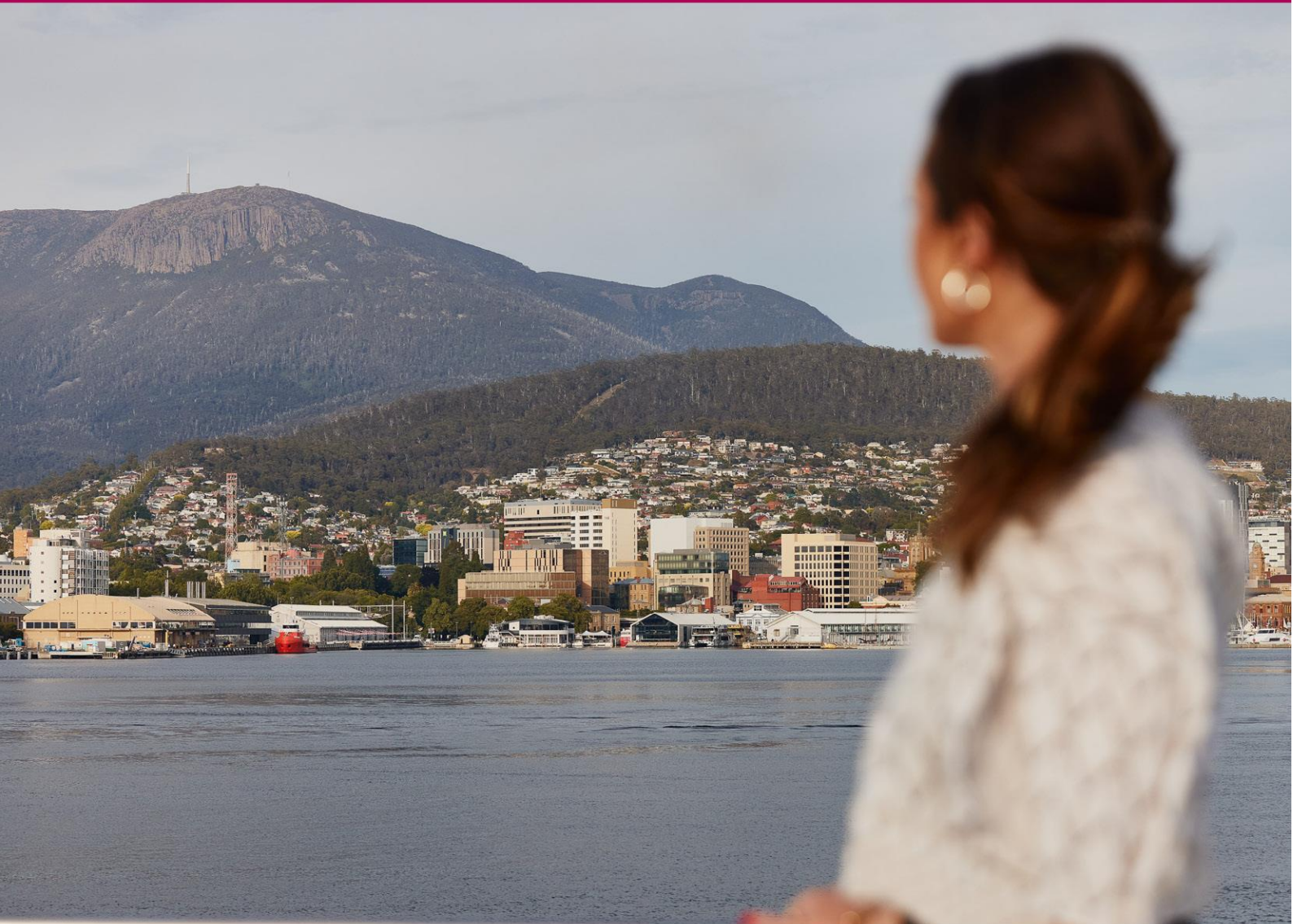




CITY OF HOBART

MINUTES

Open Portion
Tuesday, 19 March 2024
AT 5.00 pm
Council Chamber, Town Hall



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor H Burnet, Alderman M Zucco, Councillors W F Harvey, M S C Dutta, Dr Z E Sherlock, J L Kelly, L Elliot, Alderman L Bloomfield, Councillors R J Posselt and B Lohberger.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Councillor W N S Coats.

