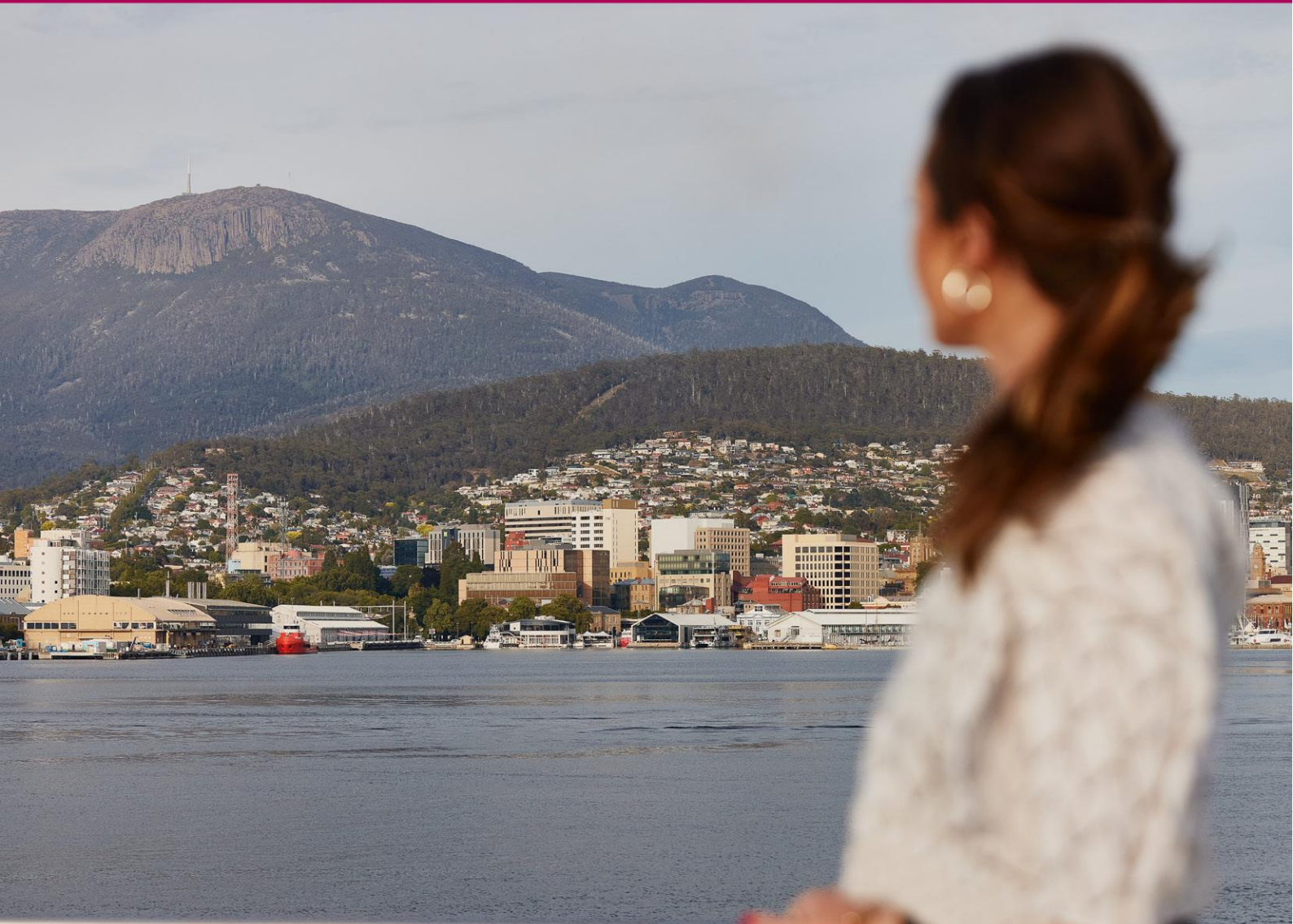




CITY OF HOBART

MINUTES

OPEN PORTION
MONDAY, 24 JUNE 2024
AT 5.07PM
COUNCIL CHAMBER, TOWN HALL



ORDER OF BUSINESS

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PRESENT:

The Lord Mayor Councillor A M Reynolds, the Deputy Lord Mayor Councillor Dr Z Sherlock, Alderman M Zucco, Councillors W F Harvey, M S C Dutta, 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.

The Deputy Lord Mayor arrived at the meeting at 5.08pm and was not present for item 1

Councillor Posselt arrived at the meeting at 5.08pm and was not present for item 1

Alderman Zucco declared an interest in item 16 and left the meeting at 5.50pm returning at 6.07pm.

Councillor Posselt left the meeting at 7.00pm, returning at 7.03pm

Councillor Coats left the meeting at 7.19pm, returning at 7.21pm

1. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson provided an acknowledgement to Country.

2. CONFIRMATION OF MINUTES

The Chairperson reports that she has perused the minutes of the meeting of the Open Portion of the Council meeting held on [Monday, 27 May 2024](#), finds them to be a true record and recommends that they be taken as read and signed as a correct record.

