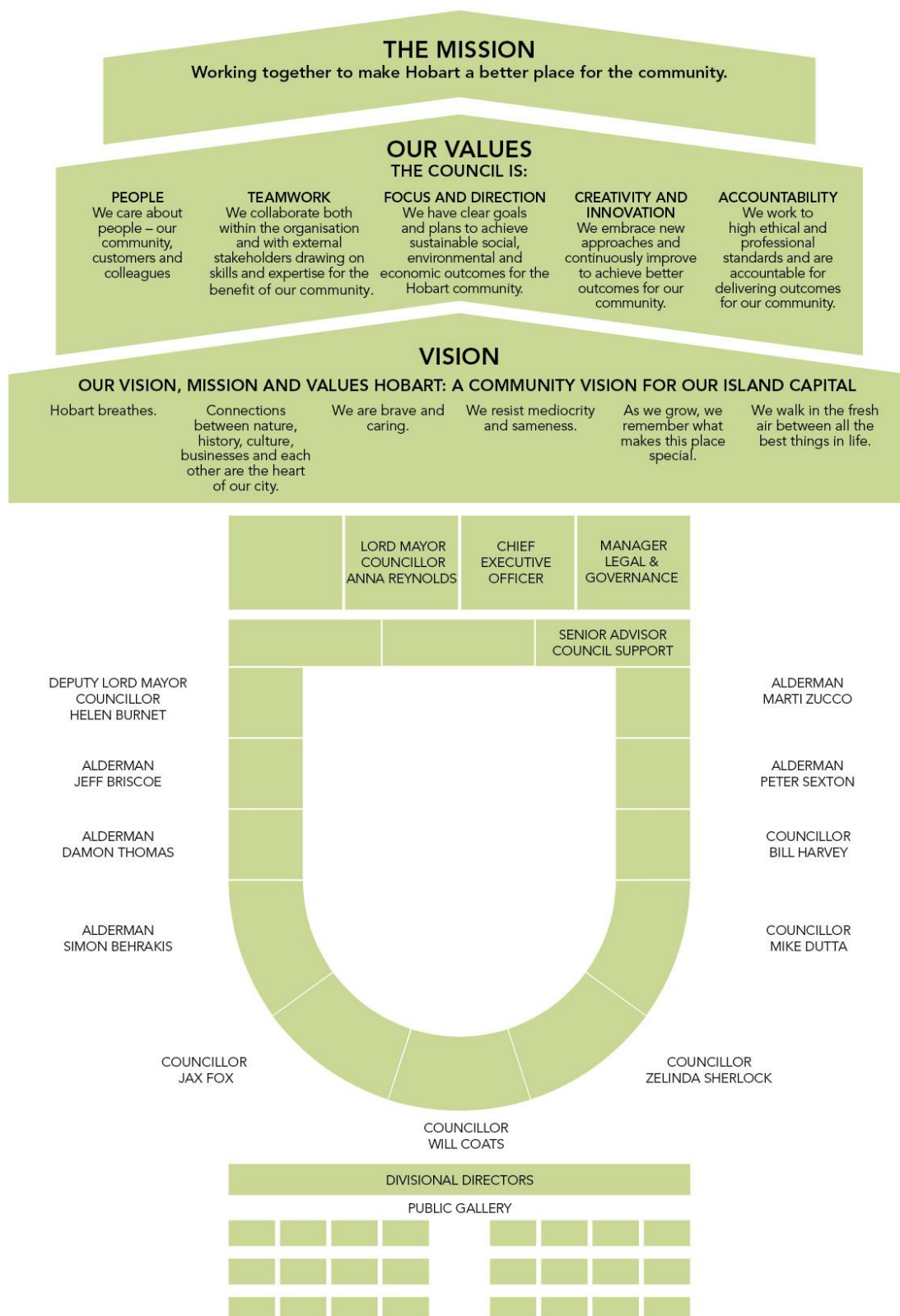




CITY OF HOBART

AGENDA
OPEN PORTION OF THE COUNCIL MEETING
MONDAY, 11 APRIL 2022
AT 5:00 PM





ORDER OF BUSINESS

APOLOGIES AND LEAVE OF ABSENCE

1.	CONFIRMATION OF MINUTES.....	4
2.	TRANSFER OF AGENDA ITEMS.....	4
3.	COMMUNICATION FROM THE CHAIRMAN	4
4.	NOTIFICATION OF COUNCIL WORKSHOPS	5
5.	PUBLIC QUESTION TIME	5
6.	PETITIONS	5
7.	CONSIDERATION OF SUPPLEMENTARY ITEMS	5
8.	INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST	5
	REPORTS OF COMMITTEES	6

CITY PLANNING COMMITTEE

9.	COUNCIL ACTING AS PLANNING AUTHORITY.....	6
9.1	720 Sandy Bay Road, Sandy Bay - Alterations (Chimneys)	6

CITY INFRASTRUCTURE COMMITTEE

10.	Petitions - Haig Street and Augusta Road, Lenah Valley - Road Safety Concerns	7
11.	Federal Street, North Hobart Footpath Trees.....	7
12.	TasNetworks Transformer Relocation - Pillinger Street, Dynnyrne - Response to Petition	7

COMMUNITY, CULTURE AND EVENTS COMMITTEE

13.	City of Hobart Grants Program - Update on Review of City Partnership Program	9
14.	Salamanca Market By-Law No. 1 of 2022	9

SPECIAL REPORT – CHIEF EXECUTIVE OFFICER

15.	Petition Requesting Public Meeting - Save UTas	10
16.	CLOSED PORTION OF THE MEETING.....	14

A MEETING OF THE OPEN PORTION OF THE COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL ON MONDAY, 11 APRIL 2022 AT 5:00 PM.

Kelly Grigsby
Chief Executive Officer

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).

This meeting of the Council is held 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*.

ELECTED MEMBERS:

Lord Mayor A M Reynolds
Deputy Lord Mayor C Burnet
Alderman M Zucco
Alderman J R Briscoe
Alderman Dr P T Sexton
Alderman D C Thomas
Councillor W F Harvey
Alderman S Behrakis
Councillor M S C Dutta
Councillor J Fox
Councillor Dr Z E Sherlock
Councillor W N S Coats

APOLOGIES:

LEAVE OF ABSENCE: Nil.

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, 28 March 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

