



CITY OF HOBART

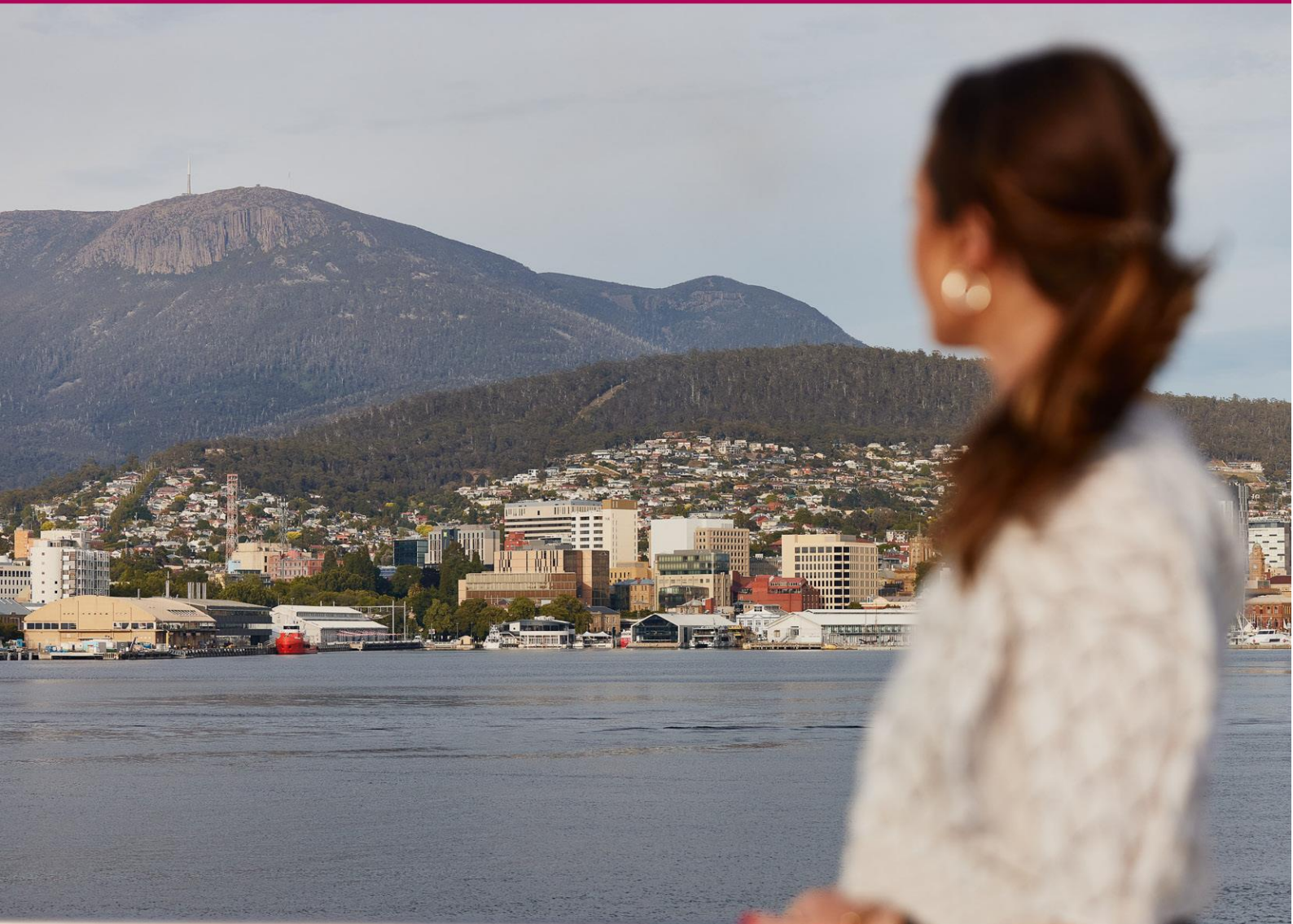
MINUTES

Open Portion

Monday, 19 February 2024

AT 5:00 pm

Council Chamber, Town Hall



ORDER OF BUSINESS

PRESENT, APOLOGIES AND LEAVE OF ABSENCE

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

OFFICER REPORTS

10. **Response to Petition - Rwandan Tutsi Memorial** 7
11. **Procurement - Quotation Exemption Report** 8
12. **South Hobart Oval Master Plan** 9
13. **New Town Sporting Precinct Master Plan – Design Concepts and Plans**..... 10
14. **Quarterly Financial Report - 31 December 2023**..... 11
15. **City of Hobart Rating and Valuation Strategy Review - Review of Rates Policies** 14

REPORT OF THE CHIEF EXECUTIVE OFFICER

16. **Local Government Reform**..... 17
17. **Acting Lord Mayor Higher Duties Allowance**..... 19
18. **RESPONSES TO QUESTIONS WITHOUT NOTICE**..... 21
19. **QUESTIONS WITHOUT NOTICE** 23
20. **Risk and Audit Panel - Annual Report to Council, Revised Terms of Reference and 2024 Work Plan** 24
21. **CLOSED PORTION OF THE MEETING**..... 25

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, R J Posselt, B Lohberger and W Coats.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Alderman L A Bloomfield

The Deputy Lord Mayor Councillor H Burnet left the meeting at 5.33pm after declaring an interest in item 17, returning at 6.12pm.

