



CITY OF HOBART

MINUTES

Open Portion

Monday, 23 January 2023

AT 5.00 pm

Council Chamber, Town Hall



City of **HOBART**

ORDER OF BUSINESS

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PRESENT:

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

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

The Deputy Lord Councillor H Mayor Burnet.

1. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson opened the meeting and provided an acknowledgement of country.

2. 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 [Tuesday, 12 December 2022](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

DUTTA
BEHRAKIS

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------|
| Lord Mayor Reynolds | |
| Zucco | |
| Harvey | |
| Behrakis | |
| 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*?

No items were transferred.

HARVEY
SHERLOCK

That: 1. Item 17 be taken after item 9.
 2. Items 10, 11, 12 and 13 be taken after item 23.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------|
| Lord Mayor Reynolds | |
| Zucco | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Elliot | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

4. COMMUNICATION FROM THE CHAIRMAN

4.1 Welcoming Cities Accreditation

The Lord Mayor presented the Chamber with a framed Welcoming Cities Accreditation for the City of Hobart.

On 9 December 2022 Sebastian Geers, Manager of the national Welcoming Cities Network attended the Town Hall launch to celebrate the City's new accreditation as a Welcoming City and member of the Welcoming Cities Network. He presented the framed certificate marking national accreditation in the Leadership category.

This status for the City of Hobart as a Welcoming City shows that Council has acted towards becoming a more connected and cohesive community and a driver of cultural change. We look forward to making progress as part of this national and international network.

4.2 Communications from the Director of Local Government

The Lord Mayor tabled a letter from Mathew Healey, Director of Local Government, which was sent to all Councils reminding Councillors about expectations and standards of behaviour at Council meetings and conducting themselves within the Code of Conduct at all times.

A copy was circulated to all elected members.

ZUCCO
DUTTA

That the Council received and note the communication received.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------|
| Lord Mayor Reynolds | |
| Zucco | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Elliot | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

Attachments

A Letter from DoLG - Expectations of Behaviour - Hobart City Council



5. NOTIFICATION OF COUNCIL WORKSHOPS

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.

6. PUBLIC QUESTION TIME

6.1 Pubic Questions

No public questions were received.

7. PETITIONS

No petitions were received.

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*.

No supplementary items were received.

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 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 17 was then taken.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

10. Council Workshop Policy
File Ref: F23/4263; 13-1-9

Councillor Elliot

Motion

"That a report be provided the Council require that a policy governing Council Workshops be prepared and provided to Council for feedback and approval, with the policy reflecting the principle that Elected Members are consulted in relation to the schedule and agenda for workshops and can request issues for briefing through a workshop."

Rationale:

"Hobart City Council has increased its use of Council Workshops. The Governance Framework does not provide adequate detail in relation to the principles and processes that apply to Council Workshops and some confusion exists. It is therefore valuable that a policy on this mechanism be developed.

It is reasonable to expect that Elected Members would have a genuine opportunity to shape the schedule and agenda for workshops, including the ability to request briefings on specific issues through a workshop format. It is also acknowledged that Administration will also have issues that they want to brief the Council on.

It is intended that the policy would outline the principles and processes that apply to Council Workshops, including the purpose of Workshops, process for Elected Members to request a briefing on specific issues, the timelines for how far in advance workshop schedules and agendas will be made available, and explicit clarity around confidentiality."

Administration Response to Notice of Motion

Discussion

1. As advised in the Governing Hobart report to Council on 21 November 2022, the elected member Induction Program Pack; and subsequent emails to elected members the arrangements for Workshops are as follows:

