.

Applications

29. Any application for a permit pursuant to this by-law is to be:
- (a) in accordance with any form approved by the Chief Executive Officer;
 - (b) accompanied by the relevant prescribed fee per application, if any, specified in Schedule 2 to this by-law; and
 - (c) where applicable, must be accompanied by the following:
 - (i) a statement in writing of the type of activity proposed to be undertaken by the applicant and the period in which it is proposed to be carried out;

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- (ii) a scaled drawing showing the location and extent of the proposed activity;
 - (iii) approvals from relevant authorities;
 - (iv) evidence of current public liability insurance or other relevant insurance; and
 - (v) such other information that the Chief Executive Officer may reasonably require.
30. In deciding whether or not to grant a permit pursuant to this by-law, the Chief Executive Officer may have regard to the following and any other relevant matters:
- (a) the type of activity proposed;
 - (b) the location of that activity;
 - (c) the impact or risk of the proposed activity to public safety, the environment or amenity; and
 - (d) any comments made by any employee of the Council, by a police officer or an employee of the Tasmania Fire Service in relation to the application.

Permits

31. A permit granted under this by-law must be in writing and may be granted under such terms and conditions as the Chief Executive Officer considers appropriate. Those conditions may include:
- (a) a restriction on the type of activity;
 - (b) a restriction on the period in which the activity may be carried out;
 - (c) the precautions to be observed while the activity is being carried out;
 - (d) the requirement for supervision or control of the activity;
 - (e) the record to be kept or notification to be given in relation to any activity carried out pursuant to the permit;

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- (f) the payment of a bond to cover any damage to Council property or any cleaning required, or the provision of an indemnity to Council for any other loss or damage; or
- (g) the acceptance of responsibility for any damage to or loss of Council property as a result of the activity.

32. A permit holder must comply with the terms and conditions of the permit.

Penalty (unless otherwise specified): 2 penalty unit

Production of a permit

33. A permit holder must produce the permit immediately when requested to do so by a police officer or an authorised officer, and the permit holder must answer all questions which are reasonably necessary to establish that the person holds a permit in good faith.

Penalty: 2 penalty units

Variation of permit conditions

34. The Chief Executive Officer in its sole discretion may vary the conditions of any permit if it is considered appropriate to do so.
35. If the conditions of any permit are varied pursuant to clause 34, the Chief Executive Officer must serve a notice in writing on the permit holder stating:
- (a) the conditions of the permit are varied; and
 - (b) the reason or reasons for the variation of the permit conditions.
36. The conditions of a permit will be varied from the date of service of the

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notice of the variation.

Cancellation of permits

37. The Council or the Chief Executive Officer may cancel any permit if satisfied in its sole discretion that:
- (a) a permit holder has breached any of Council's by-laws; or
 - (b) a permit holder has breached a term or condition of the permit.
38. If a permit is cancelled pursuant to clause 37, the Chief Executive Officer must serve a notice in writing on the permit holder stating:
- (a) the permit is cancelled; and
 - (b) the reason or reasons for the cancellation.
39. Cancellation of any permit is effective from the date of service of the notice of the cancellation.
40. Nothing in this by-law is to be construed as preventing or prohibiting the Council from cancelling any permit if this is required due to the exercise or intended exercise of any local government functions, powers, rights or duties by the Council.

Notices

41. For the purposes of clauses 35 and 38, a notice may be served in any of the following ways:
- (a) on the permit holder personally;
 - (b) by email to the last known email address of the permit holder;
 - (c) by ordinary post to the last known address of the permit holder; or
 - (d) by notice being given in the public notice section of a newspaper circulating in the Council's municipal area.

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42. The date of service of a notice will be:
- (a) if sent by email, the notice is taken to be received at the time the email message is sent unless:
 - (i) the sender receives automated email notification that the email transmission has failed or has been delayed within 2 hours of sending the notice; or
 - (ii) the sender receives automated email notification to the effect that the recipient is not likely to receive the notice until a later date, which will then become the deemed date of receipt.
 - (b) if the permit holder was served by ordinary post, 3 business days from the date the notice was posted; or
 - (c) if the notice was given in a newspaper, the date of the publication of that newspaper.

PART 5 – RECOVERY OF COSTS

Expenses incurred

43. The Council, the Chief Executive Officer, the Market Supervisor and any authorised officer may rectify a breach of this by-law, including any damage to Council property, without ordering the offending person to undertake the rectification works.
44. Any expense incurred by the Council as a result of a failure to comply with or contravention of any of the provisions of this by-law is recoverable by the Council as a debt due to it by the person so failing to comply or contravening this by-law.

