



CITY OF HOBART

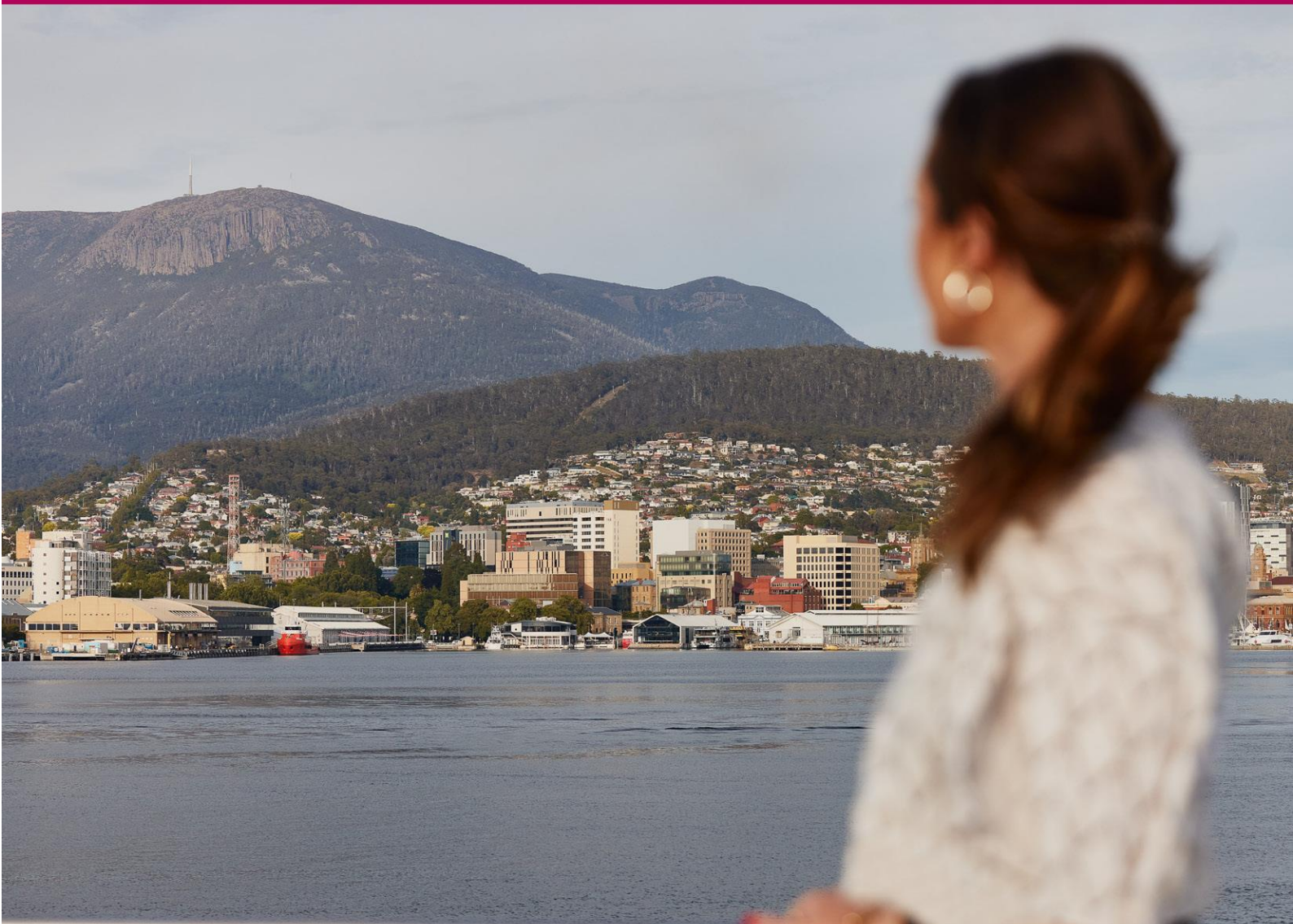
MINUTES

OPEN PORTION

MONDAY, 29 APRIL 2024

AT 5.00 PM

COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, 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, B Lohberger, W S N Coats and G Kitsos.

APOLOGIES:

Nil.

LEAVE OF ABSENCE:

Nil.