Workshops

- 1.1. The Chief Executive Officer and relevant members of ELT will provide regular Elected Member Workshops to impart information and allow for discussion.
- 1.2. Matters for consideration will usually include updates on the more significant matters due to come before a meeting of Council, briefings on significant matters by external parties, and briefings on the progress of significant Council projects, finances, strategies and plans.
- 1.3. The Chief Executive Officer will set the agenda for the Elected Member Workshops, but will consider suggestions from the Lord Mayor, Deputy Lord Mayor and Elected Members.
- 1.4. Regular Elected Member Workshops will be held fortnightly and timed as consistently as possible, in expectation that Elected Members will endeavour to attend all such meetings unless there is a reasonable reason why they cannot do so, noting, however, that attendance is not a statutory requirement but attendance will be recorded and published on the Council website.
2. Ahead of the fortnightly workshop, a written Agenda will be prepared; and associated Briefing Papers. This material will then be uploaded to the Hub for Elected Members to access at least four (4) clear days ahead of a workshop. A report on the items discussed and those in attendance at Workshop will then be prepared and included in the Council Meeting Agenda and presented at the meeting. The *Local Government Act* requires that Workshops be reported to Council; hence this has been a long standing agenda item on Council Agendas.
3. The only time workshop material is confidential; is if the CEO ' declares it as confidential' and this will appear as a covering memo to the Agenda and or specific Briefing Note; as per Section 28C of the *Local Government Act*.
28C. Confidentiality undertaking
 - (1) *If the general manager (CEO) considers that the information or document is confidential, the general manager (CEO) may require the councillor to whom the information or document is to be made available to give an undertaking to keep it confidential.*
 - (2) *If a councillor refuses or fails to give the undertaking, the general manager may refuse to make the information or document available to the councillor.*
4. There will be a minimum of two items on the Workshop Agenda each fortnight. As discussed at recent Council Meetings the first Workshop was held at 5.00pm in the Lady Osborne Room on Monday, 5 December 2022.

5. The CEO also advised Elected Members at the Induction Program and in the subsequent Council meetings that Elected Members may also request items to be discussed at a Workshop. A meeting planner will be updated regularly on the HUB that highlights matters coming up at Workshops.
6. A Workshop Policy is therefore considered unnecessary as the purpose of Workshops is outlined in the Governance Framework; and it's the role of the CEO to operationalise the running of workshops in accordance with the *Local Government Act*.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:

Outcome:

Strategy:

Legislation and Policy

Legislation: *Local Government Act 1993; Local Government (Meeting Procedures) Regulations 2015*

Policy: Governance Framework; Meetings: Procedures and Guidelines

Financial Implications

1. The only financial implications that arise from this motion is the officer time involved in the preparation of a report should the Council resolve to do so.

ELLIOT
ZUCCO

That the motion be adopted.

PROCEDURAL MOTION

POSSELT
LOHBERGER

That the motion be now put.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|----------|
| Lord Mayor Reynolds | Zucco |
| Harvey | Behrakis |
| Dutta | Kelly |
| Sherlock | |
| Elliot | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

MOTION LOST

VOTING RECORD

| AYES | NOES |
|----------|---------------------|
| Zucco | Lord Mayor Reynolds |
| Behrakis | Harvey |
| Kelly | Dutta |
| Elliot | Sherlock |
| | Bloomfield |
| | Posselt |
| | Lohberger |

MOTION WITHOUT NOTICE

DUTTA
HARVEY

That Council notes the administrative response and acknowledges a workshop policy is not required.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|----------|
| Lord Mayor Reynolds | Zucco |
| Harvey | Behrakis |
| Dutta | Kelly |
| Sherlock | Elliot |
| Bloomfield | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That Council notes the administrative response and acknowledges a workshop policy is not required.

11. Access to Information Policy File Ref: F23/4476; 13-1-9

Councillor Elliot

Motion

"That the Council:

1. Require that a policy governing Elected Members access to information be prepared and provided to Council for feedback and approval.
2. Require that all information that was previously on the Council's document management system (the 'Hub') that has been archived be reinstated, restoring Elected Member access to this recent historical information."

Rationale:

"To undertake the role of Elected Member fully and efficiently, access to information is required.

The *Local Government Act 1993* states that Elected Members may request "any information or document or a copy of any information or document in the possession of the council that may be required for the purpose of performing any of the councillor's functions."

It is understood that legal advice facilitated by the Council to former alderman, Jeff Briscoe, in 2022 made it clear that access to information should be forthcoming in a timely manner and in accordance with the requirements of the Act.