The Lord Mayor welcomed the new Chief Executive Officer Michael Stretton to his first meeting.

1. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson provided an Acknowledgement of 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, 29 January 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

BURNET
DUTTA

That the recommendation be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

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.

4. COMMUNICATION FROM THE CHAIRPERSON

No communication was received.

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: Tuesday 13 February 2024
Purpose: 2024/25 Budget Development | 2023/24 Capital Works Midyear Programme Update

6. PUBLIC QUESTION TIME

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 Committee has resolved to deal with.

The following interest was indicated:

1. Deputy Lord Mayor Councillor Burnet - item 17

OFFICER REPORTS

10. Response to Petition - Rwandan Tutsi Memorial
File Ref: F24/4911

SHERLOCK
BURNET

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

PROCEDURAL MOTION

SHERLOCK
POSSELT

That the item be deferred until the new Memorials Policy has been finalised.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the item be deferred until the new Memorials Policy has been finalised.

11. Procurement - Quotation Exemption Report
File Ref: F24/9895

BURNET
POSSELT

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

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Council note the exemption granted from the requirement to seek three written quotations for the period 1 October to 31 December 2023, marked as Attachment A to item 11 of the Open Council Agenda of 19 February 2024.

12. South Hobart Oval Master Plan
File Ref: F24/10307

SHERLOCK
DUTTA

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

PROCEDURAL MOTION

ELLIOT
ZUCCO

That the South Hobart Master Plan be deferred until the new Dog Management Policy has been completed with both plans being referred back to the Council simultaneously.

MOTION CARRIED

VOTING RECORD

AYES

Zucco
Harvey
Sherlock
Kelly
Elliot
Posselt
Lohberger
Coats

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Burnet
Dutta

COUNCIL RESOLUTION:

That the South Hobart Master Plan be deferred until the new Dog Management Policy has been completed with both plans being referred back to the Council simultaneously.

13. New Town Sporting Precinct Master Plan – Design Concepts and Plans
File Ref: F24/10320

POSSELT
SHERLOCK

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Council endorse the design concepts and associated plans for the New Town Sports Precinct, as shown in Attachments A and B to item 13 of the Open Council Agenda of 19 February 2024, to support the delivery of the New Town Sport Precinct Master Plan through further refinement and subsequent funding submissions by Council and or sporting clubs.

14. Quarterly Financial Report - 31 December 2023
File Ref: F24/11375

BURNET
SHERLOCK

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

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That:

1. The Council note the Quarterly Financial Report – 31 December 2023; and
2. The Council approve the following proposed Operational and Capital Works variation requests to update the City's 2023-24 Budget Estimates:

Operational Variations:

Category	Amount (\$'000)	Reason
Revenue (decreases)	408	Reduction in the Doone Kennedy Hobart Aquatic Centre Fees and Charges income to more accurately reflect anticipated revenue.

Capital Works Transfers:

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J002262-Parks Annual Allocation FY23/24 – \$95,000	Parks Asset Categories – Fences, Walls and Edges \$20,000 Bins \$10,000 Signage \$10,000 Benches \$10,000 Playgrounds \$10,000 Pavements \$10,000 Other Assets \$25,000
Capital Transfer	0	J002110-Buildings Partial Renewal Works - \$104,146	J002113-Buildings Compliance Work - \$104,146
Capital Transfer	0	J001595-Litter bins & public waste infrastructure renewal - \$40,000	J002367-The Good Water project - \$40,000
Capital Transfer	0	J001717-Middle Island and Inglewood Fire Trail - \$34,000	J002369-Middle Island Creek Crossings - \$34,000
Capital Transfer	0	J002053-Mt Wellington Pinnacle Toilet Upgrade - \$70,000	J002363-Pinnacle Toilets Septic Tank Repair - \$70,000