Councillor Elliot left the meeting at 6.21pm, returning at 6.23pm.

Alderman Zucco left the meeting at 7.10pm after declaring an interest in item 16, returning at 7.26pm.

Councillor Elliot left the meeting at 7.14pm, returning at 7.20pm.

Alderman Zucco left the meeting at 7.27pm after declaring an interest in item 17, returning at 7.56pm.

Alderman Zucco left the meeting at 7.57pm after declaring an interest in item 18, returning at 8.26pm.

Councillor Elliot left the meeting at 8.52pm, returning at 8.53pm.

Alderman Zucco left the meeting at 8.57pm, returning at 9.00pm and was not present for items 27 and 28.

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 [Tuesday, 19 March 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

HARVEY
DUTTA

That the minutes be adopted as a true and correct record, with the exclusion of item 19.3.

MOTION CARRIED

VOTING RECORD

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

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 CHAIRMAN

4.1 Congratulations to Councillor Gemma Kitsos **File Ref: 16/119**

The Lord Mayor, on behalf of the Hobart City Council extended a warm welcome and congratulations to Gemma Kitsos on her election as Councillor on the Hobart City Council following the resignation of former Councillor Helen Burnet. The Lord Mayor expressed her confidence that Councillor Kitsos will bring the strong research and analytical skills she utilises in her work in clinical trial research to ably fulfil this new role.

4.2 Thank you to Councillor Helen Burnet File Ref: 16/119

The Lord Mayor provided the following acknowledgement to the former Deputy Lord Mayor Councillor Helen Burnet.

The City of Hobart congratulates former Deputy Lord Mayor Helen Burnet, who has been elected to the Tasmanian House of Assembly seat of Clark following last month's state election.

She was an integral part of the Hobart City Council from 2005 until earlier this month, demonstrating a long-standing commitment to our city.

Serving as Deputy Lord Mayor from 2009 to 2011 and again from 2018 to 2024, Helen Burnet has been an advocate on many issues including for stronger regional collaboration on climate change planning and the protection of kunanyi / Mt Wellington from inappropriate development.

Former Councillor Burnet also led the work to protect view lines and heritage through clearer height limits in the CBD as well as advocating for differential rates for the owners of short stay accommodation as a way to reduce the conversion of long-term rentals to holiday rentals.

She has also been particularly passionate about improving infrastructure for cycling in the City, including the soon to be opened Campbell Street Bicycle Lanes and the bicycle lanes installed in Sandy Bay.

Former Cr. Burnet was also instrumental in improving the health and wellbeing of Hobart residents and visitors by limiting exposure to a smoking environment through the 2020 ban on smoking in the CBD as well as the banning smoking in any outdoor dining and drinking areas on land managed by the City of Hobart.

In addition to her significant contributions as Deputy Lord Mayor, former Cr Burnet has served the City on numerous committees and has also been chair of the Planning Committee, City Infrastructure Committee, Future Hobart Portfolio Committee and the Southern Tasmanian Councils Authority.

Helen's election to the Tasmanian House of Assembly is a mark to her community leadership and advocacy for issues of concern to the community.

She has worked incredibly hard during all her years on Council has been a wonderful support in her role as Deputy Lord Mayor over the past five years.

As the new Member for Clark, she intends to advocate for urgent action on such issues of homelessness, climate change and transport as a continuation of the work.

On behalf of the City and other Elected Members, thank you again to the former Deputy Mayor for your service to the Hobart City Council and best wishes in your new role where I have no doubt you will continue to serve the residents of Hobart with distinction.

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: 25 March 2024
Purpose: Climate Ready Hobart Update | Rating and Valuations Strategy Review

Attendance:

The Lord Mayor Councillor A Reynolds, Deputy Lord Mayor Councillor H Burnet, Councillors B Harvey, M Dutta, Z Sherlock, J Kelly, L Elliot, Alderman L Bloomfield, and Councillor R Posselt.

Leave of Absence:

Councillor W Coats

Date: 8 April 2024
Purpose: 2024-25 Budget Development | Transport Strategy and Parking Plan

Attendance:

The Lord Mayor Councillor A Reynolds, Alderman M Zucco, Councillors B Harvey, M Dutta, Z Sherlock, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt and B Lohberger.

