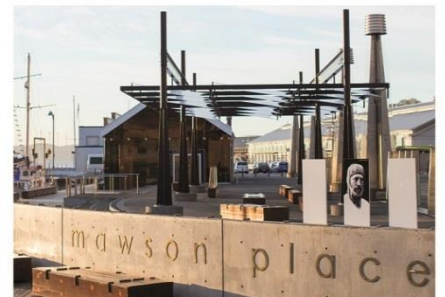




# CITY OF HOBART MINUTES

OPEN PORTION  
MONDAY, 15 AUGUST 2022  
AT 5:05 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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## **ORDER OF BUSINESS**

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**PRESENT:**

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

**APOLOGIES:**

Alderman Dr P T Sexton

**LEAVE OF ABSENCE:**

Nil.

Councillor Fox left the meeting at 5.57pm, returning at 6.00pm.

Councillor Fox retired from the meeting at 6.55pm and was not present for items and 9 to 13 and 15 to 16.

Councillor Sherlock joined the meeting at 7.06pm after the comfort break.

**1. CONFIRMATION OF MINUTES**

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The Chairman reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 1 August 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  
Zucco  
Briscoe  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock  
Coats

NOES

The minutes were signed.

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

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

No items were transferred.

DUTTA  
SHERLOCK

That item 14 be taken after item 8.

MOTION CARRIED

### VOTING RECORD

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

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

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### **3.1 Welcome to Michael Reynolds - Director City Enablers**

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The Lord Mayor welcomed Michael Reynolds who has today joined the City's Executive Leadership Team today as Director City Enablers, today.

Michael comes to us with almost 30 years' experience in the Tasmanian public sector and has a background in strategic leadership, budget and financial management, change management, asset management,

contracts and procurement, and corporate governance.

Michael will lead the City's functional areas of Procurement and Contracts; Finance, Investment and Assets; City ICT and Data; People and Culture and City Infrastructure

Welcome Michael.

### **3.2 Crowther Reinterpreted: A Permanent Response**

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The Lord Mayor acknowledged the number of people in the gallery for the item on the statue and welcomed the interest in the Council meeting.

The Lord Mayor reminded the meeting that members of the public are entitled to be present in the gallery with posters or signs, provided they do not disrupt the conduct of the meeting.

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

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

## **5. PUBLIC QUESTION TIME**

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### **5.1 Ms Isla MacGregor - Report Production - Funding**

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Ms MacGregor put the following question to all elected members which was taken on notice by the Lord Mayor for all elected members to provide a response.

Question:

For any decision passed by Council to allocate funding for production of a report on a proposal should funding equally be allocated to proponents of an alternative view to enable an inclusive approach and preparation of a transparent and historically factual final report?

## **5.2 Doug Cooper - Lord Mayor's Mercury Article**

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Mr Cooper put the following question which were taken on notice by the Lord Mayor.

Question:

In your article in the Mercury last week you referred to a person who gained a Bachelor of Science in 1984, majoring in Life Sciences and Geography; in 2013, a Masters in the History of Art and Visual Cultures; and in 2017 a PhD at the University of Tasmania's Academy of the Arts, not in History or Classics. The University of Tasmania has him listed as Pro Vice-Chancellor, Aboriginal Leadership. Is this Professor Greg Lehman, who you referred to in your article in the *Mercury* last week as a Professor of History? Can you please explain?

## **6. PETITIONS**

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### **6.1 Petition - Establishment of a Rwandan Tutsi Genocide Memorial - The Rwandan Australian Friendship Association**

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The Chief Executive Officer tabled a petition calling for the Council to support the establishment a memorial to the Rwandan Tutsi genocide.

There were 50 signatories to the petition.

#### **Attachments**

A Petition - Rwandan Tutsi Genocide Memorial - The Rwandan Australian Friendship Association ⇒ 


### **6.2 Petition - QR Codes on Hobart's Heritage Buildings - Brian Corr**

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The Chief Executive Officer tabled a petition calling for the Council to investigate the option of having QR codes on Hobart's Heritage buildings and places / items of interest.

There were 319 signatories to the petition.