Councillor Lohberger arrived at the meeting at 5.01pm.

Alderman Bloomfield arrived at the meeting at 5.02pm.

Alderman Zucco left the meeting at 5.15pm, returning at 5.18pm and was not present for the vote on item 11.

Councillor Elliot left the meeting at 5.54pm, returning at 5.56pm.

Councillor Posselt left the meeting at 6.05pm, returning at 6.06pm.

1. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson provided an acknowledgement to Country.

2. CONFIRMATION OF MINUTES

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 19 February 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
HARVEY

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

The minutes were signed.

3. 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*?

ELLIOT
ZUCCO

That item 10 in the Closed portion of the meeting be transferred to the Open portion of the meeting.

MOTION LOST

VOTING RECORD

AYES

NOES

Zucco
Dutta
Kelly
Elliot

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Harvey
Sherlock
Bloomfield
Posselt
Lohberger

4. COMMUNICATION FROM THE CHAIRMAN

4.1 Freedom of Entry to the City - HMAS Hobart III File Ref: 16/119

The Lord Mayor advised the Chamber that on Saturday 9 March 2024, HMAS Hobart III was granted Freedom of Entry to the city.

She reported it was an Australian Navy tradition for Australian cities to grant Freedom of Entry to their namesake vessels.

The event involved a ceremonial march of 200 sailors in full dress uniform, accompanied by a marching band, followed by a challenge by the Commissioner of Police.

Councillor Dr Sherlock officiated and was presented with a plaque by the Australian Fleet Commander of the Royal Australian Navy, Rear Admiral Chris Smith AM, CSM.

4.2 Correspondence from the Danish Palace File Ref: 16/119

The Lord Mayor advised the Chamber that on 15 January 2024, she wrote to their Majesties King Frederik X and Queen Mary congratulating them on behalf of the City of Hobart on the occasion of the King's ascension to the throne.

She advised that on 19 March 2024 she received correspondence from Her Majesty's Private Secretary from the Danish Royal Palace conveying their Majesties gratitude to the City of Hobart for its kind wishes.

5. 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: Monday, 26 February 2024
Purpose: Rating and Valuation Strategy Review | Results of Annual Community Satisfaction Survey

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor H Burnet, Councillors Dr Z Sherlock, J Kelly, L Elliot, and R Posselt.

Apologies:

Councillors B Harvey, M Dutta and B Lohberger

Leave of Absence:

Alderman L Bloomfield

Date: Monday, 4 March 2024

Purpose: Committee for Greater Hobart Workshop Presentation | Annual
Plan Progress Report – period ending 31 December 2023 |
E-Scooters Licensing Arrangements

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor H
Burnet, Alderman M Zucco, Councillors B Harvey, M Dutta, Dr Z Sherlock, J
Kelly, L Elliot, and W Coats.

Leave of Absence:

Alderman L Bloomfield

6. PUBLIC QUESTION TIME

No public questions were asked.

7. PETITIONS

7.1 Huon Road and Grayling Avenue Intersection **File Ref: 16/119**

The Chief Executive Officer tabled a petition from Jann Baxter, of South Hobart calling for the Council to undertake a review of the position of the traffic island at the intersection of Huon Road and Grayling Avenue to provide easier access to all vehicles, including but not limited to, resurfacing the entrance to Grayling Avenue.

There were 12 signatories to the petition.

BURNET
DUTTA

That the petition be received and noted, and a report be provided back to a future Council meeting.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

Attachment

A Petition - Huon Road / Grayling Avenue Intersection - March 2024



8. 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*.