Date: 15 April 2024
Purpose: Informing the Climate Strategy | Governance Changes

Attendance:

The Lord Mayor Councillor A Reynolds, Alderman M Zucco, Councillors B Harvey, M Dutta, Z Sherlock, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt and B Lohberger.

Date: 22 April 2024
Purpose: North Hobart Neighbourhood (Structure Plan)

Attendance:

Alderman M Zucco, Councillors B Harvey, M Dutta, Z Sherlock, J Kelly, L Elliot, Alderman L Bloomfield, and Councillor R Posselt.

Apologies:

The Lord Mayor Councillor A Reynolds, and Councillor B Lohberger

6. PUBLIC QUESTION TIME

No public questions were asked.

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*.

Members of the Council 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.

REPORT OF THE CHIEF EXECUTIVE OFFICER

**10. Appointment of Deputy Lord Mayor
File Ref: F24/30215**

DUTTA
POSSELT

That pursuant to section 5(3) of the *Local Government (General) Regulations 2015* the Lord Mayor Councillor A Reynolds, who is not a candidate for Deputy Lord Mayor, be appointed to preside at the meeting for the period of the ballot.

MOTION CARRIED

VOTING RECORD

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

DUTTA
ZUCCO

In accordance with regulation 22(9) of the *Local Government (Meetings Procedures) Regulations 2015*, the operation of r22, be suspended for the election process of the Deputy Lord Mayor.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

The Chief Executive Officer advised that four candidates were received for the position of Deputy Lord Mayor being Alderman Bloomfield, Councillor Coats, Councillor Sherlock and Alderman Zucco.

Councillor Sherlock provided notification to the Chief Executive Officer nominating Reshma Dutta as scrutineer pursuant to Division 1 of the *Local Government (General) Regulations 2015*.

Each nominee was given three minutes to address the meeting.

A secret ballot was then conducted with voting papers distributed to all elected members.

Council Officers Sarah Cornish and David Banks counted the votes accompanied by the nominated scrutineer and Wes Young representing the Chief Executive Officer.

The Chief Executive Officer advised the Council that after the counting of the ballots, the successful candidate was Councillor Dr Zelinda Sherlock.

DUTTA
LOHBERGER

In accordance with regulation 22(9) of the *Local Government (Meetings Procedures) Regulations 2015*, the operation of r22, be resumed.

MOTION CARRIED

VOTING RECORD

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

POSSELT
DUTTA

That Council pursuant to section 44(5) of the *Local Government Act 1993* (Tas) appoint Councillor Dr Zelinda Sherlock as Deputy Lord Mayor for the remainder of the current term of office, in accordance with the process set out in the report marked as item 10 of the Open Council Agenda of 29 April 2024.

MOTION CARRIED

VOTING RECORD

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

AMENDMENT

ELLIOT
ZUCCO

That the vote tallies be recorded in the minutes.

AMENDMENT LOST

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. Council pursuant to section 5(3) of the *Local Government (General) Regulations 2015* appoints the Lord Mayor Councillor A Reynolds, who is not a candidate for Deputy Lord Mayor, to preside at the meeting for the period of the ballot.
2. Council pursuant to section 44(5) of the *Local Government Act 1993 (Tas)* appoint Councillor Dr Zelinda Sherlock as Deputy Lord Mayor for the remainder of the current term of office, in accordance with the process set out in the report marked as item 10 of the Open Council Agenda of 29 April 2024.