It is expected that the policy would address the processes and principles that apply to Elected Members access to information, including the nature of the information that can be provided to Elected Members, confidentiality considerations, processes, and response timeframes.

It is valuable to have access to historical information, especially information as recent as the previous term of Council, for reference so that Elected Members can directly access information so they can be informed about recent issues and decisions."

Administration Response to Notice of Motion

Discussion

1. Requests for information by elected members are dealt with by section 28A of the *Local Government Act 1993*. It provides that an elected member, in writing, may request the CEO to make available any information or document in the possession of the Council that may be required for the purpose of performing any of the elected member's functions.
2. The request is to state in writing the relevance of the information or document to any of the elected member's functions and declare that if the matter were to be an item on the agenda at a Council or Committee meeting that they would not have or be unlikely to have any pecuniary interest in the matter.
3. The request may be refused on a number of grounds under the Act and if the information is confidential, the CEO may require the elected member to provide an undertaking to keep the information confidential.
4. A register of requests made by elected members will be kept and made available on the Hub and all information provided pursuant to a request by an elected member will be also published on the Hub.
5. To assist elected members in making such requests a form has been developed which can be downloaded from the Hub. Once downloaded, it simply requires completing the blank fields and hitting the 'submit' button which will automatically send the form through. A copy of this form can also be emailed to Elected Members on request.
6. For clarity, requests of a 'transactional' nature or on behalf of constituents should be referred through EMrequests@hobartcity.com.au
7. This was communicated to Elected Members via the Bulletin on 25 November 2022.
8. The material and information available on the Hub was archived at the conclusion of the term of the previous Council. This was done on the basis that much of the information was no longer relevant or necessary. There have been some exceptions to this and where they have been identified, the information has been provided.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

- Pillar: 8 – Governance and Civic Involvement
- Outcome: 8.3 City leadership is accessible and reflects Hobart communities.
- Strategy: 8.3.3 Support the elected representatives to undertake their role.

Legislation and Policy

Legislation: *Local Government Act 1993*
Policy: N/A

Financial Implications

1. The only financial implications which arise is officer time involved in the preparation of this and any subsequent reports or policy.

ELLIOT
ZUCCO

That the motion be adopted.

MOTION LOST

VOTING RECORD

AYES

Zucco
Behrakis
Elliot

NOES

Lord Mayor Reynolds
Harvey
Dutta
Sherlock
Kelly
Bloomfield
Posselt
Lohberger

COUNCIL RESOLUTION:

The motion was lost.

12. CBD Cleaning
File Ref: F23/4480; 13-1-9

Councillor Elliot

Motion

“That the Council commit to raising the standards of cleanliness across our CBD and providing increased resources through the upcoming budget process to allow the cleaning regime for the CBD to be expanded.”

Rationale:

“The CBD should be a safe, clean and appealing place. The CBD attracts thousands of people every day, including people who are visiting Hobart for the first time. First impressions count and our State relies heavily on our ‘clean’ image.

Despite the hard work of the organisation's cleaning focused team members, on regular occasions the presentation of the CBD is substandard, with rubbish bins overflowing and public toilets and parenting facilities in an undesirable state.

At present, cleaning of the CBD (including street cleaning, litter collection, cleaning of toilets and removal of graffiti) commences in the early morning and finishes in the early afternoon. Because the teams have finished for the day while the city is still active, mess such as overflowing bins and toilets in unsanitary states remain this way from early afternoon until they are attended to the following morning.

An increase in resources for the cleaning team of around \$80,000 to \$100,000 per annum will enable the hours that a cleaning is occurring across the CBD to be expanded. For example, instead of cleaning ceasing from around 2:30 pm, increased funding could see this continue through until 6:30pm on weekdays and 5:30 pm on weekends.

While we should be aiming for a high standard of cleanliness at all times, increased funding will also allow resources to be increased when demand is increased, for example, during the visitation of large cruise ships."