#### **Attachments**

A Petition - QR Codes on Hobart's Heritage Buildings - Brian Corr ⇒ 

BURNET  
BEHRAKIS

That the petitions be received and noted and referred to the appropriate committees.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**7. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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Ref: Part 2, Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

**RECOMMENDATION**

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the 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**

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Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Elected members are requested to indicate where they may have any pecuniary or conflicts of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with.

No interest was indicated.

Item 14 was then taken.

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## REPORTS OF COMMITTEES

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### CITY PLANNING COMMITTEE

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#### 9. COUNCIL ACTING AS PLANNING AUTHORITY

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

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

The Council is reminded that in order to comply with Regulation 25(2), the 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 2/31 Poets Road, West Hobart and Common Land of Parent Title - Change of Use to Visitor Accommodation PLN-22-351 - File Ref: F22/77376

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Ref: Open [CPC 7.1.3](#), 8/08/2022  
Application Expiry Date: 17 August 2022

That the Council refuse the application for a change of use to visitor accommodation at 2/31 Poets Road, West Hobart 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 reason:

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.

BURNET  
DUTTA

That the recommendation be adopted.



MOTION LOST

VOTING RECORD

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

BEHRAKIS  
BRISCOE

That pursuant to the *Hobart Interim Planning Scheme 2015*, the Council approve the application for change of use to visitor accommodation at Unit 2/31 Poets Road, West Hobart 7000, for the reasons outlined in the officer's report, marked as item 7.1.3 of the Open City Planning Committee agenda of 8 August 2022, and a permit containing the conditions indicated in that recommendation be issued.

MOTION LOST

VOTING RECORD

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

**COUNCIL RESOLUTION:**

In the absence of a decision from the Council, this application will be determined by the Director City Life pursuant to a delegation under section 6(3) of the *Land Use Planning and Approvals Act 1993*, as set out below:

To exercise the power of the Council as planning authority pursuant to Section 59 (7) of the *Land Use Planning and Approvals Act 1993* to determine applications where no request to make a decision has been lodged with the Resource Management and Appeal Tribunal.

**10. Monthly Building Statistics - 1 June - 30 June 2022**  
**File Ref: F22/73945**

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Ref: Open [CPC 8.1](#), 8/08/2022

That the building statistical report of the Director City Life be received and noted:

During the period 1 June 2022 to 30 June 2022, 33 permits were issued to the value of \$18,394,881 which included:

- (i) 21 for extensions/alterations to dwellings to the value of \$13,651,176;
- (ii) 2 new dwellings to the value of \$749,430;
- (iii) 0 new multiple dwellings; and
- (iv) 1 major project:
  - a) 48 Liverpool Street Hobart - Commercial Internal Alterations - \$8,141,589

During the period 1 June 2021 to 30 June 2021, 77 permits were issued to the value of \$24,577,711 which included:

- (i) 42 for extensions/alterations to dwellings to the value of \$15,064,851;
- (ii) 7 new dwellings to the value of \$3,278,370;
- (iii) 4 new multiple dwellings to the value of \$2,000,000; and
- (iv) 2 major projects:
  - (a) 66 Burnett Street, North Hobart - Stage 2 - Structural only - \$9,000,000; and
  - (b) 1 Burnett Street, North Hobart - New commercial residential building x 4 - \$2,000,000.

In the twelve months ending June 2022, 521 permits were issued to the value of \$237,387,355; and

In the twelve months ending June 2021, 662 permits were issued to the value of \$198,957,830.

BURNET  
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**11. Monthly Planning Statistics - 1 June - 30 June 2022**  
**File Ref: F22/73962**

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Ref: Open [CPC 8.2](#), 8/08/2022

That the planning statistical report of the Director City Life be received and noted:

During the period 1 June 2022 to 30 June 2022, 57 permits were issued to the value of \$16,729,324 which included:

- (i) 1 new single dwelling to the value of \$950,000;
- (ii) 21 multiple dwellings to the value of \$7,270,000;
- (iii) 28 extensions/alterations to dwellings to the value of \$3,698,338;
- (iv) 9 extensions/alterations to commercial properties to the value of \$4,594,000;
- (v) 1 major project:
  - (a) 156 New Town Road, New Town - Demolition, Subdivision (Lot Consolidation), and New Building for 19 Multiple Dwellings and Fitness Centre (Sports and Recreation) - \$7,000,000