OFFICER REPORTS

11. City of Hobart Rating and Valuation Strategy 2024-28
File Ref: F24/26719

SHERLOCK
LOHBERGER

That the recommendation contained within the officer report, marked as item 11 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. The report 'City of Hobart Rating and Valuation Strategy 2024-28' be received and noted.
2. The City of Hobart Rating and Valuation Strategy 2024-28, marked as Attachment D to item 11 of the Open Council Agenda of 29 April 2024 be approved to take effect from 1 July 2024.
3. The Chief Executive Officer be authorised to make any required minor changes to the City of Hobart Rating and Valuation Strategy 2024-28, marked as Attachment D to item 11 of the Open Council Agenda of 29 April 2024 including final design and make it available from the strategies and plans section of the City's website.
4. The Community Engagement Summary report, marked as Attachment B to item 11 of the Open Council Agenda of 29 April 2024 be endorsed and made available from the City's Your Say Hobart site in response to the feedback received from the Rating Review Options Paper.
5. An appropriate communications plan be developed and implemented to ensure ratepayers are made aware of the new Rating and Valuation Strategy 2024-28 for the City.
6. A mid-term review of the City of Hobart Rating and Valuation Strategy 2024-28 be undertaken in 2026.
7. A separate review of Council's funding of tourism and tourism related activities be undertaken in the next eighteen months.
8. Developer contributions/user pays models are considered in the future in discussions with LGAT and the State Government.
9. It be noted that Council's Rates and Charges Policy will be updated in June 2024 and presented to Council together with the Rating Resolution 2024-25 for approval.

12. Transport Strategy 2024 and Implementation Plan
File Ref: F24/25231

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 12 of the Open Council Agenda of 29 April 2024, be adopted.

AMENDMENT

HARVEY
LOHBERGER

That a discussion point be included in the draft strategy on oversized vehicles parking in Hobart.

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Council endorse the release of the draft Hobart Transport Strategy 2024 and Implementation Plan, marked as Attachment A to item 12 of the Open Council Agenda of 29 April 2024 with the inclusion of a discussion point on oversized vehicles parking in Hobart, and the draft Parking and Kerbside Management Plan, marked as Attachment B to item 12 of the Open Council Agenda of 29 April 2024, for consultation with the community for a period of four weeks.

**13. Waterworks Reserve Master Plan
File Ref: F24/961**

COATS
SHERLOCK

That the recommendation contained within the officer report, marked as item 13 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Waterworks Reserve Master Plan, marked as Attachment A to item 13 of the Open Council Agenda of 29 April 2024, be endorsed.

14. Mount Nelson and Sandy Bay Neighbourhood Plan - Directions Report
File Ref: F24/27660; 23/17

ZUCCO
DUTTA

That the recommendation contained within the officer report, marked as item 14 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That Council note and endorse the outcomes of the engagement process and the next steps involved with progressing the Mount Nelson and Sandy Bay Neighbourhood Plan project, principally through the preparation of a Directions paper.

15. Fees and Charges 2024-25 - Tasmanian Travel and Information Centre
File Ref: F24/30040

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 15 of the Open Council Agenda of 29 April 2024, be adopted.

AMENDMENT

ZUCCO
POSSELT

That an additional clause 2 be added to read as follows:

- 2. The Chief Executive Officer be granted discretion to negotiate advertising option fees that have not been taken up for the best possible return to the Council.*

AMENDMENT CARRIED

VOTING RECORD

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

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

- That: 1. The schedule of fees and charges for the Tasmanian Travel and Information Centre (TTIC), marked as Attachment A to item 15 of the Open Council Agenda of 29 April 2024, be approved for the 2024-25 financial year.
2. The Chief Executive Officer be granted discretion to negotiate advertising option fees that have not been taken up for the best possible return to the Council.

Alderman Zucco declared an interest in item 16 and left the meeting at 7.10pm.

16. Proposed Lease of City of Hobart Land at Cornelian Bay Point
File Ref: F24/38078; 18/260-004-004

SHERLOCK
POSSELT

That the recommendation contained within the officer report, marked as item 16 of the Open Council Agenda of 29 April 2024, be adopted.

AMENDMENT

HARVEY
KITSOS

That part 2 of the recommendation be revised to read as follows:

“2. It be a condition of the lease that following the end of the lease period, the site be returned to the City of Hobart in a generally flat condition (following the contour of the original land), planted with a mixture of coastal native plants (selection to be approved by the CEO), that all dumped material (including concrete, wooden pallets and green waste) is removed, and a shared use path is created along the existing road (plans to be approved by the CEO and after obtaining all necessary permits), with TasWater responsible for maintaining the land during an eight week maintenance and establishment period. with TasWater responsible for maintaining the land during an eight week maintenance and establishment period.”