Category	Net Amount (\$'000)	Transfer From	Transfer To
Capital Transfer	0	J001892-Local Area Traffic Management Works Annual Alloc. - \$16,667	J002229-New Town Retail Precinct 40kmh VMS - \$16,667
Capital Transfer	0	J002292-Bus Stop DDA Upgrade - \$50,000	J002287-Program Contingency FY23/24 - \$50,000
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$37,068	J002032-Sandown Oval (No 2) lighting - \$37,068
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$55,000	J001925-New Town Rd Bridge – \$55,000
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$17,135	J002032-Sandown Oval (No 2) lighting - \$17,135
Capital Transfer	0	J002287-Program Contingency FY23/24 - \$320,000	J002366-Castray Esplanade Light Pole Replacement – \$320,000
Capital Transfer	0	J002283-Access & Identity Control Upgrade for Buildings - \$150,000	J002287-Program Contingency FY23/24 - \$320,000

15. City of Hobart Rating and Valuation Strategy Review - Review of Rates Policies
File Ref: F24/11504

BURNET
SHERLOCK

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

AMENDMENT

POSSELT
DUTTA

That clause 9 be amended to read as follows:

“9. Ceases the \$10 contribution to the pensioner rates discount with the \$30,000 cost to be reallocated and considered as part of the 2024-25 Budget development process.”

AMENDMENT CARRIED

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Council:

1. Continues to fund stormwater removal services by way of a service rate pursuant to s93 of the *Local Government Act 1993* (Tas).
2. Continues to fund waste management services, including general waste, recycling and food organics garden organics collection, by way of a service charge pursuant to s94 of the *Local Government Act 1993* (Tas).
3. Endorse the amended Council Policy – Rate Remissions Service Rates and Charges, marked as Attachment A to item 15 of the Open Council Agenda of 19 February 2024.
4. Continues to offer payment of rates by instalment and makes no change to its payment due dates, being:
 - (i) 15 August
 - (ii) 15 November
 - (iii) 15 February
 - (iv) 15 April
5. Resolves to continue to not offer ratepayers a discount on rates paid early or in full by the first instalment.
6. Continues to charge 3 per cent penalty and the prescribed interest rate on unpaid rates.

7. Endorse the amended Council Policy – Collection of Rates Arrears, marked as Attachment B to item 15 of the Open Council Agenda of 19 February 2024.
8. Endorse minor amendments to the Council Policy – Rates Exemption Charitable Purposes, marked as Attachment C to item 15 of the Open Council Agenda of 19 February 2024.
9. Ceases the \$10 contribution to the pensioner rates discount with the \$30,000 cost to be reallocated and considered as part of the 2024-25 Budget development process.
10. Endorse the amended Council Policy – Pensioner Rates Remissions, marked as Attachment D to item 15 of the Open Council Agenda of 19 February 2024.
11. Notes that all changes to Council's rates policy positions will take effect from 1 July 2024 for the 2024-25 rating year and onwards.

REPORT OF THE CHIEF EXECUTIVE OFFICER

16. Local Government Reform
File Ref: F24/7190

SHERLOCK
BURNET

That the recommendation contained within the report of the Chief Executive Officer, marked as item 16 of the Open Council Agenda of 19 February 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

COUNCIL RESOLUTION:

That:

1. The report presented by the Chief Executive Officer on the future of local government review process and the Local Government Board's Final Report (October 2023) marked as item 16 of the Open Council Agenda of 19 February 2024 be noted.
2. The Draft Submission prepared in response to the recommendations contained in the Final Report (October 2023), provided at Attachment B to item 16 of the Open Council Agenda of 19 February 2024 be endorsed.
3. The Chief Executive Officer be authorised to:
 - (i) Finalise and lodge the submission to the Tasmanian State Government.

- (ii) Participate in processes as necessary to progress implementation of the recommendations (that align with Council policy) contained in the Final Report (October 2023) as approved by the Tasmanian Government.
- 4. The Chief Executive Officer work with colleagues at the Glenorchy City Council to identify tangible opportunities to increase collaboration and cooperation between the Glenorchy City Council and the City of Hobart and report back to Council when appropriate.

The Deputy Lord Mayor Councillor Burnet declared an interest in item 17 and left the meeting at 5.33pm.

17. Acting Lord Mayor Higher Duties Allowance
File Ref: F24/12413

POSSELT
DUTTA

That the recommendation contained within the report of the Chief Executive Officer, marked as item 17 of the Open Council Agenda of 19 February 2024, be adopted.

POSSELT
ELLIOT

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

MOTION CARRIED

VOTING RECORD

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

PROCEDURAL MOTION

ZUCCO
COATS

That the item be deferred to a workshop to allow the reports of 2008 and 2018 on Aldermanic Allowances to be re-examined and collectively put forward a submission that reflects the Capital City of Hobart.