During the period 1 June 2021 to 30 June 2021, 68 permits were issued to the value of \$23,893,387 which included:

- (i) 5 new single dwellings to the value of \$2,340,000;
- (ii) 72 multiple dwellings to the value of \$15,950,000;
- (iii) 32 extensions/alterations to dwellings to the value of \$3,516,032;
- (iv) 14 extensions/alterations to commercial properties to the value of \$10,363,300;
- (v) 2 major projects:
  - (a) 199 Macquarie Street, Hobart - Partial Demolition, Alterations, Partial Change of Use to Office and Two Multiple Dwellings, New Building for 45 Multiple Dwellings, Signage and Associated Works - \$8,000,000;
  - (b) 98 Argyle Street - Hobart - Demolition and New Building for 20 Multiple Dwellings - \$6,500,000;

In the twelve months ending June 2022, 686 permits were issued to the value of \$305,415,701; and

In the twelve months ending June 2021, 839 permits were issued to the value of \$330,726,629

*# This report includes permits issued, exempt and no permit required decisions.*

BURNET  
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

## 12. Fees for Residential Planning Applications

File Ref: F22/70031; 16/117

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Ref: Open [CPC 8.3](#), 8/08/2022

That: 1. The fee for planning applications for a new dwelling or new ancillary dwellings which have a cost estimate of \$200,001 to \$600,000 is \$800.

2. The Council, pursuant to section 22 of the Local Government Act 1993, delegates to the Chief Executive Officer (being the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993) the following power:

To waive fees or refund fees paid for a planning application (up to a maximum of 50% of the application fee otherwise payable) which meets the following criteria, based on satisfactory evidence provided by the applicant:

- (a) the proposal is for one or more new dwellings which are classified as “affordable housing”; that is, a household in the lower 40 per cent by income should not pay more than 30 per cent of their gross income on housing; and
  - (b) the dwelling or dwellings are owned or will be managed by either:
    - a not-for-profit community housing provider; or
    - a private person or organisation who is able to demonstrate that the dwelling or dwellings will remain as long term affordable housing stock.
3. The Council authorises the Chief Executive Officer to delegate the same power to the Director City Life pursuant to section 64 of the Local Government Act 1993.
4. Each fee waiver or refund be recorded in the ‘Grants, Assistance and Benefits Provided’ section of the City of Hobart’s Annual Report.
5. Any applications received which fall within clause 1, above, or have had fees reduced pursuant to the delegation referred to in clause 2, above, are reported to the City Planning Committee as part of an annual report.

BURNET  
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

**CITY INFRASTRUCTURE COMMITTEE**

**13. Deputy Municipal Emergency Management Coordinator**  
**File Ref: F22/64520**

Ref: Open [CIC 6.1](#), 3/08/2022

- That: 1. The Council endorse the nomination of Mr John Fisher as the Deputy Municipal Emergency Management Coordinator for the City of Hobart.
2. The Director State Emergency Service and the State Emergency Management Controller be so advised.

HARVEY  
BRISCOE

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

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

Item 15 was then taken

## COMMUNITY, CULTURE AND EVENTS COMMITTEE

### 14. Crowther Reinterpreted: A Permanent Response

File Ref: F22/65830; 16/427-002-004

Ref: Open [CCEC 6.1](#), 4/08/2022

- That:
1. In recognition of the Council's 2020 Aboriginal Commitment and Action Plan and the submissions received in response to the Crowther Reinterpreted project, Council support the proposal for partial removal of the William Crowther statue from Franklin Square - the bronze component – to the City's Valuables Collection, pending further negotiations with local collecting institutions, for a permanent location for this element (Stage 3) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022.
    - (i) This partial removal would be subject to receipt of planning approval by the Council and be paired with the instatement of temporary signage on the Franklin Square site, explaining the project.
  2. Subsequently, that officers develop a detailed proposal, in consultation with relevant stakeholders, for commissioning new, permanent, interpretative and/or sculptural elements to be installed beside the Crowther plinth (Stage 4) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022. This would form the basis of a future report to the Council.
  3. Following the completion of the Crowther Reinterpreted project, the Council support the development of a Monuments Policy to inform future additions or removals to the City's collection.