Administration Response to Notice of Motion

Discussion

1. The City of Hobart currently spends \$3.6 million per year on City Cleansing.
2. This is a seven day a week operation that includes footpath cleaning using both footpath sweepers and cleaning by hand, road cleaning using road sweepers, removal of graffiti, stormwater pit cleaning, high pressure cleansing of footpaths and cleaning public toilets and change rooms.
3. During peak times, such as during summer and when cruise ships are in dock, resources are diverted into the CBD and Sullivans Cove.
4. Currently the City's cleansing team commence work early morning and finish early afternoon. Whilst this appears to have been traditionally sufficient in the past, with increased visitor usage and increasing community expectations, this may not be considered adequate by all members of the public now.
5. As part of the City's organisation transformation project, a program of service reviews is currently being prepared that will ensure that our services are aligned with community and customer value. In the meantime, officers will investigate extending hours of footpath cleaning, public convenience cleaning and removing waste from litter bins in the CBD and Sullivans Cove, however this will have budget

implications which will be included in the 2023-24 budget preparations.

6. In the interim, during the remainder of summer, additional resources in the late afternoon will be put in place in the Central Business District to undertake removal of litter on footpaths, check if bins are overflowing and check public facilities for cleanliness.
7. Modification of bins will be investigated to prevent rubbish blocking at the lid entry point to the bin.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 7 – Built Environment.

Outcome: 7.3 Infrastructure and services are planned, managed and maintained to provide for community wellbeing.

Strategy: 7.3.3 Ensure City-owned assets and public spaces are presented to a high quality to meet community and visitor requirements.

Legislation and Policy

Legislation:

Policy: N/A

Financial Implications

1. The interim measure of providing an additional resource in the late afternoon over the remainder of summer can be undertaken within existing operational budgets.
2. Additional cleaning, rubbish removal and facility cleaning will be costed and included in budget considerations for the 2023-24 financial year.

ELLIOT
ZUCCO

That the motion be adopted.

PROCEDURAL MOTION

SHERLOCK
POSSELT

That the matter of the motion be referred to a budget workshop.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|----------|
| Lord Mayor Reynolds | Zucco |
| Harvey | Behrakis |
| Dutta | Elliot |
| Sherlock | |
| Kelly | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That the Council consider the City's cleaning regime for the CBD as part of a budget workshop for the 2023-24 budget process.

13. Family Friendly CBD
File Ref: F23/4483; 13-1-9

Councillor Elliot

Motion

That the Council:

- require a report on the development of a strategy and action plan that focuses on enhancing the family-friendly nature of the CBD and
- that actions within the strategy include:
 - transforming the Wellington Court area into a space for families and others to enjoy, including modern, architectural play equipment, green space, and ample shade and places to sit and
 - a review of the CBD's parenting facilities, including relocation of the parenting facility currently located on the first floor of Argyle Street Carpark to ground level and easily accessible off Wellington Court."

Rationale:

"Our City is striving to be a place for all, and that includes our younger people and people who care for them.

At present, family friendly spaces and facilities in the CBD are lacking and there is considerable opportunity for improvement. In particular, a focus on

improving access to and the quality of parenting facilities and providing a high-quality space where families can play and take a break would greatly improve our ability to attract families to our CBD and their experience.

The Wellington Court area is an ideal location for an inner CBD play area for children and break out space for all. Given its proximity to the Elizabeth Street Mall, the Argyle Street Carpark and the Royal Hobart Hospital, this area could be transformed into a central location that's clean, safe, accessible and appealing for families.

Access to and the quality of parenting facilities are critical to families with young children. Clean, safe and accessible facilities are a drawcard. The parenting facility in the Argyle Street Carpark is located on the first floor which makes navigation and access challenging and the facility is regularly vandalised, heightened by its 'tucked away' location.

Our CBD is facing ongoing and growing competition from neighboring municipalities. To enhance the vitality and sustainability of our CBD and our inclusiveness as a community, we need to identify and break down barriers that deter people from participating in life in our CBD."