BURNET

BLOOMFIELD

That the recommendation be adopted

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt

Lohberger

9. 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.

No interest was indicated.

OFFICER REPORTS

10. Assignment of Lease - Collection of Medical Artefacts (COMA) to the Maritime Museum - Semaphore Cottage, Princes Park File Ref: F24/4458; 15/153-772

HARVEY
KELLY

That the recommendation contained within the officer report, marked as item 10 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

NOES

COUNCIL RESOLUTION:

That:

1. The Council agree to assign the lease dated 17 May 2022 from the Collection of Medical Artefacts (Tasmania) to the Maritime Museum of

Tasmania.

2. The Chief Executive Officer be authorised to finalise the terms and conditions of the agreement.
3. In accordance with the Council Policy 'Grants and Benefits Disclosure' the benefit recognised to the Maritime Museum by way of a reduced rental as part of the lease be disclosed in the City's Annual Report.

11. Southern Tasmanian Badminton Centre - 101 Cascade Road - Leasing Arrangements
File Ref: F24/4087

BURNET
POSSELT

That the recommendation contained within the officer report, marked as item 11 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

That:

1. The Council write to the Crown to request termination of the current lease agreement over the Southern Tasmanian Badminton Centre, 101 Cascade Road, South Hobart.
2. The Council advise the Southern Tasmanian Badminton Association of its plan to terminate the lease.

12. Annual Plan Progress Report for the period ending 31 December 2023
File Ref: F24/17321

BURNET
DUTTA

That the recommendation contained within the officer report, marked as item 12 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Harvey	
Dutta	
Sherlock	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	

COUNCIL RESOLUTION:

That the Council note the 2023-24 Annual Plan Progress Report for the period ending 31 December 2023, marked as Attachment A to item 12 of the Open Council Agenda of 19 March 2024.

13. Revised Financial Hardship Assistance Policy and Rates SMS Reminder Service
File Ref: F24/20858

HARVEY
SHERLOCK

That the recommendation contained within the officer report, marked as item 13 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Harvey	
Dutta	
Sherlock	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	

That the Council:

1. Endorse the amended Council Policy – Financial Hardship Assistance Policy, marked as Attachment A to item 13 of the Open Council Agenda of 19 March 2024.
2. Endorse the introduction of a SMS notification service to remind ratepayers when rates instalments are due, on an opt-in basis.
3. Develop and implement an appropriate communications plan to ensure ratepayers are made aware of the new free SMS rates instalment reminder service.

14. Salamanca Place Amplified Music Trial 2024 - Update
File Ref: F24/23510; 16/119

BURNET
ZUCCO

That the recommendation contained within the officer report, marked as item 14 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

That Council note the update provided in the report titled "*Salamanca Place Amplified Music Trial 2024 – Update*" marked as item 14 of the Open Council Agenda of 19 March 2024.

15. City of Hobart Rate Postponements Policy - Rescind
File Ref: F24/21128

HARVEY
SHERLOCK

That the recommendation contained within the officer report, marked as item 15 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

That the Council rescind the City of Hobart Policy – Rate Postponements, marked as Attachment B to item 15 of the Open Council Agenda of 19 March 2024, to be replaced by the existing City of Hobart Financial Hardship Assistance Policy.

16. Potential Disposal of Part of Selfs Point (Land)
File Ref: F24/20951

LOHBERGER
SHERLOCK

That the recommendation contained within the officer report, marked as item 16 of the Open Council Agenda of 19 March 2024, be adopted.

AMENDMENT

DUTTA
LOHBERGER

That an additional part (iii) be added to clause 2 to read as follows:

“2 (iii) investigate a portion of the funds generated from the sale, together with an additional contribution from TasWater, being used to fund the remediation of the New Town Rivulet and that a report be provided back to the Council.”