PART 6 – INFRINGEMENT NOTICES

45. In this Part:
specified offence means an offence against the clause specified in Column 1 of Schedule 1 to this by-law.
46. An authorised officer may issue an infringement notice to a person in respect of a specified offence and the monetary penalty payable under the infringement notice for that offence is the applicable sum specified in Column 3 adjacent to the offence in of Schedule 1 to this by-law.
47. Different sums may be specified in an infringement notice according to the nature of the offence and whether payment is made within a specified time.
48. An authorised officer may:
- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
 - (b) issue one infringement notice in respect of more than one specified offence.
49. The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.
50. In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.
51. A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:
- (a) pay the monetary penalty in full to the Chief Executive Officer;
 - (b) apply to the Chief Executive Officer for withdrawal of the

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infringement notice;

- (c) apply to the Chief Executive Officer for a variation of payment conditions; or
- (d) lodge with the Chief Executive Officer a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.

- 52. If a person who has been served with an infringement notice fails to take one or more of the actions required by clause 51 within the prescribed time, the infringement may be referred to the Director, Monetary Penalties Enforcement Service.
- 53. If the owner of the vehicle is issued with an infringement notice pursuant to this by-law, and the owner was not in control of the vehicle at the time the offence was committed, a statutory declaration may be provided to the Chief Executive Officer within 14 days after being served with the infringement notice, pursuant to sections 170(2)(a) and 170(3) of the Act.

PART 7 – ENFORCEMENT

Hindering or resisting authorised officers

- 54. A person must not obstruct, hinder, abuse, or resist any authorised officer in the market area in the discharge of that authorised officers' duty.

Penalty: 3 penalty units

Directions

- 55. An authorised officer may give reasonable directions to any person in

relation to their use or treatment of, or presence in a market area.

56. A person must not fail to comply with a reasonable direction from an authorised officer given under this by-law.

Penalty: 3 penalty units

Removal from market areas

57. The Market Supervisor or any authorised officer may:
- (a) remove any person from a market area whom the authorised officer reasonably believes has committed or who is committing an offence under this by-law; and
 - (b) remove any thing which the authorised officer reasonably believes is: in a market area without a permit, in breach of a permit or in breach of this by-law.

Assistance of police officers

58. A police officer is authorised to:
- (a) assist the Market Supervisor or an authorised officer to carry out any action under clause 57;
 - (b) remove any person from the market area whom the police officer reasonably believes has committed or who is committing an offence under this by-law;
 - (c) remove any thing which is in the market area without a permit, in breach of a permit or in breach of this by-law; and
 - (d) arrest any person who is in a market area whom the police officer reasonably believes has committed or who is committing an offence under this by-law.

Signage

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59. The Chief Executive Officer or Market Supervisor, or any person acting under their direction, may remove or direct the removal of any advertisement or signboard in the market area.
60. A person must comply with a direction given under clause 59.

Penalty: 3 penalty unit

Removal and sale of vehicles

61. If an authorised officer reasonably believes that there has been a breach of clause 19 of this by-law, the authorised officer may:
- (a) remove the vehicle; and
 - (b) if following its removal pursuant to clause 61(a) the vehicle has not been collected for a period of 28 days, the vehicle may be sold or destroyed by Council at its discretion.
62. If a vehicle is sold pursuant to clause 61(b), Council may retain from the sale proceeds any expenses associated with the sale of the vehicle, including any auctioneer's fees.
63. If a vehicle is destroyed pursuant to clause 61(b) or if the sale proceeds are less than the total of the amounts specified in clause 62, the balance must be paid by the owner of the vehicle and are recoverable by the Council as a debt due to it.

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SCHEDULE 1 - INFRINGEMENT NOTICE OFFENCES

1: CLAUSE	2: DESCRIPTION	3: PENALTY (penalty units)
PART 2 – STALLHOLDERS		
5	Obligations of stallholders	0.5
6	Waste and refuse	0.5
7	Cleanliness of stalls	0.5
8	Failure to produce stallholder agreement	0.5
PART 3 – PROHIBITIONS		
9	Occupation of stall site	0.5
10	Occupation of market area	0.5
11	Surrender of stall site or market area	0.5
12	Offer wares or services	0.5
13	Setting up stalls	0.5
14	Display of items	0.5
15	Prohibited item, ware or service in a market area	0.5
17	Control of animals in market areas	0.5
18	Driving in a market area	0.5
19	Parking in a market area	1
20	Other vehicles	0.5
22	Noisy activities	0.5
23	Meetings	0.5
24	Tours	0.5