Administration Response to Notice of Motion

Discussion

Whole of City approach

1. The City of Hobart already has a number of projects in place which strengthen the City's offering as a preferred destination as a child and family friendly place.
2. The City's existing Community Inclusion and Equity Framework responds to the needs and aspirations of children and families in Hobart.
3. The City's draft Central Hobart Precinct Structure Plan is also strongly invested in creating an inner city a safe and enjoyable environment where people stay longer and visit more often, elements which will be key to the success of a liveable capital city experience.
4. Brand new public toilets, including a 'Changing Places' fully accessible disabled access facility, and a very high quality parenting room were included as part of the upgrade to the Argyle Street Car Park in 2019 at a cost of around \$1.7 million.
5. This upgrade took advantage of available Council owned space in high activity area, logically in close proximity to the Wellington Centre, our largest off street car park and the medical precinct surrounding the Royal Hobart Hospital.
6. The upgrade of the City of Hobart operated Centrepont toilets, scheduled to commence in March 2023, includes the

refurbishment of the male, female and disabled toilets. While there was no room to include a new parenting as part of this work given space limitations, it is understood that Centrepont also provide its own Parenting Room.

7. The City has had an ongoing focus on work for children and families through our programs and this has played out most recently in two temporary works as part of our CityPILOTS program: Foreverever, by Tom O'Hern, which sees his version of the solar system painted onto the Intercity Cycleway, and Prediction Machine, which was a very popular magnet-based interactive work in Mathers Place in front of Mathers House.
8. The current Waterfront Interpretation project will consider designs outcomes from a child's perspective, and consider the experience for children and families).

Wellington Court

9. Officers have been actively involved in the safety, security and amenity of the Wellington Court area on an ongoing basis for the last 5 years.
10. The increase in anti-social behaviour is cyclical and escalates during school holiday periods.
11. A cross organisational team is working on short, medium and long term solutions to this high use area in the city.
12. Business owners have been actively engaged by City Economy and Community Programs staff, to work with Tasmania Police and other stakeholder groups to improve the activity in this area.
13. All amenity, including street furniture, shade, play equipment, lighting, toilets and parenting rooms etc will be included in this review.
14. The City has an internal working group formed to manage ongoing concerns regarding damage and anti-social behaviour taking place in the parenting room in the Argyle St carpark.
15. There are cameras installed for monitoring access to the Parenting Room at Argyle St Carpark, and quotations have been received for the installation of an intercom system, which will enable the facility to be opened remotely as recommended by the working group.
16. A quote for this has been received by the contractor and installation of the system will be programmed as soon as possible.
17. Locking of the facility is a measure that was put in place as a temporary solution, while more permanent arrangements were put in place.
18. Officers will prepare a comprehensive reply to this Notice of Motion which will include short, medium and long term improvements to this important space, noting that it will be a work plan delivered across multiple City Portfolios e.g City Economy, Future Hobart, Welcoming and Inclusive City and Healthy Hobart, and will require prioritisation as part of each of the Portfolios work.

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

Policy:

Financial Implications

1. There is currently funding flagged in the 2023/24 Capital Works Program for the design work on this space,
2. In the 2024/25 Capital Works Program there is approximately \$2.5M put aside to accommodate the upgrades to the area.
3. Funding for short term interventions including any new community programs to address specifically the anti-social behaviour will need to be quantified and prioritised if approved as part of the work plan.

ELLIOT
ZUCCO

That the recommendation be adopted amended by the removal of the second point and its sub-points.

AMENDMENT

BEHRAKIS
SHERLOCK

That a new clause be included that reads:

That a further report be urgently provided to Council outlining solutions to respond to increasing antisocial and violent behaviour in the CBD

- (i) *That the report consider possible solutions such as the redevelopment of Wellington Arcade, as well as the reintroduction of increased security and or social outreach teams to patrol the area.*

PROCEDURAL MOTION

HARVEY
SHERLOCK

That the matter of the motion and proposed amendments discussed, be referred to a workshop.

PROCEDURAL MOTION
CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|--------|
| Lord Mayor Reynolds | Zucco |
| Harvey | Elliot |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That the matter of the motion, development of a family friendly CBD strategy, and proposed amendments discussed, be referred to a workshop.

Item 24 was then taken.