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Deputy Lord Mayor Burnet	Harvey
Dutta	Kelly
Sherlock	Elliot
Bloomfield	
Posselt	
Lohberger	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Kelly
Deputy Lord Mayor Burnet	
Zucco	
Harvey	
Dutta	
Sherlock	
Elliot	
Bloomfield	
Posselt	
Lohberger	

COUNCIL RESOLUTION:

That:

1. The Council resolve to sell the property enclosed in blue on the plan in Attachment A to item 16 of the Open Council Agenda of 19 March 2024 to the Tasmanian Water & Sewerage Corporation Pty Ltd ("TasWater") for the sum of \$1,360,668.02;
2. The Chief Executive Officer be delegated the authority to:
 - (i) negotiate and finalise the terms of the contract for sale; and
 - (ii) undertake the statutory consultation process prescribed by section 178 of the *Local Government Act 1993 (Tas)*("Act"), being:
 - (a) to publish its intention to sell the land on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - (b) display a copy of the notice on any boundary of the public land that abuts a highway; and

- (c) notify the public that an objection to the proposed sale, lease, donation, exchange or disposal may be made to the Chief Executive Officer (“CEO”) within 21 days of the date of the first publication, should TasWater not compulsorily acquire the Property under the terms of the *Land Acquisitions Act 1993 (Tas)*; and
 - (iii) investigate a portion of the funds generated from the sale, together with an additional contribution from TasWater, being used to fund the remediation of the New Town Rivulet and that a report be provided back to the Council.
- 3. Should the Council be required to undertake the consultation process described in point 2(ii) above, that the sale of the Property be conditional on the Council not receiving any objection under section 178(4) of the Act or an appeal of the decision to sell the Property under section 178 of the Act.

The Lord Mayor vacated the Chair for item 17.

The Deputy Lord Mayor assumed the Chair.

MOTION OF WHICH NOTICE HAS BEEN GIVEN
--

**IN ACCORDANCE WITH REGULATION 16(5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015**

17. Development Application Fees For Public Art
File Ref: F24/21579; 13-1-09

Lord Mayor Reynolds
Motion

“That Council amend its Fees and Charges to set a \$0 fee for Development Applications for public art and murals on private property that face into public space”

Rationale:

“The City of Hobart supports street art, public art and privately commissioned murals and street art, however a planning permit is required from the City under the ‘signs code’ which is approximately \$800 and takes approx. 42 days (including the public notice requirement).

This high fee is a disincentive for murals and public art being commissioned, with the cost of application often higher than the cost of the artwork itself.

The 'Signs Code' and the planning permit process is an important step to ensure that all proposed signs and mural art meet standards. The Code doesn't just apply to signs with words. It includes graphical and pictorial as well as signs with advertising or descriptions.

It is important that all mural artists are treated consistently by obtaining the necessary approvals.

Waiving the Development Application fee allows for a growth in public art commissions in Hobart, while still ensuring proper planning oversight of applications.

The City of Launceston Council voted unanimously to waive planning application fees for this kind of art project in May 2022 as a way to create a culturally vibrant city through encouraging public art.

In 2019, Council endorsed the City of Hobart Public Art Framework. This document references the overarching principles of the Creative Hobart framework and sets out a series of guiding principles and directions for the City's Public Art. The policy aims to:

- increase the opportunities for a diverse range of artists to work in the public domain
- Facilitate and support public art projects proposed and developed by artists and other community members.

Public art enables people to share their experiences, thoughts, feelings, and imaginations. It enriches our lives by providing us with a way to see and experience the world through the eyes of others.

This step would demonstrate in a very practical way, the City's commitment to public and street art and to supporting the artists who do this work."