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*?

3. COMMUNICATION FROM THE CHAIRMAN

4. NOTIFICATION OF COUNCIL WORKSHOPS

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

Regulation 31 *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 16/119-001

6. PETITIONS

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*.

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 conflict 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.

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.

9.1 720 Sandy Bay Road, Sandy Bay - Alterations (Chimneys) PLN-21-627 - File Ref: F22/23803

Ref: Open [CPC 7.2.1](#), 4/04/2022
Application Expiry Date: 30 April 2022

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council refuse the application for alterations (chimneys) at 720 Sandy Bay Road, Sandy Bay 7005 , for the following reasons:

1. The proposal does not meet the acceptable solution or the performance criterion with respect to clause 12.4.2 A3 or P3 of the *Hobart Interim Planning Scheme 2015* because the siting and scale of a development will cause unreasonable loss of amenity by resulting in: a reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; and overshadowing of the private open space of a dwelling on an adjoining lot; and visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot.

CITY INFRASTRUCTURE COMMITTEE

10. Petitions - Haig Street and Augusta Road, Lenah Valley - Road Safety Concerns

File Ref: F21/118967; R0325

Ref: Open [CIC 6.1](#), 2/03/2022

- That:
1. Mobility improvements be investigated for Augusta Road and Haig Street as part of the overall Local Area Mobility Plan (LAMP) process.
 - (i). Priority be given to the Lenah Valley Local Area Mobility Plan.
 2. The petitioners be advised of the outcomes of officer findings as outlined within the report, marked as item 6.1 of the open City Infrastructure Committee of 2 March 2022.
 3. A further report be prepared outlining the Local Area Mobility Plan processes and timeframes.