OFFICER REPORTS

14. Portfolio Committees - Member Appointment Process File Ref: F23/2114; 16/119

HARVEY
POSSELT

That the recommendation contained in the officer report marked as item 14 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|-------|
| Lord Mayor Reynolds | Zucco |
| Harvey | |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Elliot | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That Council:

1. Seek Expressions of Interest for members of the City of Hobart portfolio committees.
2. Note that a report will be provided to council in April 2023 seeking endorsement of the recommended appointments to each portfolio committee.

15. City of Hobart Rating and Valuation Review Proposal File Ref: F23/1854

SHERLOCK
HARVEY

That the recommendation contained in the officer report marked as item 15 of the Open Council agenda or 23 January 2023, be adopted.

AMENDMENT

ZUCCO
POSSELT

That the previous report on a land value based strategy, prepared by KPMG,
be considered in the context of this work.

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That:

1. The proposed approach and methodology for the City of Hobart Rating and Valuation Strategy Review be endorsed.
2. The timeline for the review process marked as Attachment A be endorsed.
3. The Rating and Valuation Strategy Discussion paper prepared to support the review process marked as Attachment B be endorsed.
4. The proposed Community Engagement Plan to support the review marked as Attachment C be endorsed.
5. An appropriate communications and media strategy be developed to support the Rating and Valuation Strategy review.
6. It be noted that a review of Council's other revenue sources, including fees and charges, will be considered separately.
7. The previous report on a land value based strategy, prepared by KPMG, be considered in the context of this work.

16. Recurring Financial and Governance Reports
File Ref: F23/1296

DUTTA
HARVEY

That the recommendation contained in the officer report marked as item 15 of the Open Council agenda or 23 January 2023, be adopted.

AMENDMENT

POSSELT

That the report on sale of land for unpaid rates be received quarterly rather than annually.

The amendment lapsed for want of a seconder.

AMENDMENT

ELLIOT
ZUCCO

- That:
1. The report on sale of land for unpaid rates be received as required with a minimum of annually.
 2. The report on investments and loans be received six monthly rather than annually.

AMENDMENT CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------------|
| Lord Mayor Reynolds | Bloomfield |
| Zucco | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Elliot | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That the Council endorse the Finance and Governance Recurring Reports – Reporting Proposal, detailing how information will now be provided to Council, marked as Attachment A amending:

- (i) The report on sale of land for unpaid rates be received as required with a minimum of annually.
- (ii) The report on investments and loans be received six monthly rather than annually.

Item 18 was then taken.

17. Citizenship Ceremonies - January 2024 Onwards
File Ref: F23/513

SHERLOCK
POSSELT

That the recommendation contained in the officer report marked as item 17 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------------|
| Lord Mayor Reynolds | Zucco |
| Harvey | Behrakis |
| Dutta | Kelly |
| Sherlock | Elliot |
| Posselt | Bloomfield |
| Lohberger | |

COUNCIL RESOLUTION:

That:

1. From 2024, the City's January citizenship ceremony be held in the three days prior or the three days after 26 January.
 - (i) The Council note, this action is in line with advice received from the Department of Home Affairs on 16 December 2022 relating to the amendment of the Australian Citizenship Ceremonies Code and is in accordance with the Council's Social Inclusion Policy 2020 and the Aboriginal Commitment and Action Plan 2020-22.
2. An update including the proposed date for the 2024 ceremony to be provided to the Council once engagement has occurred with the Sandy Bay Regatta Association and operational considerations have been investigated.

Item 14 was then taken.

18. Queenborough Oval Buildings Concept Plan
File Ref: F22/97352

ZUCCO
HARVEY

That the recommendation contained on the officer report marked as item 18 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------|
| Lord Mayor Reynolds | |
| Zucco | |
| Harvey | |
| Behrakis | |
| Dutta | |
| Sherlock | |
| Kelly | |
| Elliot | |
| Bloomfield | |
| Posselt | |
| Lohberger | |

COUNCIL RESOLUTION:

That:

1. That Council endorse the proposal to upgrade player and umpire changerooms, public toilets, a scorers box and kiosk facilities at Queenborough Oval as generally outlined in attachment A and B.
2. Council note the City's current asset replacement budget allocation of \$500,000 for this facility and that a further \$1,000,000 be allocated in the 23/24 financial year to complete this project and these amounts represents the Council's contribution.
3. The CEO be delegated to secure all statutory permits for the development to proceed.