AMENDMENT CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Elliot
Deputy Lord Mayor Sherlock	Coats
Harvey	
Dutta	
Kelly	
Bloomfield	
Posselt	
Lohberger	
Kitsos	

SUBSTANTIVE MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. The City of Hobart grant a lease of the area shown on the map, marked as Attachment A to item 16 of the Open Council Agenda of 29 April 2024, to TasWater for a term of one year and thereafter on a monthly lease. The rent for the lease is to be not less than \$40,700 per annum.
2. It be a condition of the lease that following the end of the lease period, the site be returned to the City of Hobart in a generally flat condition (following the contour of the original land), planted with a mixture of coastal native plants (selection to be approved by the CEO), that all dumped material (including concrete, wooden pallets and green waste) is removed, and a shared use path is created along the existing road (plans to be approved by the CEO and after obtaining all necessary permits), with TasWater responsible for maintaining the land during an eight week maintenance and establishment period. with TasWater responsible for

maintaining the land during an eight week maintenance and establishment period.

3. The Chief Executive Officer be authorised to negotiate and agree to the final terms of the lease and report back to the Council if the terms are not agreed to.

Alderman Zucco returned to the meeting at 7.26 pm.

Alderman Zucco declared an interest in item 17 and left the meeting at 7.27 pm.

17. Lease Renewal - Amplitel - Part of 2 Davies Avenue, Queens Domain
File Ref: F24/18542; 15/153-689

SHERLOCK
POSSELT

That the recommendation contained within the officer report, marked as item 17 of the Open Council Agenda of 29 April 2024, be adopted.

AMENDMENT
LOHBERGER
DUTTA

That the rent amount in clause 1 be amended to \$24,000 and be indexed to CPI.

The amendment was not voted on as a procedural motion was put.

PROCEDURAL MOTION
POSSELT
SHERLOCK

That the item deferred to the next meeting to allow officers to review and take into consideration the comments and concerns raised during debate.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Bloomfield
Deputy Lord Mayor Sherlock	Coats
Harvey	
Dutta	
Kelly	
Elliot	
Posselt	
Lohberger	
Kitsos	

COUNCIL RESOLUTION:

That the item deferred to the next meeting to allow officers to review and take into consideration the comments and concerns raised during debate.

Alderman Zucco declared an interest in item 18 and left the meeting at 7.57pm.

18. Proposed Lease - Cornelian Bay Sportsground - TasWater
File Ref: F24/31974

SHERLOCK
DUTTA

That the recommendation contained within the officer report, marked as item 18 of the Open Council Agenda of 29 April 2024, be adopted.

PROCEDURAL MOTION

HARVEY
SHERLOCK

That the item be deferred pending further information and consideration by the officers.

PROCEDURAL MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	Elliot
Deputy Lord Mayor Sherlock	Bloomfield
Harvey	Posselt
Dutta	Coats
Kelly	
Lohberger	
Kitsos	

COUNCIL RESOLUTION:

That the item be deferred pending further information and consideration by the officers.

Alderman Zucco returned to the meeting at 8.26 pm.

**19. Yellow Ribbon Road Safety Council Memorandum of Understanding
File Ref: F24/33338; 17/116**

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 20 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

Coats
Kitsos

COUNCIL RESOLUTION:

That Council delegates to the Chief Executive Officer, the authority to enter into a Memorandum of Understanding, marked as Attachment A to item 19 of the Open Council Agenda of 29 April 2024, with Safer Australian Roads and Highway Inc in promoting Yellow Ribbon Road Safety National Road Safety Week and partnership road safety initiatives.

**20. Inquiry into the Importance of Antarctica to Australia's National Interests-City of Hobart draft submission
File Ref: F24/30180**

DUTTA
BLOOMFIELD

That the recommendation contained within the officer report, marked as item 20 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the Council endorse the submission, marked as Attachment A to item 20 of the Open Council Agenda of 29 April 2024, to the Joint Standing Committee on the National Capital and External Territories, Inquiry into the importance of Antarctica to Australia's national interests.

21. 2023-24 Capital Works Program Report as at 29 February 2024
File Ref: F24/31129

SHERLOCK
BLOOMFIELD

That the recommendation contained within the officer report, marked as item 21 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That the report titled '2023-24 Capital Works Program Report as at 29 February 2024', marked as item 21 of the Open Council Agenda of 29 April 2024, be received and noted.