Administration Response to Notice of Motion

Discussion

1. The ability to create public art and murals on private property from a planning point of view will depend on a number of factors, including:
 - (a) the location of the property, which will influence whether the *Hobart Interim Planning Scheme 2015* applies or the *Sullivans Cove Planning Scheme 1997*;
 - (b) the broad design of the proposal (for example, does it contain specific advertising messages), although the planning scheme does not regulate specific content of signs;
 - (c) the placement of the proposal at the property e.g. is it on a window, a

wall or fence surrounding a building, on an umbrella etc (there are 41 different defined signs in the Signs Code in the *Hobart Interim Planning Scheme 2015*);

- (d) the zoning of the property;
 - (e) whether the property is listed in the planning scheme as a heritage place or heritage precinct; and
 - (f) the existing condition of a property e.g. whether the proposal replacing an existing approved sign or painted building.
2. Members of the public are encouraged to contact our duty planner to obtain advice as to whether or not their proposed actions will require planning approval before they begin.
 3. The fees are comprised of the following planning fees for the current financial year:
 - (a) \$400 application fee; and
 - (b) \$449 advertising fee.
 4. If the application fee is waived, this is unlikely to have a significant impact given that the number of applications received for “signs” of this nature are quite rare. This fee goes towards the cost of operations for the Development Appraisal Unit.
 5. The current fees and charges require payment of twice the planning application fee for retrospective approvals.
 6. The advertising fee is used to cover external costs incurred to advertise applications, including in the Mercury. So if this fee is waived then the Council will not have that cost covered by the applicant. It is therefore recommended that this component of the fees continues to apply to this category of applications, so that these applications are not effectively subsidised by the Council.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

- | | |
|----------|---|
| Pillar: | 2 – Community inclusion, participation and belonging. |
| Outcome: | 2.2 Hobart is a place where diversity is celebrated and everyone can belong, and where people have opportunities to learn about one another and participate in city life. |
| | 2.4 Hobart communities are safe and resilient, ensuring people can support one another and flourish in times |

of hardship.

- Strategy:
- 2.2.1 Support people from all backgrounds and life experiences to participate in Hobart life.
 - 2.2.3 Provide and support activities and programs that celebrate diversity to reduce social isolation and build social cohesion.
 - 2.4.6 Deliver and support initiatives, activities and programs that build community resilience, wellbeing and safety.

Legislation and Policy

Legislation: *Anti-Discrimination Act 1998, Land Use Planning and Approvals Act 1993*

Policy:

Financial Implications

1. As stated above.

REYNOLDS
POSSELT

That the motion be adopted, as amended to read as follows:

“That

1. The Council waive its Development Application fee for public art and murals on private property that face into public space.
2. The City develop a communications plan outlining the rules and requirements associated with public art installations, including any exemptions or requirements under the planning scheme.”

AMENDMENT

KELLY
BLOOMFIELD

That the matter be reviewed with a report to the Council in 12 months time.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Deputy Lord Mayor Burnet	Lord Mayor Reynolds
Zucco	Posselt
Harvey	
Dutta	
Sherlock	
Kelly	
Elliot	
Bloomfield	
Lohberger	

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

That:

1. The Council waive its Development Application fee for public art and murals on private property that face into public space.
2. The City develop a communications plan outlining the rules and requirements associated with public art installations, including any exemptions or requirements under the planning scheme.
3. The matter be reviewed with a report to the Council in 12 months time.

The Lord Mayor resumed the Chair.

18. RESPONSES TO QUESTIONS WITHOUT NOTICE
File Ref: F24/23917

The Council is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairperson is not to allow discussion or debate on either the question or the response.

HARVEY
LOHBERGER

That the recommendation contained within the officer report, marked as item 18 of the Open Council Agenda of 19 March 2024, be adopted. .

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Harvey	
Dutta	
Sherlock	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	

COUNCIL RESOLUTION:

That the following responses to questions without notice be received and noted:

18.1 Whole House Visitor Accommodation

Memorandum of the Acting Director City Life 1 March 2024.

18.2 Population Growth Figures

Memorandum of the Director City Futures 13 March 2024.

18.3 St David's Park

Memorandum of the Acting Director City Life 13 March 2024.