19. Mount Stuart Memorial Hall Lease Renewal
File Ref: F23/828; 60-1-6

HARVEY
BEHRAKIS

That the recommendation contained on the officer report marked as item 19 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That:

1. The Council grant a lease of five years to Mount Stuart Hall Inc. (ABN 48 639 071 260) for the Mount Stuart Memorial Hall, located at 5a Raymont Terrace, Mount Stuart at \$50.00 per annum (plus GST) in accordance with the Council's Policy: Leases to Non-Profit Organisations.
2. As part of the lease, Mount Stuart Hall Inc. is to be responsible for the full internal maintenance of 5a Raymont Terrace, Mount Stuart.
3. The benefit provided by the Council be reported in the Council's Annual Report in accordance with the Council's Policy: Leases to Non-Profit Organisations.
4. The Chief Executive Officer be delegated the authority to negotiate and agree to the final lease terms.

20. Sandy Bay Scout Hall Lease Renewal
File Ref: F23/1638

BEHRAKIS
SHERLOCK

That the recommendation contained on the officer report marked as item 20 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That:

1. The Council grant a lease of five years to Scouts Australia (ABN 88 43651 823 348) for the Sandy Bay Scout Hall, located 617 Sandy Bay Road, Sandy Bay at \$50.00 per annum (plus GST) in accordance with the Council's Policy: Leases to Non-Profit Organisations.
2. As part of the lease, Scouts Australia is to be responsible for the internal and external maintenance of 617 Sandy Bay Road, Sandy Bay.
3. The benefit provided by the Council be reported in the Council's Annual Report in accordance with the Council's Policy: Leases to Non-Profit Organisations.
4. The Chief Executive Officer be delegated the authority to negotiate and agree to the final lease terms.

21. Long Beach Reserve Sandy Bay - Request to install memorial plaque for 175th anniversary of Sandy Bay Regatta Association
File Ref: F23/1163; 5601657R

SHERLOCK
BEHRAKIS

That the recommendation contained on the officer report marked as item 21 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That:

1. Approval of the request from the Sandy Bay Regatta Association be granted for the installation of a plaque and associated tree planting at Long Beach Reserve, Sandy Bay to commemorate the 175th Sandy Bay Regatta.
2. All costs for production and installation of the plaque to be met by the applicant.
3. The wording and location of the plaque will be to the satisfaction of the Director City Life.

22. Community Advisory Groups - Elected Member Representatives
File Ref: F23/1120

DUTTA
SHERLOCK

That the Lord Mayor call for nominations as recommended in the officer report marked as item 22 of the Open Council agenda of 23 January 2023.

The Lord Mayor then called for nominations for Chairperson and Deputy Chairperson of the Access Advisory Committee.

Alderman Bloomfield nominated as Chairperson.
Councillor Posselt nominated as Deputy Chairperson.

In the absence of further nominations, the Lord Mayor declared Alderman Bloomfield Chairperson and Councillor Posselt Deputy Chairperson of the Access Advisory Committee.

The Lord Mayor then called for nominations for Co-Chairperson and Deputy Co-Chairperson of the Housing with Dignity Reference Group.

Alderman Behrakis nominated for Co-Chairperson.
Councillor Lohberger nominated for Deputy Co-Chairperson.

In the absence of further nominations, the Lord Mayor declared Alderman Behrakis Co-Chairperson and Councillor Lohberger Deputy Co-Chairperson of the Housing with Dignity Reference Group.

The Lord Mayor then put the appointments to the vote.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Council appoint the following community reference group representatives:

1. Access Advisory Committee:
 - (i) Alderman Bloomfield – Chairperson
 - (ii) Councillor Posselt - Deputy Chairperson
2. Housing with Dignity Reference Group:
 - (i) Alderman Behrakis – Co-Chairperson
 - (ii) Councillor Lohberger - Deputy Co-Chairperson

REPORT OF THE CHIEF EXECUTIVE OFFICER

23. Code of Conduct Determination Report Ms Lynne Robertson v Councillor Bill Harvey File Ref: F22/130438

SHERLOCK
DUTTA

That the recommendation contained in the officer report marked as item 23 of the Open Council agenda of 23 January 2023, be adopted.