REPORTS OF THE CHIEF EXECUTIVE OFFICER

22. Declaration of Office - Councillor Gemma Kitsos
File Ref: F24/35831; 16/119

SHERLOCK
LOHBERGER

That the recommendation contained within the report of the Chief Executive Officer, marked as item 22 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

That the Council acknowledge the declaration of office for Councillor Gemma Kitsos made before the Chief Executive Officer on 23 April 2024.

23. Internal / External Vacancies
Resignation of Deputy Lord Mayor Councillor Helen Burnet
File Ref: F24/32523

ZUCCO
POSSELT

In accordance with regulation 22(9) of the *Local Government (Meetings Procedures) Regulations 2015*, the operation of r22, be suspended for the debate on item 23.

MOTION CARRIED

VOTING RECORD

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

The Lord Mayor called for nominations for the Future Hobart Portfolio (Chairperson). Nomination was received from Councillor Kitsos

The Lord Mayor called for nominations for the Heritage Account Special Committee. No nomination received.

The Lord Mayor called for nominations for the Risk and Audit Panel. Nomination was received from Councillor Elliot.

The Lord Mayor called for nominations for the Local Government Association of Tasmania (LGAT) – Proxy Voting Delegate. Nominations were received from the Deputy Lord Mayor Councillor Sherlock and Alderman Bloomfield.

A secret ballot was conducted with the Deputy Lord Mayor Councillor Sherlock elected.

The Lord Mayor called for nominations for the Southern Tasmanian Council's

Authority. Nomination was received from Alderman Bloomfield.

The Lord Mayor called for nominations for the Tasmanian Water and Sewerage Corporation – Owners Representative (Proxy). Nomination was received from Councillor Kelly.

HARVEY
POSSELT

In accordance with regulation 22(9) of the *Local Government (Meetings Procedures) Regulations 2015*, the operation of r22, be resumed.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

HARVEY
POSSELT

That:

1. The Council appoint Councillor Gemma Kitsos as a member of the Planning Committee
2. The following elected members be appointed to the vacant positions as shown:
 - (i) Future Hobart Portfolio (Chairperson)
Councillor Kitsos
 - (ii) Heritage Account Special Committee
Remains vacant

- (iii) Risk and Audit Panel
Councillor Elliot
 - (iv) Local Government Association of Tasmania Proxy Voting
Delegate
Deputy Lord Mayor Councillor Sherlock
 - (v) Southern Tasmanian Council's Authority
Alderman Bloomfield
 - (vi) Tasmanian Water and Sewerage Corporation – Owners
Representative (Proxy)
Councillor Kelly
3. The above listed appointments be for the duration of the current term of the Council.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. The Council appoint Councillor Gemma Kitsos as a member of the Planning Committee
2. The following elected members be appointed to the vacant positions as shown:
 - (i) Future Hobart Portfolio (Chairperson)
Councillor Kitsos

- (ii) Heritage Account Special Committee
Remains vacant
 - (iii) Risk and Audit Panel
Councillor Elliot
 - (iv) Local Government Association of Tasmania Proxy Voting
Delegate
Deputy Lord Mayor Councillor Sherlock
 - (v) Southern Tasmanian Council's Authority
Alderman Bloomfield
 - (vi) Tasmanian Water and Sewerage Corporation – Owners
Representative (Proxy)
Councillor Kelly
3. The above listed appointments be for the duration of the current term of the Council.

MOTION OF WHICH NOTICE HAS BEEN GIVEN

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

The Lord Mayor vacated the Chair for item 24.

The Deputy Lord Mayor assumed the Chair.

24. Trees on Private Property
File Ref: F24/35251; 13-1-9

Lord Mayor Reynolds, Councillor Posselt

Motion

“Council requests that a report be presented to inform elected members about:

- The current approaches being taken by similar Councils around Australia to enhance the protection of trees on private property. This should include which local laws, policies and programs are reporting the most success in reducing the decline of tree cover on private land,
- The benefits of Council adopting a tree management local law or policy, modelled on those being used nationally that protect trees over a certain size or of a certain species on private and public property,
- Contributing factors resulting in loss of trees on private land that Council may need to factor into its future decisions,

- The report considers mechanisms of Council approval for tree removal on public land,
- The report not come back to the Council until the Kingborough matter is resolved,
- No legal advice is sought until such time that the Kingborough matter is finalised and all information has been received from other municipalities.”

