



CITY OF HOBART MINUTES

OPEN PORTION
MONDAY, 11 JULY 2022
AT 5:14 PM
COUNCIL CHAMBER, TOWN HALL

This meeting of the Council was conducted 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*.



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PRESENT:

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Aldermen J Briscoe, Councillor W F Harvey, Alderman S Behrakis, Councillors M S C Dutta, J Fox and W N S Coats.

APOLOGIES:

Alderman M Zucco

LEAVE OF ABSENCE:

Alderman Dr P T Sexton
Alderman D C Thomas
Councillor Dr Z E Sherlock

Alderman Behrakis left the meeting at 5.49pm, returning at 5.50pm.

Councillor Fox left the meeting at 6.36pm, returning at 6.38pm.

Councillor Dutta left the meeting at 6.40pm, returning at 6.44pm.

Deputy Lord Mayor Councillor Burnet left the meeting at 6.56pm, returning at 6.59pm and was not present for item 14.

1. CONFIRMATION OF MINUTES

The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 27 June 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

NOES

The minutes were signed.

2. TRANSFER OF AGENDA ITEMS

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

No communication was received.

4. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Chief Executive Officer reports that the following Council workshops have been conducted since the last ordinary meeting of the Council.

Date: 5 July 2022
Purpose: Caretaker Policy

5. PUBLIC QUESTION TIME

5.1 Public Questions

5.1.1 Mr Nathan Volf - Audio Equipment

Mr Volf put the following question and was provided with the corresponding response from the Lord Mayor.

Questions:

Watching the Council meetings on the City of Hobart YouTube channel has become a regular routine for me.

However, as a person with disabilities - one of which is hearing loss - the audio levels for these meetings are so quiet I have to have my headphones at full volume - and at times I still struggle to understand the elected member who is speaking.

I am often privy to the following: elected members filling up glasses of water, receiving emails or texts, or even just those seated making distracting noises when chairs are being shifted.

At a previous Council meeting I asked a question regarding members interjecting in a disrespectful manner. I believe my question this evening correlates to that one, as those who are interrupting tend to be more audible than the speaker. The standing orders state they shouldn't be speaking at all. This behaviour is so frequent, I notice points of order are often not raised.

My question is in three parts: Will this Council listen to my - and others - feedback, and bring this chamber into the 21st century with higher quality microphones and Cameras?

As the audio within the chamber's public area is also poor, could there be audio improvements there too?

I would also ask if it is possible for those who do not have the floor to have the ability mute themselves for the convenience and clarity of all listeners?

I am happy to provide suggestions should the Council deem that appropriate.

Response:

We have received feedback on the audio system in the Council Chamber previously and the Council is actively pursuing improvements to it.

The system was originally installed only as an audio system, however since COVID the inclusion of video recording and streaming has resulted in it no longer being optimal.

While that longer term work is being explored incremental improvements are being made where they can occur. The suggestions you have made have been noted and will be considered as part of improvements to the system in the Council Chamber.

5.1.2 Ms Louise Elliot - Political Donations

Ms Louise Elliot put the following question and was provided with corresponding response from the Lord Mayor.

Question:

Is it true that you received \$5,000 in political donations from Glenn Alldis and his partner and this is the same Glenn Alldis that is the State Manager for Beam E-Scooters?

Response:

I'd like to start by saying this election campaign has well and truly started and is clear that as part of your campaign you are keen to try and draw people down and make exaggerated claims.

I have heard from various outlets that this particular imputation has been shopped around to various media outlets in the last few weeks and you are trying to get something published. I think it is rather unfortunate you have chosen to bring this into the Chamber. It is clearly part of your political campaign.

For the record, I was the only candidate in the 2018 elections that actually published their donations. Nobody else did and I challenge you to publish your donations at this campaign as well.

A private citizen did donate to my campaign, Glenn Alldis, as you have mentioned.

Four years later in March 2022, Mr Alldis became an employee of the e-scooter company you are talking about, so there is actually no correlation between the donation and the e-scooter company and I really reject the kind of imputation that you are trying to make through this question.

In answer to your question, yes it is the same Glenn Alldis.

5.1.3 Mr Chris Merridew - Rental Subsidy

Mr Chris Merridew put the following question which the Lord Mayor did not accept as it related to an item listed on the agenda for discussion.

Question:

I ask that the Council consider subsidising, through a rates remissions, the rental of a house that is rented under a Rent Assistant Package. A rate relief of \$60 per week, passed onto tenants through reduced rental, would cost the Council \$660 a week to subsidise 10 family home rentals rather than trying to get more rental properties into the market by restricting Airbnb properties.