**18.4 Elected Members – Legal Proceedings
Elected Members – Legal Issues - Costs**

Memorandum of the Manager Legal and Corporate Governance
13 March 2024.

18.5 Councillor Elliot – Donations Declaration

Memorandum of the Manager Legal and Corporate Governance 8
March 2024.

18.6 Climate Change Review / Strategy – Budget Costs Breakdown

Memorandum of the Acting Head of Intergovernmental Relations & Partnerships 7 March 2024.

19. QUESTIONS WITHOUT NOTICE **File Ref: F24/23918**

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

19.1 Councillor Dutta - Section 28 (2) (iii) Local Government Act **File Ref: 13-1-10**

Question: Section 28 (2) (B) (iii) of the *Local Government Act 1993*
Rule 2 states:
"The Councillors of a Council collectively have the following functions:
(2B) states:
"To determine and monitor the application of policies, plans and programs for:
Rule (B) (iii) states:
"The fair and equitable treatment of employees of the Council"

Can the Chief Executive Officer provide clarification and advice if this statement from the Act indicates that the Councillors, as a group, have the responsibility to establish and oversee the implementation of policies, plans, and programs related to ensuring fair and equitable treatment for employees of the Council. Does this include Elected Members getting involved in making decisions about how employees are treated, ensuring that policies are followed, and monitoring the effectiveness of these policies?

Can the Chief Executive Officer advise if the Council/ City has a redeployment policy for employees:

- (a) If yes, does the policy outline procedures, programs, as to how decisions are made, any relevant training and development opportunities available for transferring employees within the organisation?
- (b) Are there any appeal process (under the principles of natural justice) accorded to employees if they disagree with a redeployment decision or believe they have been unfairly treated during the process?

Response: The Chief Executive Officer took the question on notice.

19.2 Councillor Posselt - Pre-Employment Screening
File Ref: 13-1-10

Question: Can the Council be provided with an update on concerns raised about pre-employment screening practices asked about 6 months ago?

For help with the answer it is about physical screening for office workers and the practice of drug screening.

Response: The Chief Executive Officer took the question on notice.

19.3 Alderman Bloomfield - Councillor Elliot - Donations
File Ref: 13-1-10

Question: *Alderman Bloomfield spoke to the meeting during Questions Without Notice where she also posted a series of questions quoted below:*

Local Government Act specifies:

Must report donations over \$50 within 14 days

Must include name if known

Designed to create:

Transparency – so public can reasonably establish any conflict of interest

Lobby groups can be identified

Undue financial (pecuniary conflict) pressure is removed

Go Fund me accepts donations with no name

Equivalent of a brown paper bag with cash inside

2 pages of donations on go fund me exist that I cannot reconcile to the register published on HCC website

Even if are now lodged with HCC register of donations – they are outside the 14 day requirement

How can the public reasonably know when Councillor Elliot has a pecuniary interest established with her go fund me page due to anonymous or first name only identification?

Has the Director of Local Government been informed of the discrepancy of these undeclared donations?

9th Dec 2023 Ted Middleton \$2000 – not declared on HCC register -why not?

There are nearly 2 pages of donations reported on go fund me over \$50 which are not identified with matching date/amounts on HCC register – why not?

Who is Craig – declared on register \$1000 on Nov 2023

Who is Peter – declared on register \$500 on Jan 2024

Who is PT – declared on register \$500 on Nov 2023

Councillor Elliot declared on 7th Feb within a tweet video with 13,000 views that she had declared all her donations are 'are all declared and on the Council list' yet today we cannot find evidence of many donations being reported with the 14 days as required by the Local government act.

Does this tweet video form evidence of misleading the public? – My understanding if this is true that it would form a breach of the Local Government Act.

Response: The Chief Executive Officer took the question on notice.

19.4 Councillor Harvey - Thermal Heat Map **File Ref: 13-1-10**

Question: Can officers advise if the City of Hobart has a day time thermal heat map of the city and suburbs, if not should such a map be produced for inclusion in the Climate Strategy?