Rationale:

“New tree canopy mapping across the City of Hobart shows the city lost two per cent of its canopy cover on private land over a five year period – 2017 to 2022. This trend undermines Council’s target to increase the canopy cover across Hobart's urban areas to 40 per cent by 2046.

Hobart's register of Significant Trees is based on a nomination and listing process. It is also important to review how effective the current significant tree register to ensure adequate protection for significant trees. This process is clunky, poorly understood, costly, time consuming and may not yield the best results. The assessment criteria we use for assessing our significant trees should be checked against similar exceptional tree policies nationally.

It is timely to review tree protections in the City of Hobart, which has declared a climate and biodiversity emergency. Council will imminently release its Climate Change Strategy which will mention urban canopy, street trees and urban greening. Producing this report in concert will allow the council to implement real action on the ground to address contributing factors to climate change in this city.

Furthermore, a large number of Councils have local laws to protect trees on private land over a certain size, with large canopies or trunk diameter. These policies are designed to promote the good management of vegetation and the protection of biodiversity in cities. They recognise that trees benefit whole of communities not just land holders. Even, some state governments, such as the South Australian Government, have also taken policy steps to protect trees on private land in urban areas.”

Administration Response to Notice of Motion

Discussion

There are a number of approaches that are adopted by Councils throughout Australia in respect to the management of trees on private land. There are both regulatory approaches such as the development of By-laws and Planning Scheme controls as well as incentive approaches such as the provision of grants for tree planting and/or tree protection.

Officers will be able to complete the requested research and provide a report to inform Elected Members on the matter.

It should be noted that the Council considered the status of our urban canopy on public and private land on 28 August 2023 and decided to pursue an incentive-based approach rather than further consideration of regulation. As a result of this decision, \$20,000 has been allocated in 2024/2025 Annual Plan and budget to be used for promoting, facilitating and encouraging tree planting activities on private land. Such initiatives may include a tree giveaway program, competition for best urban garden, education program (etc).

It should also be noted that the Kingborough Council is currently in the process of seeking approval for a new Tree Removal By-law, and, given that they are in the latter stages of their process it would be prudent to await the outcome and take some learnings from their process as part of the preparation of a report.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:

Outcome: 6.1: The natural environment is part of the city and biodiversity is conserved, secure and flourishing.

Strategy: 6.1.6: Increase tree canopy cover and greenery throughout Hobart.

Legislation and Policy

Policy: Street Tree Strategy

The Street Tree Strategy identifies that the City will *'investigate and consider the development of a policy and possible regulatory control for the protection of trees on private property with a view to it becoming part of overarching urban forests strategy for the City.'*

Financial Implications

1. In order to provide the Council with full advice, external legal advice would be required, as indicated in the 28 August 2023 report, which would cost in the order of \$20,000.

REYNOLDS
LOHBERGER

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

"Council requests that a report be presented to inform elected members about:

1. The current approaches being taken by similar Councils around Australia to enhance the protection of trees on private property. This should include which local laws, policies and programs are reporting the most success in reducing the decline of tree cover on private land,
2. The benefits of Council adopting a tree management local law or policy, modelled on those being used nationally that protect trees over a certain size or of a certain species on private and public property,
3. Contributing factors resulting in loss of trees on private land that Council may need to factor into its future decisions,
4. The report considers mechanisms of Council approval for tree removal on public land,
5. The report not come back to the Council until the Kingborough matter is resolved,
6. No legal advice is sought until such time that the Kingborough matter is finalised and all information has been received from other municipalities.”

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

Council requests that a report be presented to inform elected members about:

1. The current approaches being taken by similar Councils around Australia to enhance the protection of trees on private property. This should include which local laws, policies and programs are reporting the most success in reducing the decline of tree cover on private land,
2. The benefits of Council adopting a tree management local law or policy, modelled on those being used nationally that protect trees over a certain

size or of a certain species on private and public property,

3. Contributing factors resulting in loss of trees on private land that Council may need to factor into its future decisions,
4. The report considers mechanisms of Council approval for tree removal on public land,
5. The report not come back to the Council until the Kingborough matter is resolved,
6. No legal advice is sought until such time that the Kingborough matter is finalised and all information has been received from other municipalities.”