21

1: CLAUSE	2: DESCRIPTION	3: PENALTY (penalty units)
25	Sporting activities	0.5
PART 4 – PERMITS		
32	Failure to comply with permit	0.5
33	Failure to produce a permit	2
PART 7 – ENFORCEMENT		
54	Hindering or resisting authorised officers	0.75
56	Directions by authorised officers	0.75
60	Signage	0.5

22

SCHEDULE 2 – PRESCRIBED FEES

1: CLAUSE	2: DESCRIPTION	3: FEE (fee units)
10	Occupy market area	0
14	Display of items	0
22	Noisy activities	0
23	Meetings	0
24	Tours	0
25	Sporting activities	0

23

Certified that the provisions of this by-law are in accordance with the law by:

.....
N. J. STREET
Solicitor
Dated
At Hobart

Certified that this by-law is made in accordance with the *Local Government Act 1993* by:

.....
Kelly Grigsby
Chief Executive Officer

Dated
At Hobart

The common seal of the Hobart City Council was affixed on in the presence of:

.....
T.K. Short
Director Community Life
Dated:

.....
P.A. JACKSON
Manager Legal & Governance

First name

Louisa

Surname

Carter

Please provide your street number and name

GPO Box 447

Please enter your suburb

HOBART, TAS

Please provide your submission regarding the draft Salamanca Market By-Law No.1 of 2022

Submission to City of Hobart Your Say on the Proposed Salamanca Market Bylaw No.1 of 2022 by Dr Louisa Carter

1. Discussion

It is not clear how the revisions to the Bylaw interact with the responsibilities of the City of Hobart Council and other parties under a security risk event e.g. Tasmanian Police. In making the Bylaw at all, notwithstanding that an earlier version has been in place previously (now expired), there is no information to suggest that the local government authority is acting in accordance with its' governance responsibilities regarding security risk.

Whilst Tasmanian Police would be responsible for an actual security event at the site, the local government has responsibilities for risk assessment and mitigation. A known risk that has been experienced all over the world, is the driving of a vehicle through a crowd to cause human injury and asset destruction. Sometimes, the perpetrators have been ideologues, but some also have been local and disgruntled individuals.

The risk is the same whatever the motivation, and in the case of Salamanca Place, an inspection of the site reveals that the Council workers, the stallholders and the visitors remain completely or substantially unprotected from this risk. In effect, via this proposed Bylaw (and the one previous), the Council wishes for stallholders and the public to adhere to a series of compliance matters, but does not seem to provide any physical protections to a crowd which is a major compliance responsibility of local government in terms of public safety?

And this is at a site which earns significant income for the local economy and the City (Refer to Council's income statements in the annual budget)?

For the Salamanca crowd of up to 25,000 persons a day, it is incredible that there is no physical protection from a terrorist event and/or misuse of a vehicle.

There are no bollards nor concrete blocks to stop anyone ploughing into the people in the market. The market opened 50 years ago, September 11 was 20 years ago, Promenade des Anglais, Nice was 5 years ago... This is a known risk and it is not managed in our city. But why? The available advice from Tasmanian Police is that the local government is required to undertake a risk assessment and to act upon it: <https://www.police.tas.gov.au/what-we->

[do/special-response-counter-terrorism/australias-strategy-protecting-crowded-places-terrorism/](https://www.protection.gov.au/system/files/2021-06/pspf-policy-15-physical-security-for-entity-resources_0.pdf)

2. My objection to the Bylaw No. 1 of 2022

What risk assessment has the Council done to support the establishment of an unprotected crowded place enabled by this ByLaw? It is 2022 and there are plenty of consultants and security specialists who can holistically examine security threats at Salamanca Market like:

- Market layout design
 - Market functions under operation
 - Adjoining risks and impacts
 - Structural upgrades for physical protection like PAS68 bollards (engineering certified) or concrete blocks
 - CCTV coverage & Public Address system
 - Clear nearby evacuation areas for crowds and authorised person and stallholder
- knowledge of this Salamanca stallholders and visitors have an expectation of appropriate and suitable governance which provides for these kinds of upgrades and operational considerations.

However, despite the lack of protection at the site, even the most basic of measures for physical barrier have not been implemented for years and years. This is well after other cities in Australia have done this for crowded places, because all local governments are required to do this. City of Hobart Council may need to review its responsibilities and liabilities in respect of security threats at the Salamanca Markets before the Bylaw can be supported. It is hard to understand what Council intends for the gathering of 25,000 person per day at Salamanca Place without the kinds of protections available and standard in other public gathering places across Australia.