11. Federal Street, North Hobart Footpath Trees

File Ref: F22/5882; 25019-0136-03

Ref: Open [CIC 6.2](#), 2/03/2022

- That:
1. The footpath on Federal Street, between Argyle and Elizabeth Street, be remediated to make it safe for pedestrians.
 2. The future management of trees in the streetscape be considered as part of the North Hobart Precinct Plan project planned for this year.

12. TasNetworks Transformer Relocation - Pillinger Street, Dynnryne - Response to Petition

File Ref: F22/25952; 16/116

Ref: Open [CIC 6.1](#), 30/03/2022

- That:
1. The petitioners be advised that pursuant to the *Electricity Supply Industry Act 1995*, the Council's agreement to the proposed work is presumed and there is nothing in all the circumstances that displaces this presumption, and therefore the City of Hobart does not have the power to refuse or stop TasNetworks installing a pole mounted transformer in Pillinger Street, Dynnryne.
 2. A further report be provided detailing the development of a policy that addresses works by TasNetworks and other utilities that may

impact on the City's infrastructure and amenity.

3. A process be established with TasNetworks to map out their future plans for infrastructure upgrades in the City of Hobart to negotiate good visual and community outcomes, particularly in heritage and high bushfire risk areas.
 - (i) A further report be prepared in relation to mitigation projects and the protection of vulnerable assets in high fire-risk areas.

COMMUNITY, CULTURE AND EVENTS COMMITTEE

13. City of Hobart Grants Program - Update on Review of City Partnership Program

File Ref: F22/20727; 21/48

Ref: Open [CCEC 6.1](#), 31/03/2022

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. This includes:

Event	Organiser
Festa Italia	Australian Italian Club Inc
Estia Greek Festival	Greek Orthodox Church and Benevolent Society of St George
The Royal Hobart Regatta	Royal Hobart Regatta
The Sandy Bay Regatta	Sandy Bay Regatta Association Inc
Hobart Anzac Day Commemorations	RSL Tasmania
City of Hobart Eisteddfod	City of Hobart Eisteddfod Society Inc
Tasmanian Theatre Awards	The Theatre Council of Tasmania Inc

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

File Ref: F22/13428; S33-060-02/38

Ref: Open [CCEC 6.2](#), 31/03/2022

- That:
1. The Council delegate authority to the Chief Executive Officer to give notice of the proposed Salamanca Market By-Law No. 1 of 2022, marked as Attachment A to item 6.2 of the Open Community Culture and Events Committee agenda of 31 March 2022, in order to advertise a further public consultation process, whereby the by-law and associated regulatory impact statement are made available for inspection and comment; and
 2. If no submissions are received in response to the public consultation process, the Council authorise the Chief Executive Officer to take the remaining necessary steps to make the by-law.

SPECIAL REPORT – CHIEF EXECUTIVE OFFICER

15. Petition Requesting Public Meeting - Save UTas
File Ref: F22/27777; 16/119-0009

Memorandum of the Chief Executive Officer of 6 April 2022.

Delegation: Council



City of **HOBART**

MEMORANDUM: COUNCIL

Petition Requesting Public Meeting - Save UTas

This report relates to a petition which was presented to the Council, at its meeting of 28 February 2022, by the group Save UTas Campus Inc.

The petition states:

We the undersigned electors of the City of Hobart request that:

- 1. Hobart City Council shall forthwith suspend all support in relation to the relocation proposal until completion of a comprehensive review of the relocation proposal in a form that enables community comment.*
- 2. Pursuant to S.59 of the LG Act, the Hobart City Council shall hold a public meeting regarding the relocation proposal.*

The petition stated it had 1,732 signatures.

The Council resolved to receive the petition and refer it to the appropriate committee and/or it be actioned by the administration.

In accordance with s60 of the *Local Government Act 1993* ("the Act") the general manager is to advise the Council within 42 days after the tabling of the petition whether the petition complies with s59 of the Act so that the Council can determine any action to be taken in respect of the petition.