Response: The Acting Head of Intergovernmental Relations and Partnerships took the question on notice.

19.5 Councillor Harvey - Bushcare Budget **File Ref: 13-1-10**

Question: Can officers advise what the Bushcare Program budget has been over the past 5 years?

Response: The Director City Enablers advised the budget figures as follows:

- 2023/24 financial year \$282,000
- 2022/23 financial year \$264,000
- 2021/22 financial year \$257,000
- 2020/21 financial year \$246,000
- 2019/20 financial year \$232,000

19.6 Councillor Lohberger - E-scooter Licence **File Ref: 13-1-10**

Last week a sole operator was announced for the e-scooters,

Question: why didn't the licence come before the Council?

Response: The Chief Executive Officer advised that the Council made a decision with respect to the licence and then delegated to the Chief Executive Officer to enact the licence. The conditions that were approved by the Council formed part of the licence therefore it wasn't required to come back to the Council.

19.7 Councillor Sherlock - Elected Members - Legal Costs
File Ref: 13-1-10

Question: Can the Chief Executive Officer provide a breakdown of how much Council / public money has been spent on legal issues relating to each elected member for the last term of Council the dates being November 2018 – February 2020?

Response: The Chief Executive Officer took the question on notice.

19.8 Alderman Zucco - Elected Member - Legal Costs
File Ref: 13-1-10

Question: Can the Chief Executive Officer provide the names of the elected members, subject to legal clearance, of those who incurred legal costs for the last term of Council the dates being November 2018 – February 2020?

Response: The Chief Executive Officer took the question on notice.

19.9 Deputy Lord Mayor Burnet - Employment Opportunities - Migrant Community
File Ref: 13-1-10

Question: What does the Council undertake to improve the employment opportunities for students and others of this municipality and to expose them to the myriad of employment opportunities and what opportunities are provided for members of the community from English as an additional language background?

Response: The Director Connected City took the question on notice.

19.10 Lord Mayor Reynolds - Macquarie Street - Potholes
File Ref: 13-1-10

Question: Can officers seek advice from State Roads about when they plan to fix potholes and improve the surface of Macquarie Street between Molle and Argyle Streets?

Response: The Director City Futures advised that advice on the matter would be sought from State Roads.

19.11 Lord Mayor Reynolds - Roads - Maintenance
File Ref: 13-1-10

Question: Can officers advise if there is any AusRoads or other standard for appropriate maintenance and re-sheeting schedules for roads with the number of traffic movements per day as seen in Macquarie Street?

Response: The Director City Futures took the question on notice.

BUSINESS ARISING

20. Questions Taken on Notice During Debate
File Ref: F24/24559

POSSELT
LOHBERGER

That the recommendation contained within the officer report, marked as item 20 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

That the information contained in the “Business Arising - Questions Taken on Notice During Debate” report be received and noted

Supplementary Item 22 was then taken

21. 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:

- Proposal for an interest of land for the Councils consideration
- Information of a personal nature provided on condition it is kept confidential
- Personal hardship of a resident or ratepayer

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 2023-24 Supplementary Rates - Variation Objections
 LG(MP)R 15(2)(g) and (j)
- Item No. 7 City of Hobart Rate Postponements
 LG(MP)R 15(2)(j)
- Item No. 8 Investigation report for a complaint referred by the Integrity
 Commission
 LG(MP)R 15(2)(g)
- Item No. 9 QUESTIONS WITHOUT NOTICE
 LG(MP)R 15(2)(g)

POSSELT

LOHBERGER

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

SUPPLEMENTARY ITEM

REPORT OF THE CHIEF EXECUTIVE OFFICER

- 22. Code of Conduct Determination Report
Councillor Louise Elliot v Councillor Ryan Posselt
File Ref: F24/24968**
-

SHERLOCK
DUTTA

That the recommendation contained within the report of the Chief Executive Officer, marked as supplementary item 22 of the Open Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

That the Council receive and note the Code of Conduct Determination Report in respect to a complaint lodged by Councillor Louise Elliot against Councillor Ryan Posselt, shown as Attachment A to supplementary item 22 of the Open Council Agenda of 19 March 2024.