6. PETITIONS

No petitions were received.

7. CONSIDERATION OF SUPPLEMENTARY ITEMS

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 Chief Executive Officer 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

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

CITY PLANNING COMMITTEE

9. COUNCIL ACTING AS PLANNING AUTHORITY

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 Chief Executive Officer 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 2/816 Sandy Bay Road, Sandy Bay and Common Land of Parent Title -
Change of Use to Visitor Accommodation
PLN-21-569 - File Ref: F22/63404**

Ref: Open [CPC 7.2.1](#), 4/07/2022
Application Expiry Date: 27 July 2022

That the Council refuse the application for a change of use to visitor accommodation at 2/816 Sandy Bay Road, Sandy Bay 7005 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A1 or P1 of *Planning Directive No. 6* because the gross floor area is in excess of 200m², and the proposal is not compatible with the character and use of the area and would cause an unreasonable loss of residential amenity.

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

NOES

**9.2 18 Grosvenor Street, Sandy Bay and Common Land of Parent Title -
Change of Use to Visitor Accommodation
PLN-22-328 - File Ref: F22/63412**

Ref: Open [CPC 7.2.2](#), 4/07/2022

Application Expiry Date: 11 July 2022

That in the absence of a decision from the City Planning Committee the item be referred to the Council for determination.

BURNET
FOX

That the Council refuse the application for a change of use to visitor accommodation at 18 Grosvenor Street, Sandy Bay 7005 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of Planning Directive No. 6 because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 due to the parking which the proposal will require.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Briscoe
Deputy Lord Mayor Burnet	Behrakis
Harvey	Coats
Dutta	
Fox	

COUNCIL RESOLUTION:

That the Council refuse the application for a change of use to visitor accommodation at 18 Grosvenor Street, Sandy Bay 7005 pursuant to the *Hobart Interim Planning Scheme 2015* and *Planning Directive No. 6 – Exemption and Standards for Visitor Accommodation in Planning Schemes*, for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 3.1(e) A2 or P2 of Planning Directive No. 6 because the proposal is part of a strata scheme and the proposal would cause an unreasonable loss of residential amenity to long term residents occupying another lot within the strata scheme.
2. The proposal does not meet the acceptable solution or the performance criterion with respect to clause E6.6.1 A1 or P1 due to the parking which the proposal will require.

10. Submissions Received Public Notification Period for the Certified Amendment for Short Stay Visitor Accommodation
File Ref: F22/40681; PSA-22-1

Ref: Open [CPC 8.1](#), 4/07/2022

- That:
1. Pursuant to section 39 (2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, that Council endorse the report marked as item 8.1 of the Open City Planning Committee agenda of 4 July 2022 as the formal statement of its opinion as to the merit of the representations received during the public exhibition of the certified amendment PSA-22-1.
 2. Pursuant to section 39 (2) of the former provisions of the *Land Use Planning and Approvals Act 1993*, the Council recommend to the Tasmanian Planning Commission that PSA-22-1 marked as Attachment A to item 7.1.4 of the Open City Planning Committee agenda of 21 March 2022 to the Hobart Interim Planning Scheme 2015 be approved as certified.

BURNET
HARVEY

That the recommendation be adopted.

BRISCOE
DUTTA

Alderman Behrakis be granted an extra one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds	Behrakis
Deputy Lord Mayor Burnet	Coats
Briscoe	
Harvey	
Dutta	
Fox	

11. Response to Notice of Motion - Assessment of Planning Applications with Heritage and Disability Access Issues
File Ref: F22/44643

Ref: Open [CPC 8.2](#), 4/07/2022

That the Council propose, as part of the review of the State Planning Provisions currently being undertaken by the State Planning Office, that there is some flexibility introduced into the requirements of the development standards in the Local Historic Heritage Code which would allow for equal access to buildings.

BURNET
FOX

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

CITY INFRASTRUCTURE COMMITTEE

12. Response to Petition - Pedestrian Crossing - McRobies Road, South Hobart
File Ref: F22/55984; R0659

Ref: Open [CIC 6.1](#), 29/06/2022

- That:
1. An application be made to the Transport Commission requesting a change to the speed limit on McRobies Road between Cascade Road and Syme Street, Syme Street between Cascade Road and Degraes Street, and Nevin Street in South Hobart from the current default urban speed limit of 50 km/h to 40 km/h.
 2. Further consultation and investigations be undertaken in respect to joining the proposed 40km/hr zone (as outlined in Clause 1) with the previously Council-endorsed proposal for the 40km/hr zone in the South Hobart Shopping Precinct between Excel Lane and the Southern Outlet.
 3. Officers to investigate and upgrade the road signage on McRobies Road on approach to the Hobart Rivulet crossing.
 4. The petitioners be so advised.