MOTION CARRIED

VOTING RECORD

| AYES | NOES |
|---------------------|------|
| Lord Mayor Reynolds | |
| Zucco | |
| Harvey | |
| Behrakis | |
| 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 Ms Lynne Robertson against Councillor Bill Harvey, shown as Attachment A to this report.

Item 10 was then taken.

24. QUESTIONS WITHOUT NOTICE

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

24.1 Alderman Zucco - Anonymous Complaint

Preamble: Undersection 28 of the Local Government Act being the functions of councillors section states that A Councillor, in their capacity of an individual councillor, has the following functions.

Under section 2 (b) iii the Councillors of a Council must ensure the fair and equitable treatment of employees of the Council.

Question: That considering the "anonymous" complaint received by the CEO in September 2022 and that the CEO and consulted with only the Lord Mayor and Deputy Lord Mayor why were other Councillors who have a collective responsibility under the Local Government Act not consulted and were subject to being advised via media channels?

That considering the nature of the "anonymous" complaint and section 28 of the act why didn't the CEO call an urgent special meeting to provide the information to the Council rather than a "select few" who are not the Council under the Act.

That considering the nature of these complaints and advising the Council that I have had a vast number of staff provide me directly with both written and verbal complaints since the release of the "anonymous" complaints can the CEO advise Council of the status of any actions taken solutions and any ongoing mechanisms to rectify the issues.

That considering these matters were brought to light in 2022 have any other elected members been involved or contacted by the CEO on the issue and if so why wasn't the Council.

Has the media sought information under Right of Information under the ACT if so when and has any other

elected member or the CEO with any elected member been involved in any formal or informal discussions with the media on this matter.

Finally when will the CEO formally report to Council as per this matter so the Council can be assured that this serious matter is being formally investigated for an ultimate aim to achieve a resolution?

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

24.2 Alderman Zucco - Outstanding Question

Preamble: In 2021 I put forward a question as per the installation and cost of a power pack car charger. The question was never answered in accordance to the question put.

A further question was put forward as per the matter seeking internal correspondence between staff, as per the nature and who initiated the installation. This was made in March 2022.

A further request was made as per the status of the question in July 2022.

In October 2022 the matter was still with the elected member requests.

It is now approaching February 2023 nearly 2 years since a question was asked with no response to the question.

Question: Without elaborating on the detail of my question as it relates to staff that are named, can the CEO please provide the details as requested nearly 2 years ago and restated twice since over that period?

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

24.3 Councillor Elliot - Council Decision - Stakeholder Correspondence

Question: Why did the correspondence to a major stakeholder relating to a significant decision that Council made on 12 December take nearly six weeks (or 26 working days excluding public holidays) to prepare, especially given the bulk of the letter is a copy and paste of the motion? Do we have a policy on actioning items like this, that includes timeframes for action?

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

24.4 Councillor Elliot - Decision Making

Question: On 1 December an elected member (Lord Mayor) stated on local ABC radio when discussing the new governance arrangements for the Council that in relation to Portfolio Committees that “*members of the public will be around the table as key advisers and decision-makers*”. Is this statement correct?

The Lord Mayor also made the statement that there are a “*whole range of ways we’re going to be making decisions; through Planning Committee, Council Meetings, Portfolio Committees and Workshops*” Is this statement correct?

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

25. 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:

- Leave of absence
- A matter relating to personnel

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 | Personnel Policy LG(MP)R 15(2)(a) |

BEHRAKIS
LOHBERGER

That the recommendation be adopted.

MOTION CARRIED BY
ABSOLUTE MAJORITY

VOTING RECORD

AYES

NOES

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

There being no further business the Open portion of the meeting closed at 7.07pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
20TH DAY OF FEBRUARY 2023.

CHAIRMAN