### AMENDMENT

ZUCCO

BRISCOE

That an additional clause 4 be added to the resolution to read as follows:

- "4. That in light of the correspondence received by elected members from the Circular Head Aboriginal Corp. the Council conduct an elector poll as part of the 2022 Local Government election in relation to whether the removal of the William Crowther statue in Franklin Square is supported."*

AMENDMENT LOST

VOTING RECORD

AYES

Zucco  
Briscoe  
Coats

NOES

Lord Mayor Reynolds  
Deputy Lord Mayor Burnet  
Thomas  
Harvey  
Behrakis  
Dutta  
Fox  
Sherlock

BEHRAKIS  
THOMAS

That Alderman Briscoe be granted an additional one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

BRISCOE  
THOMAS

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



MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SHERLOCK  
BURNET

That Alderman Thomas be granted an additional two minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

BURNET  
BEHRAKIS

That Councillor Dutta be granted an additional three minutes to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

BEHRAKIS  
COATS

That Councillor Sherlock be granted an additional one minute to address the meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

**AMENDMENT**

THOMAS  
BRISCOE

That the following words at the beginning of clause 3 be deleted "*Following the completion of the Crowther reinterpreted project*"

**AMENDMENT LOST**

**VOTING RECORD**

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

The Lord Mayor then put clauses 1 to 3 separately.

**MOTION CARRIED  
(CLAUSE 1)**

**VOTING RECORD**

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

**MOTION CARRIED  
(CLAUSE 2)**

VOTING RECORD

AYES

NOES

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

MOTION CARRIED  
(CLAUSE 3)

VOTING RECORD

AYES

NOES

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

**COUNCIL RESOLUTION:**

- That: 1. In recognition of the Council's 2020 Aboriginal Commitment and Action Plan and the submissions received in response to the Crowther Reinterpreted project, Council support the proposal for partial removal of the William Crowther statue from Franklin Square - the bronze component – to the City's Valuables Collection, pending further negotiations with local collecting institutions, for a permanent location for this element (Stage 3) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022.
- (i) This partial removal would be subject to receipt of planning approval by the Council and be paired with the instatement of temporary signage on the Franklin Square site, explaining the project.

2. Subsequently, that officers develop a detailed proposal, in consultation with relevant stakeholders, for commissioning new, permanent, interpretative and/or sculptural elements to be installed beside the Crowther plinth (Stage 4) as detailed in the report marked as item 6.1 of the Open Community Culture and Events Committee agenda of 4 August 2022. This would form the basis of a future report to the Council.
3. Following the completion of the Crowther Reinterpreted project, the Council support the development of a Monuments Policy to inform future additions or removals to the City's collection.

Item 9 was then taken

**15. Request for Financial Delegation for Sponsorship Program 2022-23**  
**File Ref: F22/73991; 19/18**

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Ref: Open [CCEC 6.2](#), 4/08/2022

That 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 1993*, the Council delegate authority to the Chief Executive Officer to approve the recommendations of the assessment panel for the annual sponsorship program to levels as provided in the 2022-2023 Annual Plan.

SHERLOCK  
THOMAS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

## 16. CLOSED PORTION OF THE MEETING

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That the Council resolve by absolute majority that the meeting be closed to the public pursuant to regulation 15(1) of the *Local Government (Meeting Procedures) Regulations 2015* because the items included on the closed agenda contain the following matters:

- Confirm the minutes of the closed portion of the meeting
- Leave of absence

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

ZUCCO  
BURNET

That the recommendation be adopted

MOTION CARRIED BY  
ABSOLUTE MAJORITY

### VOTING RECORD

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

The Chairman adjourned the meeting at 6.55 pm for a comfort break.

The meeting was reconvened at 7.04 pm.

Item 9 was then taken.

There being no further business the Open portion of the meeting closed at 7.21pm.

**TAKEN AS READ AND SIGNED AS  
A CORRECT RECORD THIS  
29<sup>TH</sup> DAY OF AUGUST 2022.**

---

**CHAIRMAN**