The requirement for the Council to hold a public meeting when petitioned, is regulated under s59 of the Act which provides that:

- (1) A petition submitted in accordance with section 57 may request that a council hold a public meeting regarding the subject matter of the petition.
- (2) A council must hold a public meeting if the petition complies with section 57 and it is signed by whichever is the lesser of the following:
 - (a) 5% of the electors in the municipal area;
 - (b) 1,000 of those electors.

The number of electors in the municipal area is 38,317 and 5% of this is 1,915. Based on this, the relevant number for assessment is 1,000 of those electors.

Subsequent to the verification of signatures, the number of City of Hobart electors having signed the petition is confirmed at 1,398 and therefore the petition meets the legislative provisions requiring the Council to conduct a public meeting.

Once the Council has noted its intention to conduct a public meeting, a number of triggers are enacted under s60A of the Act:

1. The Council has 30 days after the day on which it makes the decision to conduct the public meeting, in which to enact its decision;
2. The Council must advertise the details of the meeting twice, invite public submissions in relation the subject matter of the meeting and provide a period of 21 days after the first advertisement for the receipt of submissions;
3. A summary of all submissions received is to be made available to those attending the public meeting.

The Council is therefore bound to conduct the meeting within 30 days of 11 April (being the date of the Council meeting) which is 11 May 2022.

Further, the Act stipulates the timing of actions associated with a public meeting.

Based on the Council adopting the recommendation contained in this report, the following timeframes will apply:

1. The public meeting will be advertised twice, on 13 and 16 April 2022, inviting submissions.
2. Submissions will close on Wednesday 4 May 2022;
3. The public meeting will occur on Monday 9 May 2022. It should be noted that this date is a City Planning Committee meeting date and therefore it is proposed that the public meeting commence at 7.00pm to accommodate the Committee meeting occurring at its usual time.
4. Following the public meeting, any resolutions of the public meeting need to be considered by Council at its next ordinary meeting on 16 May 2022.

It is considered that the Town Hall is the most appropriate option for conducting the public meeting. Security and a facilitator or chairperson will be organised for the public meeting.

Consideration will also need to be given to arrangements to manage the capacity of the venue and COVID requirements including live-streaming and potentially pre-booking attendance.

These will all be addressed as part of the planning of the meeting.

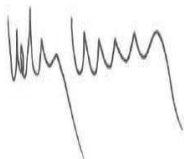
RECOMMENDATION**That:**

1. ***The Council note the petition submitted by Save UTas Campus Inc and received by the Council on 28 February 2022, which requests the following action by the Council:***

“We the undersigned electors of the City of Hobart request that:

- (i) ***Hobart City Council shall forthwith suspend all support in relation to the relocation proposal until completion of a comprehensive review of the relocation proposal in a form that enables community comment.***
 - (ii) ***Pursuant to S.59 of the LG Act, the Hobart City Council shall hold a public meeting regarding the relocation proposal.”***
2. ***Noting that the number of signatories to the petition meet the criteria required under s 59(2) of the Local Government Act 1993, the Council resolve to hold a public meeting on Monday 9 May 2022 at approximately 7.00pm at the Town Hall.***
3. ***The Chief Executive Officer take all necessary steps to facilitate the public meeting in accordance with the requirements of the Local Government Act 1993 and also in regard to logistics.***
4. ***In resolving to conduct the public meeting, the Council note its statutory obligations as the local government planning authority.***
5. ***The petitioner, Save UTas Campus Inc be advised of the Council’s decision.***

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.



Kelly Grigsby
CHIEF EXECUTIVE OFFICER

Date: 6 April 2022
File Reference: F22/27777; 16/119-0009

16. CLOSED PORTION OF THE MEETING

RECOMMENDATION

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:

- Leave of absence
- Minutes of a Closed portion of the meeting
- Sponsorship request

The following items are listed for discussion:-

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	2022 Dark Mofo Sponsorship Request LG(MP)R 15(2)(b)