The Council is required by Section 20 of the Tasmanian Local Government Act to provide for the 'health, safety and welfare of the community'. This governance practice in letting the road, requiring payment and creating a crowd on a public roadway is either:

- negligent in not conducting a risk assessment identifying terrorism and/or vehicle misuse risk and mitigation measures (if not done); and/or
- negligent in not implementing appropriate security measures if a risk assessment was actually done i.e. in that the implementation of physical security measures (such as physical barriers) would have been a standard recommendation given deployment of similar physical security measures in other crowded spaces in Australian cities.

Physical barriers should have been implemented already or should be done immediately via water barriers until a site wide security risk assessment is undertaken and implemented. Current practices at the Salamanca Market's site, which the Bylaw enables, indicate that the local government is not even protecting its' own workers in providing a safe workplace, and is leaving the stallholders substantially unprotected and yet they are paying for the privilege of this unconscionable governance.

The Council must and is required to undertake a security risk assessment (if not done), which may include the installation PAS68 compliant physical infrastructure.

For reference: https://www.protection.gov.au/system/files/2021-06/pspf-policy-15-physical-security-for-entity-resources_0.pdf 3. Stallholders and visitors are not getting what

they are paying for from the local government nor its' bylaw arrangements. It may be that in taking stallholders' payments, Council is in contravention of its' responsibilities under Australian Consumer Law: <https://www.accc.gov.au/consumers/sales-delivery/non-delivery-of-products-services#failure-to-supply-a-product-or-service>:

Under Australian Consumer Law, businesses must not accept payment for products or services if:

- They do not intend to supply them: Suitable and effective physical protection has not been supplied since Market inception

- They intend to supply them materially different product or services: In relation to security risk, the site remains an unsafe gathering place not consistent with accepted governance and security protection practice in relation to misuse of a vehicle

4. Submission summary

In this case, having been involved in the security design of a number of public places elsewhere in Australia, I cannot understand, given the results in place at Salamanca Place today, that the Council has met the minimum requirements for public safety in closing the road for the market without any physical security measures in place because:

a. If any security risk assessment was done and it did not identify physical security measures it was deficient and should have been questioned or alternate advice sought; and/ or

b. If a risk assessment was done, and physical security measures were identified (this is highly likely in a contemporary risk assessment) but have not been implemented (despite the income generation from the site), the local government may be both negligent and in contravention of Australian Consumer Law in seeking charges under the Bylaw.

6.2 Speaker's Corner - 6 Month Trial
File Ref: F22/56706; 21/27

Report of the Senior Advisor Activations, Events and Grants and the
Director City Futures of 20 June 2022.

Delegation: Council

REPORT TITLE: SPEAKER'S CORNER - 6 MONTH TRIAL

REPORT PROVIDED BY: Director City Futures
Senior Advisor Activations, Events and Grants

Report Purpose and Community Benefit

- 1.1. The purpose of this report is to present the Council with a summary of the findings from the Speakers' Corner 6-month trial.
- 1.2. This report seeks approval from the Council for an ongoing Speakers' Corner program. The program aims to activate the City and bring social, cultural and economic benefits for the community.
- 1.3. The community will benefit from increased opportunities for speech and creative expression with the aim to create more activated, vibrant and appealing public spaces throughout Hobart.

2. Report Summary

- 2.1. The Speakers' Corner 6-month trial commenced on 26 April 2021 and concluded on 31 October 2021 and aimed to expand opportunities for speech and creative expression throughout Hobart.
- 2.2. Prior to the Speakers' Corner 6-month trial there was only one location for public speaking in Hobart in the Elizabeth Street Mall.
- 2.3. The redevelopment of Salamanca Place including the new plaza provided the opportunity for new activation sites in the city and was identified as an additional site to refresh the Speakers' Corner program.
- 2.4. New terms and conditions for the Speakers' Corner permit were developed and drafted in consultation with internal stakeholders, reviewed by Equal Opportunity Tasmania and reviewed and edited by Patrick Lunn from Simmons Wolfhagen Lawyers.
- 2.5. Feedback and comments were collected throughout the trial via a dedicated YourSay page.
 - 2.5.1. 85.8 per cent of YourSay respondents (14 respondents) either neutral or happy about the expanded Speakers' Corner trial.
 - 2.5.2. Most respondents were positive about the opportunity Speakers' Corner offered for the city. Issues that arose were around the cost to implement the new site and poor promotion of the trial program.
- 2.6. The City's Activations and Events team programmed Speakers' Corner on the *Out in the Open* program under the banner #Hobartspeaks every Wednesday from 23 February to 13 April 2022.