The Lord Mayor resumed the Chair.

25. RESPONSES TO QUESTIONS WITHOUT NOTICE
File Ref: F24/37991

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.

POSSELT
DUTTA

That the recommendation contained within the officer report, marked as item 25 of the Open Council Agenda of 29 April 2024, be adopted.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

COUNCIL RESOLUTION:

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

25.1 Workshop Material

Memorandum of the Chief Executive Officer 24 April 2024.

25.2 Discrimination Cases

Memorandum of the Chief Executive Officer 24 April 2024.

25.3 Harvey Norman Car Park

Memorandum of the Acting Director City Life 24 April 2024.

25.4 Road Weight Tolerances

Memorandum of the Manager City Infrastructure 24 April 2024.

25.5 Section 28 (2) (iii) Local Government Act

Memorandum of the Chief Executive Officer 22 April 2024.

25.6 Image of the King

Memorandum of the Director City Enablers 23 April 2024.

26. QUESTIONS WITHOUT NOTICE

File Ref: F24/38025

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

26.1 Councillor Lohberger - Cross Street, Valentine Street, New Town Road - Resurfacing **File Ref: 13-1-10**

Question: Can the Chief Executive Officer provide an update on the resurfacing works for the intersection of Cross Street, Valentine Street and New Town Road and if any plan has been arrived at?

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

26.2 Councillor Dutta - Battery Point Walkway - Peer Review
File Ref: 13-1-10

Question: Can the Chief Executive officer provide clarification on the peer review being undertaken for the Battery Point Walkway?

Response: The Chief Executive Officer advised that it is in its final stages of being reviewed, a copy has been received and its being reviewed by officers, it is proposed that it will come to a Council workshop in the near future.

BUSINESS ARISING

27. Questions Taken on Notice During Debate
File Ref: F24/38028

LOHBERGER
POSSELT

That the recommendation contained within the officer report, marked as item 27 of the Open Council Agenda of 29 April 2024, be adopted

MOTION CARRIED

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Sherlock	
Harvey	
Dutta	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	
Coats	
Kitsos	

COUNCIL RESOLUTION:

That the register of questions arising during debate, marked as attachment A to item 27 of the Open Council Agenda of 29 April 2024, be received and noted.

28. 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:

- Trade secrets of an organisation
- Information of a personal nature
- Personal hardship of a ratepayer
- Proposal to acquire land
- Contract renewal

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 | Dark Mofo 2024 Sponsorship & In Kind Support
LG(MP)R 15(2)(c)(iii) |
| Item No. 7 | Purchase of Land - Mount Nelson
LG(MP)R 15(2)(f) |
| Item No. 8 | Lease Arrangements - 22 Creek Road, Lenah Valley
LG(MP)R 15(2)(b) |
| Item No. 9 | 2023-24 Supplementary Rates - Variation Objections
LG(MP)R 15(2)(g) and (j) |
| Item No. 10 | Request to Waive Requirement to Tender - The Mercury
Newspaper Advertising
LG(MP)R 15(2)(d) |
| Item No. 11 | Contract Extensions - Civil Construction Panel and Asphalt,
Bituminous Products & Slurry / Micro Sealing Panel
LG(MP)R 15(2)(d) |
| Item No. 12 | CEO Performance Plan
LG(MP)R 15(2)(g) |
| Item No. 13 | QUESTIONS WITHOUT NOTICE
LG(MP)R 15(2)(g) |

POSSELT
SHERLOCK

That the recommendation be adopted.

MOTION CARRIED BY

ABSOLUTE MAJORITY

VOTING RECORD

AYES	NOES
Lord Mayor Reynolds	
Deputy Lord Mayor Sherlock	
Harvey	
Dutta	
Kelly	
Elliot	
Bloomfield	
Posselt	
Lohberger	
Coats	
Kitsos	

The Chairman adjourned the meeting at 7.35 pm for a dinner break.

The meeting was reconvened at 7.56 pm.

Item 18 was then taken.

There being no further business the Open portion of the meeting closed at 9.00pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
27TH DAY OF MAY 2024.

CHAIRMAN