Item 21 was then taken.

OFFICER REPORTS

Item 23, (listed as item 7 of the Closed Agenda of 19 March 2024) has been recorded in the Open portion of the meeting in accordance with clause 3 of the Council resolution.

23. Consideration of Glebe Road Network
File Ref: F24/8309; 15/153-773

BLOOMFIELD
BURNET

That the recommendation contained within the officer report, marked as item 7 of the Closed Council Agenda of 19 March 2024, be adopted.

AMENDMENT

LOHBERGER
POSSELT

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

“4. A report be prepared for elected members into the establishment of a community garden for Glebe residents on Lovett Street, including liaising with neighbours to the site and the Glebe Community Association, and also liaising with the former owner, the Diocese of Tasmania, about whether this potential use is acceptable to the Diocese.”

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

AMENDMENT

LOHBERGER
DUTTA

That clause 3 be amended to reflect that the decision be recorded in the Open portion of the minutes.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot

Bloomfield
Posselt
Lohberger

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Zucco
Harvey
Dutta
Sherlock
Kelly
Elliot
Bloomfield
Posselt
Lohberger

COMMITTEE RESOLUTION:

That:

1. Council agree to purchase the land described on Certificate of Title 112119/1 and shown on Attachment A ("Land") to item 7 of the Closed Council Agenda of 19 March 2024 from the Trustees of the Diocese of Tasmania (Vendor) for the sum of one dollar (\$1.00).
2. The Chief Executive Officer be delegated the authority to do everything necessary to affect the transaction, including to negotiate with the current owner of the Property ("Property Owner") for the payment of their reasonably incurred costs to affect their side of the transaction (such as legal advice to review the contract of sale) up to a maximum sum of \$2,600 (including GST).
3. In accordance with regulation 15 (8) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council has considered whether any discussion, decision, report or attachment related to this item can be released to the public, taking into account privacy and confidentiality issues, and resolve the decision be recorded in the Open minutes of the meeting.

4. A report be prepared for elected members into the establishment of a community garden for Glebe residents on Lovett Street, including liaising with neighbours to the site and the Glebe Community Association, and also liaising with the former owner, the Diocese of Tasmania, about whether this potential use is acceptable to the Diocese.

Item 24, (listed as item 8 of the Closed Agenda of 19 March 2024) has been recorded in the Open portion of the meeting in accordance with clause 2 of the Council resolution.

24. Temporary Housing - Final Report
File Ref: F24/7749

SHERLOCK
POSSELT

That the recommendation contained within the officer report, marked as item 8 of the Closed Council Agenda of 19 March 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Burnet	
Zucco	
Harvey	
Dutta	
Sherlock	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	

COUNCIL RESOLUTION:

That:

1. The Council agree to:
 - (i) sell that part of 136 Wentworth Street, Hobart in Tasmania (CT 94118/1) indicated in Attachment A ("Sale Area") to item 8 of the Closed Council Agenda of 19 March 2024; and

- (ii) grant a right of way over that area indicated in Attachment B to item 8 of the Closed Council Agenda of 19 March 2024, to facilitate access to the development, to Homes Tasmania for the market valuation of \$400,000.00 subject to no objections being received during the statutory advertising period required under Sections 178 of the Local Government Act 1993.
- 2. In accordance with regulation 15 (8) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council has considered whether any discussion, decision, report or attachment related to this item can be released to the public, taking into account privacy and confidentiality issues, and resolve the matter remain confidential, except
 - (i) to the extent required to action the Council resolution; and
 - (ii) that the Council's decision be recorded in the open portion of the meeting.

There being no further business the Open portion of the meeting closed at 7.16pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
29TH DAY OF APRIL 2024.

CHAIRMAN