- 2.7. By actively programming and promoting Speakers' Corner, officers were able to demonstrate that it could be an engaging platform for speech. Over time and adequate promotion, infrastructure and signage, the area could continue to work well as a site for free speech.

3. Recommendation

That:

1. ***The Council approve the ongoing Speakers' Corner Program for the City of Hobart.***
2. ***Based on the findings of the Speakers' Corner trial of 26 April 2021 to 31 October 2021 and the observations of the use of the Salamanca Plaza site during the Out in the Open program between February and April 2022, the Chief Executive Officer finalise the terms and conditions and update to site signage for delivery of the ongoing program to commence by August 2022.***

4. Background

- 4.1. The Speakers' Corner 6-month trial commenced on 26 April 2021 and concluded on 31 October 2021.
- 4.2. Prior to the 6-month trial, Elizabeth Street Mall had been the only site on Hobart City Council managed land available for public speaking in Hobart.
 - 4.2.1. The City of Hobart has provided a Speakers' Corner at this site for many years as part of its commitment to supporting free public speech within our community.
- 4.3. The redevelopment of Salamanca Place including the new plaza provided the opportunity for new activation sites in the city and was identified as an additional site to refresh the Speakers' Corner program.
- 4.4. New terms and conditions for the Speakers' Corner permit were developed and drafted in consultation with internal stakeholders, reviewed by Equal Opportunity Tasmania and reviewed and edited by Patrick Lunn from Simmons Wolfhagen Lawyers.
 - 4.4.1. Clause 83 of the Public Spaces By-law allows a permit to be issued for this activity and under Part 7 (Permits) of the by-law the General Manager can determine the terms and conditions of any permit issued.
 - 4.4.2. The General Manager approved the terms and conditions of the permit in February 2021.

- 4.5. New signage for the site was also planned using a repurposed city wayfinding signage structure and a new logo design.
 - 4.5.1. A development application for installation of the signage was lodged and approved in April 2021.
- 4.6. The 6-month trial was launched by performance poet Young Dawkins, Lord Mayor Anna Reynolds and Councillor Dr Zelinda Sherlock on 27 April 2021.

Community Engagement

- 4.7. A dedicated YourSay page that included a feedback form was open for the trial.
- 4.8. 85.8 per cent of YourSay respondents (14 respondents) either neutral or happy about the expanded Speakers' Corner trial.
- 4.9. Six (6) responses supported the program commenting that it offered a great opportunity for public speaking, adding vibrancy and enabled people to be heard.
- 4.10. One other commented that it was a waste of resources and another that the site is poorly promoted or recognised unless there is good interpretation on site.

Out in the Open Program

- 4.11. The City's Activations and Events team programmed Speakers' Corner on the *Out in the Open* program under the banner #Hobartspeaks every Wednesday from 23 February to 13 April 2022.
 - 4.11.1. Most speakers were programmed at lunchtime between 12pm and 1pm for half an hour except for two (2) that were programmed between 4.45pm and 5.30pm. The lunchtime slot worked better at that time of year and attracted more audience and passers-by. Perhaps in high summer late afternoon slots may be better.
 - 4.11.2. This program as part of *Out in the Open* abided by all of the terms and conditions with one exception: the time of the presentation. The times above were outside of the guideline limits of between 10am and 12pm.
 - 4.11.3. The 30-minute time limit, as it is in the Speakers' Corner trial terms and conditions, works well. It makes for an energetic and expeditious presentation.
 - 4.11.4. The range of speakers and their experience of public speaking worked well; topics included social issues, environment, science, humanity and ethics.

- 4.11.5. Although the majority of the programmed speakers are academically trained, they are all adept at public communication. Speakers included: Tamas, Shasta Henry, Mamma Rosa, Zoe Kean, Nadia Azizabadi, Ian Johnston, Rebecca Lyons and Ari Moore.
- 4.11.6. The guidelines specify that speakers cannot use the area on Saturdays. Unanimously, and without being asked, every speaker asked to be programmed on the Saturday. Programming speakers as part of Salamanca Market could be explored with the market team in the future.
- 4.11.7. The most significant addition to Speakers' Corner during the program that attracted people to stop was a small raised platform on which the speaker stood to address the people. Speaking from a platform immediately elevates not only the person speaking, but also the projection of their voice above passers-by and, perhaps most importantly, adds a gravitas and the iconic 'Speaker's Corner' image to the scene.
- 4.11.8. By actively programming and promoting Speakers' Corner officers were able to demonstrate that it could be an engaging platform for speech. With time and adequate promotion, infrastructure and signage, the area could continue to work well as a site for free speech.