HARVEY
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Coats
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Fox	

COMMUNITY, CULTURE AND EVENTS COMMITTEE

13. Salamanca Market By-Law No.1 of 2022

File Ref: F22/46521; S33-060-02/38

Ref: Open [CCEC 6.1](#), 30/06/2022

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 item 6.1 of the Open Community Culture and Events Committee agenda of 30 June 2022.

DUTTA
FOX

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Fox	
Coats	

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

Ref: Open [CCEC 6.2](#), 30/06/2022

- 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 Speakers' Corner Terms and Conditions and update the site signage for delivery of the program to commence by August 2022.

DUTTA
FOX

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Briscoe
Harvey	Behrakis
Dutta	Coats
Fox	

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

Ref: Open [CCEC 6.3](#), 30/06/2022

That in light of upcoming Local Government elections and in the interests of good governance at this time that pursuant to Section 22 of the Local Government Act 1993, the Council delegate authority to the Chief Executive Officer to approve the recommendations of two assessment panels in September 2022, for the annual grants for Creative Hobart Major Cultural Organisations and Event Partnerships to levels as provided in the 2022-2023 Annual Plan.

DUTTA
FOX

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

ECONOMIC DEVELOPMENT & COMMUNICATIONS COMMITTEE

16. Business Events Tasmania Annual Funding Submission and MOU
File Ref: F22/41466

Ref: Open [EDCC 6.1](#), 30/06/2022

- That:
1. The Council provide funding of \$114,932 to Business Events Tasmania which has been included in the Economic Development Budget Function of the 2022-23 Annual Plan.
 2. The total funding provision be recorded in the 'Grants, Assistance and Benefits provided' section of the City of Hobart's Annual Report.
 3. The Council endorses the City of Hobart / Business Events Tasmania Funding Agreement 2022 – 2023 marked as Attachment B to item 6.1 of the Open Economic Development and Communications Committee agenda of 30 June 2022.

FOX
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

17. World Cities Summit
File Ref: F22/55553

Ref: Open [EDCC 6.2](#), 30/06/2022

That the Council endorse the attendance of the Chief Executive Officer and the Director Connected City at the World Cities Summit in Singapore from 31 July to 3 August 2022 as detailed in the report marked as item 6.2 of the Open Economic Development and Communications Committee agenda of 30 June 2022.

BRISCOE
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Fox	
Coats	

SPECIAL REPORT – CHIEF EXECUTIVE OFFICER

18. Response to Notice of Motion - 2022 Election Caretaker Provisions
File Ref: F22/62327

BURNET
BEHRAKIS

That the recommendation contained in the Special Report of the Chief Executive Officer, marked as item 18 of the Open Council Agenda of 11 July 2022, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Briscoe
Harvey
Behrakis
Dutta
Fox
Coats

COUNCIL RESOLUTION:

That:

1. The Council adopt the draft Caretaker Policy included as Attachment A to item 18 of the Open Council Agenda of 11 July 2022.
2. The Council adopt the changes to the Council and Committee Meeting Schedule as shown in Attachment B to item 18 of the Open Council Agenda of 11 July 2022.
3. The Director City Life be provided with the following delegation in order to facilitate the processing of planning permit applications during the period 26 October 2022 to 21 November 2022:
 - (i) To determine all planning permit applications which would otherwise be determined by Committee or Council in circumstances where it would not otherwise be possible to determine the application within the statutory time period required under Sections 57(6), 57(6A), 58(2) or 58(2A) of the Land Use Planning and Approvals Act 1993, and an extension of time cannot be obtained, unless an Elected Member has requested the convening of a special meeting or meetings of the Planning Authority to determine an application and there is sufficient time to arrange a special meeting prior to the expiry of the statutory time period required under those sections.
4. The Council appoint the Chief Executive Officer and the Manager Legal and Governance as standing proxies for the Council's Tas Water Owner's Representative.

19. CLOSED PORTION OF THE MEETING

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:

- Confirm the minutes of the closed portion of the meeting
- Leave of Absence
- Legal action involving the Council
- Information of a 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	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-20-499 - 28-30 Davey Street Hobart - Mediation Appeal LG(MP)R 15(4)(a)
Item No. 7	Taste of Summer Program Update LG(MP)R 15(2)(g)

BURNET
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Briscoe	
Harvey	
Behrakis	
Dutta	
Fox	
Coats	

There being no further business the Open portion of the meeting closed at 7.20pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
1ST DAY OF AUGUST 2022.

CHAIRMAN