PROCEDURAL MOTION LOST

VOTING RECORD

AYES	NOES
Zucco	Lord Mayor Reynolds
Kelly	Harvey
Elliot	Dutta
Coats	Sherlock
	Posselt
	Lohberger

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Zucco
Harvey	Kelly
Dutta	Elliot
Sherlock	Coats
Posselt	
Lohberger	

COUNCIL RESOLUTION:

That:

1. The Council endorse an amendment to section (I) Allowances in the Elected Member Development and Support Policy relating to the payment of 'higher duties' to the Deputy Lord Mayor when acting in the role of Lord Mayor for a period of seven (7) consecutive days or more, as shown in attachment A to item 17 of the Open Council Agenda of 19 February 2024.
2. Subject to Council endorsement, an allocation of \$6,000 be made in the Elected Member Expenses and Allowance Budget Function for the 2024/25 financial year.

The Deputy Lord Mayor Councillor Burnet returned to the meeting at 6.12pm.

18. RESPONSES TO QUESTIONS WITHOUT NOTICE
File Ref: F24/15087

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

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 in the officer report, marked as item 18 of the Open Council Agenda of 19 February 2024, be adopted. .

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

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

18.1 Planning Applications for Vacant Land

Memorandum of the Acting Director City Life 6 February 2024.

18.2 Lord Mayor – Travel Reports

Memorandum of the Lord Mayor 6 February 2024.

18.3 Lord Mayor Overseas Travel

Memorandum of the Lord Mayor 6 February 2024.

18.4 Common Statues in Tasmania

Memorandum of the Director Connected City 9 February 2024.

18.5 Integrity Commission

Memorandum of the Chief Executive Officer 14 February 2024.

19. QUESTIONS WITHOUT NOTICE
File Ref: F24/15088

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

19.1 Councillor Sherlock - Elected Members - Legal Proceedings
File Ref: 13-1-10

Question: Can the Chief Executive Officer advise how much the Council has spent on legal proceedings that only relate to issues including Elected Members?

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

19.2 Councillor Sherlock - Elected Members - Legal Issues - Costs Breakdown
File Ref: 13-1-10

Question: Can the Chief Executive Officer provide a breakdown of how much Council money has been spent on legal issues relating to each Elected Member for the current term?

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

19.3 Councillor Posselt - Harvey Norman - Car Park
File Ref: 13-1-10

Question: Can the Chief Executive Officer provide an update as to what measures are being actively taken to address the conflict in user groups at the Harvey Norman public car park that we manage? Harvey Norman staff have placed their own stickers over Council signs contrary to the existing agreement

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

Item 20, (listed as item 9 of the Closed Agenda of 19 February 2024) has been recorded in the open portion of the meeting in accordance with clause 4 of the Council resolution.

20. Risk and Audit Panel - Annual Report to Council, Revised Terms of Reference and 2024 Work Plan
File Ref: F24/10860

BURNET
SHERLOCK

That the recommendation contained within the report of the Chief Executive Officer, marked as item 9 of the Closed Council Agenda of 19 January 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:


That:

1. The Risk and Audit Panel's Annual Report for 2023, marked as Attachment A to item 9 of the Closed Council Agenda of 19 February 2024, be received and noted.
2. The 2024 Work Plan for the Risk and Audit Panel, marked as Attachment B to item 9 of the Closed Council Agenda of 19 February 2024, be approved.
3. The amended Terms of Reference for the Risk and Audit Panel, as shown in track changes, marked as Attachment C to item 9 of the Closed Council Agenda of 19 February 2024 be approved.
4. 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 that matter remain confidential except as required to advise the Risk and Audit Panel of the Council Resolution and to record the Council decision together with the 2024 Work Plan, marked as Attachment B, and Terms of Reference for the Risk and Audit Panel, marked as Attachment C, to item 9 of the Closed Council Agenda of 19 February 2024, be recorded in the Open portion of the meeting.

Attachments

B Risk and Audit Panel 2024 Work Plan ⇒ 

C Risk and Audit Panel Amended Terms of Reference in markup ⇒ 

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:

- Leave of Absence
- Information of a confidential nature provided to Council on condition it is kept confidential
- Matters relating to possible litigation involving the Council
- 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	Outstanding Sundry Debts and Debt Write-Off as at 31 December 2023 LG(MP)R 15(2)(g) and (j)
Item No. 7	City Economy Portfolio Committee LG(MP)R 15(2)(i)
Item No. 8	City of Hobart Elected Member Commitments - Review LG(MP)R 15(2)(g)
Item No. 9	Risk and Audit Panel – Annual Report to Council, Revised Terms of Reference and 2024 Work Plan
Item No. 10	QUESTIONS WITHOUT NOTICE

Item No. 11 LG(MP)R 15(2)(g)
Business Arising - Questions Taken on Notice During Debate
LG(MP)R 15(2)(g) and (h)

BURNET
SHERLOCK

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
Posselt
Lohberger
Coats

There being no further business the Open portion of the meeting closed at 6.15pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
19TH DAY OF MARCH 2024.

CHAIRMAN