5. Proposal and Implementation

- 5.1. In response to the feedback received from the trial and observations collated from actively programming Speakers' Corner as part of the City's *Out in the Open* Program it is proposed that the ongoing City of Hobart Speakers' Corner program be implemented with some adjustments to:
- The trial program time of operation at the Salamanca Plaza site be extended from 10am – 12pm to 8.30am – 5.30pm to allow for lunchtime and after work presentations. Activation and Events officers will also work with Salamanca Market officers to test and refine its occasional integration into the market.
 - The signage be updated, using the same infrastructure with new, more attractive design and a small, safe platform integrated into both sides of the existing sign be explored.
- 5.2. If Speaker's Corner is to remain a feature in the City of Hobart, that Council officers program, pay and promote one speaker at least once per month over the November to March period as part of the City's annual activations program.
- 5.3. It is proposed that the remaining terms and conditions of the Speakers' Corner program would remain the same as they were for the trial.

6. Strategic Planning and Policy Considerations

- 6.1. This report is consistent with the *City of Hobart Capital City Strategic Plan 2019-29*, specifically:
- 1.1.2 *Create opportunities for people to connect to place, supporting spiritual and cultural customs and practices.*
 - 1.3.3 *Measure, manage and support the effective use of city facilities, infrastructure and open spaces.*
 - 2.3.1 *Provide and progressively enhance a range of quality places and facilities where people can enjoy education, recreation, socialising, healthy living and other activities and events.*
 - 2.4.6 *Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.*
 - 3.1.1 *Support Hobart's continued evolution as a creative and culturally engaging capital city, with a focus on community, accessibility and creative potential.*
 - 3.2.1 *Use the creative arts as a platform for encouraging participation in public life and raising awareness of important issues.*
 - 3.3.1 *Provide opportunities for diverse creative practitioners to develop meaningful experiences for residents and visitors.*
 - 3.3.3 *Provide creative practitioners with guidance on the City's regulatory and administrative requirements.*
 - 3.3.6 *Provide affordable and accessible opportunities for community members to engage in arts and culture.*
 - 3.4.1 *Support the activation of City-owned spaces for creative, cultural and commercial developments.*
 - 3.4.2 *Activate streets, car parks, and heritage spaces for public art, performances, events and festivals*

7. Financial Implications

- 7.1. Funding Source and Impact on Current Year Operating Result
- 7.1.1. Not applicable.
- 7.2. Impact on Future Years' Financial Result
- 7.2.1. Not applicable.
- 7.3. Asset Related Implications
- 7.3.1. Nil identified at this time.

8. Legal, Risk and Legislative Considerations

- 8.1. The Speakers' Corner permit terms and conditions have been developed to comply with the *Public Spaces By-law 2018*.
- 8.2. In accordance with the City's risk management policy, officers from the Activation Programs and Tourism Unit work closely with the City's Principal Advisor Risk and Audit to identify, treat and monitor any risks associated with the new Speakers' Corner site.

9. Environmental Considerations

- 9.1. Events or activities that the City of Hobart supports are required to support the objectives of the *City of Hobart Waste Management Strategy 2015-30*. In particular, applicants must outline their commitment to sustainable events, certified compostable food packaging and reducing waste to landfill.

10. Social and Customer Considerations

- 10.1. The community will benefit from increased opportunities for speech and creative expression with the aim to create more vibrant and appealing public spaces throughout Hobart.

11. Marketing and Media

- 11.1. A communications plan will be developed to promote the ongoing Speakers' Corner program.

12. Community and Stakeholder Engagement

- 12.1. The community engagement plan included the following methods:
 - dedicated YourSay Hobart page that was opened for the trial between April 2021 and October 2021,
- 12.2. Officers consulted internally with the Manager Activation Programs and Tourism, Manager Development Compliance, City Inspector, Manager Legal and Governance, Legal Officer, Principal Advisor Risk and Audit, Principal Advisor Customer Relations, Executive Manager City Place Making, Senior Customer Service Officer, Senior Corporate Application Administrator, Senior Advisor Community Engagement, and Community Engagement Officer.
- 12.3. Officers consulted externally with some previously permitted speakers.

13. Delegation

- 13.1. This is a matter for the Council's determination.

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Katy Cooper
DIRECTOR CITY FUTURES



Louisa Gordon
**SENIOR ADVISOR ACTIVATIONS,
EVENTS AND GRANTS**

Date: 20 June 2022
File Reference: F22/56706; 21/27

6.3 Request for Financial Delegation for Annual Grants (\$20,000 and Over)
File Ref: F22/56931; 21/48

Memorandum of the Community Development Officer - Grants and the Head of Intergovernmental Relations and Partnerships of 14 June 2022.

Delegation: Council



City of **HOBART**

MEMORANDUM: COMMUNITY, CULTURE AND EVENTS COMMITTEE

Request for Financial Delegation for Annual Grants (\$20,000 and Over)

In light of the upcoming Local Government election and in the interest of good governance, this memorandum requests the Council delegate authority to the Chief Executive Officer (CEO) to approve the panel's recommendation for the annual grants that can award over \$20,000:

- Creative Hobart Major Cultural Organisation Grant -
 - Applications Request of \$10,000 and Above
- Event Partnership Grant -
 - Application Requests of \$20,000 and Above

The request for financial delegation to the CEO follows precedence that was sought and approved in the lead up to the Council election in 2018.

On an annual basis, the grant recommendations would ordinarily be submitted to the Community, Culture and Events Committee for consideration followed by the Council for approval in September.

This year, the panel's recommendations will be ready for consideration in September and are time sensitive to the applicants. Given the proximity to the October election, we are proactively seeking the CEO delegation to ensure the process does not impinge on the campaign period leading up to the commencement of the election.

The annual grant round is conducted as per the Grants Program Policy (Policy), and includes the two aforementioned grants as well as the Community Christmas Carols and Urban Sustainability grants which are approved by the CEO.

All assessment panel processes will be completed as per the Policy and the assessment report prepared to the satisfaction of Council officers and external assessors involved in the process.

The CEO will receive all assessment reports and recommendations from the respective assessment panels and be delegated authority for approval.

Once grants have been approved by the CEO, Elected Members will be provided with the detailed information pertaining to the grant applications prior to the information being made public.

RECOMMENDATION

That:

- 1. In light of upcoming Local Government elections and in the interests of good governance at this time, it is recommended that pursuant to Section 22 of the Local Government Act, the Council delegate authority to the CEO to approve the recommendations of two assessment panels for the annual grants for Creative Hobart Major Cultural Organisations and Event Partnerships to levels as provided in the 2022-2023 Annual Plan.***
- 2. This matter be considered by Council.***

As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Toban Harris
**COMMUNITY DEVELOPMENT
OFFICER - GRANTS**



Kat Panjari
**HEAD OF INTERGOVERNMENTAL
RELATIONS AND PARTNERSHIPS**

Date: 14 June 2022
File Reference: F22/56931; 21/48

7. COMMITTEE ACTION STATUS REPORT

7.1 Committee Actions - Status Report

A report indicating the status of current decisions is attached for the information of Elected Members.

RECOMMENDATION

That the information be received and noted.

Delegation: Committee

Attachment A: Community, Culture and Events Committee - Open Status Report

**COMMUNITY, CULTURE AND EVENTS COMMITTEE – STATUS REPORT
OPEN PORTION OF THE MEETING
30 June 2022**

Ref	Meeting	Report / Action	Action Officer	Comments
1	NORTH HOBART MULTICULTURAL FESTIVAL PROPOSAL – COUNCIL ASSISTANCE Council 10/3/2020, Item 13	<p>Notice of Motion</p> <p>“That the Council consider providing guidance, assistance and support in facilitating the resurgence of the North Hobart Multicultural street festival in North Hobart, in consultation with the North Hobart Traders’ Association, the North Hobart Residents and Community Associations and other relevant community associations, in line with the festivals of the late 1980s & ’90s.</p> <p>(i) The report to address the potential estimated costs to the Council to provide the requested guidance and support to facilitate the event.”</p>	<p>Director Connected City</p> <p>Director City Futures</p>	<p>Officers are progressing this matter and have commenced consultation, however detailed planning has been deferred due to COVID-19.</p> <p>Further consultation and detailed planning is also deferred until an endorsed events strategy defines the City’s support and development of events more broadly.</p>
2	CITY OF HOBART GRANTS PROGRAM – REVIEW OF CITY PARTNERSHIP PROGRAM Council 9/11/2020, Item 10	<p>That:</p> <ol style="list-style-type: none"> 1. The Council endorse a broader review of the City of Hobart event grants which include the City Partnerships, Event Partnerships and Event Medium grants be conducted in consultation with stakeholders to be undertaken during 2021. 2. The review to consider the realignment of these grants to offer fairer, more streamlined and strategic event funding program that meets the needs of event organisers and the community. 	<p>Head of Intergovernmental Relations and Partnerships</p> <p>Director City Futures</p>	<p>The Council at its meeting held 11 October 2021 endorsed the development of a City of Hobart events strategy.</p> <p>At the 11 April 2022 Council meeting, it was resolved that the Council extend the City Partnerships grant agreements for 12 months to support the events scheduled between 1 July 2022 and 30 June 2023 to enable the broader review to be undertaken.</p>

Ref	Meeting	Report / Action	Action Officer	Comments
3	A COMMEMORATION TO THE LATE ALI SULTAN Council 9/3/2021, Item 11	That: 1. The General Manager, in consultation with Sultan Holdings and the Sultan family, advice on the most appropriate location in the city to commemorate the immense contribution made to the city over many years by the late Ali Sultan. 2. A report be prepared addressing the development of a policy in respect to appropriate ways to commemorate citizens who have made significant contributions to the City of Hobart.	Director City Futures	A report identifying the most appropriate location in the City will be prepared following an update of the existing policy and preparation of a new policy.
4	WHITE RIBBON WORKPLACE ACCREDITATION Council 31/3/2021, Item 10	That a report be prepared detailing the benefits of achieving White Ribbon Workplace Accreditation status for the City of Hobart. (i) The report provide details on the process for accreditation and the costs of same, including any ongoing or recurrent costs.	Divisional action to be confirmed by ELT	This matter is on hold until the Organisational Transformation Project has been delivered. Officers have recently met to discuss progressing this matter with an initial report to be prepared for the consideration of the Executive Leadership Team.

Ref	Meeting	Report / Action	Action Officer	Comments
5	THE FUTURE OF THE TASTE OF TASMANIA Council 10/5/2021, Item 17	That: <ol style="list-style-type: none"> 1. The Chief Executive Officer develop a transition plan to divest the City of the exclusive ownership and delivery of the Taste of Tasmania. 2. A further report be provided to the Council with the transition plan outcome and proposal for the future of the Taste of Tasmania, by the end of the 2021-22 financial year. 3. The new State Government be requested to honour the commitment of the previous Government to support the consideration of further options around the Taste of Tasmania event. 	Director City Futures	Clauses 1, 2 and 3 are being considered as part of the transition plan to divest the City of the exclusive ownership and delivery of the Taste of Tasmania. The City is still waiting on a reply from Events Tasmania.
6	SAFER NIGHTS PARTNERSHIP PROJECT TRIAL – EVALUATION REPORT Committee 27/5/2021, Item 6.2	That: <ol style="list-style-type: none"> 1. The Safer Nights Partnership Project Trial Memorandum be received and noted. 2. The recommendations from the external evaluation report be the subject of a further report to the Council which will include options to further the trial. 	Director Connected City	Officers are awaiting the outcome of the Coroner's investigation into safety on the waterfront to inform options going forward.
7	CITY OF HOBART GRANTS PROGRAM – ANNUAL PROGRAM 2021 RECOMMENDATIONS Council 11/10/2021, Item 12	That the Council endorse the development of a City of Hobart events strategy with a draft to be provided to Council for endorsement before wider community engagement.	Director City Futures	Officers are progressing arrangements for internal and industry engagement post the Organisational Transformation Project.

Ref	Meeting	Report / Action	Action Officer	Comments
8	2021-22 TASTE OF SUMMER IN KIND SUPPORT Council 8/11/2021, Item 15	That: <ol style="list-style-type: none">1. The Chief Executive Officer be delegated to evaluate items owned by the City and held in storage pertaining to the Taste of Tasmania, and determine what items are no longer required.<ol style="list-style-type: none">(i) The Chief Executive Officer consider selling those items identified as unused or no longer required, including the shipping containers used for storing the items, and report back to Council should the need arise.	Director City Futures	To date the City has not received any communication from the State Government in relation to this matter. Once received, a report will be provided to Elected Members.

8. QUESTIONS WITHOUT NOTICE

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

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the Chief Executive Officer or the Chief Executive Officer's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
 - (i) offer an argument or opinion; or
 - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, Chief Executive Officer or Chief Executive Officer's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
 - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
 - (ii) a written response will be provided to all Elected Members, at the appropriate time.
 - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

9. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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:

- Confirm the minutes of the Closed portion of the meeting
- Questions without notice in the Closed portion
- Information provided to the Council on the condition that it is kept confidential.

The following items are listed for discussion:-

- | | |
|--------------|--|
| 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 | Report |
| Item No. 4.1 | Taste of Summer Program Update
LG(MP)R 15(2)(g) |
| Item No. 5 | Questions Without Notice |