SHERLOCK
POSSELT

That the recommendation 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

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 workshops have been conducted since the last ordinary meeting of the Council:

Date: Monday, 3 June 2024

Purpose: Ferries | Derwent Estuary Program | Advocacy Priorities

Attendance:

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

Apologies:

Alderman M Zucco

Date: Monday, 17 June 2024
Purpose: Annual Plan progress report | Review Aboriginal Commitment
A/P | Briefing Stadium 2.0 | Governance Structure

Attendance:

The Acting Lord Mayor Councillor Dr Z Sherlock, Alderman M Zucco, Councillors B Harvey, M Dutta, J Kelly, L Elliot, Alderman L Bloomfield, Councillors R Posselt, B Lohberger W Coats and G Kitsos.

Apologies:

The Lord Mayor Councillor A Reynolds

6. PUBLIC QUESTION TIME

6.1 Mr Edwin Johnstone - Collins Street Tactical Bicycle Infrastructure File Ref: 16/119

Mr Edwin Johnstone put the following questions and was provided with responses from the Lord Mayor:

QUESTION 1:

Why do the proposed changes to Collins Street include only two accessible parking bays with none between Harrington and Murray Street?

RESPONSE 1:

The concept plan, although focussed on Collins Street, is looking at doubling of the number of accessible parking spaces within the precinct, from two to four. While one existing space on Collins Street, in the Harrington / Murray block will be removed, we are currently investigating a replacement bay within the same street block on Murray Street, and additional bays in other locations either on Collins Street or surrounds and seeking feedback on user needs.

There is currently one accessible parking space between Harrington and Bathurst and under the concept plan; this number will increase from one to two spaces in this block.

QUESTION 2:

Why can't the proposal have one northbound bike lane in Collins Street and one southbound bike lane in Liverpool Street?

RESPONSE 2:

This was looked at from a high level at the outset of the concept planning exercise. It was found that similar levels of parking removal would need to occur on Collins Street as the current concept plan,

whilst also adding in additional parking removal on Liverpool Street on one side of the road. As such, and along with Collins Street being identified as the Principal Cycling route for the City, this concept was not looked at in any more detail.

QUESTION 3:

Is the council expecting more traffic congestion and associated emissions in Collins Street due to the combining of traffic lanes at all three intersections, along with the changes around Centrepunkt carpark entrance?

RESPONSE 3:

Initial analysis has shown that there may be minor increases in traffic congestion along Collins Street due to the combining of traffic lanes. It is anticipated there will be some re-routing of through traffic which will help alleviate this slight increase. More detailed traffic modelling is currently being done on the abovementioned intersections to confirm this initial analysis.

7. PETITIONS

7.1 Petition - Waterworks Road Footpath Infrastructure - Thomas Roach File Ref: 16/119

The Chief Executive Officer tabled a petition calling for Council to upgrade the footpaths and road way along Waterworks Road to improve safety.

There were 141 signatories to the petition.

ZUCCO
POSSELT

That the petition be received and noted, referred to the relevant division and a report be returned to Council.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

Attachments

A Petition - Waterworks Road Footpath Infrastructure - June 2024 ⇨



8. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

RECOMMENDATION

That the Council resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

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.

The following interest was indicated:

1. Alderman Zucco - item 16

OFFICER REPORTS

10. 2024-25 Budget Estimates and Annual Plan File Ref: F24/48082

SHERLOCK
BLOOMFIELD

That the recommendation contained within the officer report, marked as item 10 of the Open Council Agenda of 24 June 2024, be adopted.

AMENDMENT

DUTTA
LOHBERGER

That the budget allocation line item for Housing and Homelessness be increased from \$16,800 to \$30,000

AMENDMENT LOST

VOTING RECORD

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

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. In accordance with section 82(2) of the *Local Government Act 1993*, the revenues, expenses and capital works program detailed in the 2024-25 Budget Estimates, marked as Attachment A to item 10 of the Open Council Agenda of 24 June 2024 be adopted.
2. The 2024-25 Annual Plan, marked as Attachment B to item 10 of the Open Council Agenda of 24 June 2024 be adopted.
3. The Interim Strategic Asset Management Plan 2024-2034, marked as Attachment C to item 10 of the Open Council Agenda of 24 June 2024 be adopted.
4. The City of Hobart Rates Resolution 2024-25, marked as Attachment D to item 10 of the Open Council Agenda of 24 June 2024 be adopted as follows:
 - (i) Pursuant to s.90 of the *Local Government Act 1993*, a General Rate of 0.2917 cents in the dollar of Capital Value be made.
 - (ii) Pursuant to s.107 of the *Local Government Act 1993*, Council declares by absolute majority that the General Rate is varied according to the use or predominant use of land, as follows:
 - a) for land used for commercial purposes, vary the General Rate to 0.6104 cents in the dollar of Capital Value.
 - b) for land used for industrial purposes, vary the General Rate to 0.6104 cents in the dollar of Capital Value.
 - c) for land used for primary production purposes, vary the General Rate to 0.2214 cents in the dollar of Capital Value.
 - d) for land used for public enterprise purposes, vary the General Rate to 0.3756 cents in the dollar of Capital Value.
 - e) for land used for residential purposes, vary the General Rate to 0.2214 cents in the dollar of Capital Value.
 - f) For land used for residential short stay visitor accommodation purposes, vary the General Rate to 0.4428 cents in the dollar of Capital Value.
 - g) for land used for sporting or recreation facilities purposes, vary the General Rate to 0.2947 cents in the dollar of Capital Value.
 - h) for non-use of the land, vary the General Rate to 0.2753 cents in the dollar of Capital Value.
 - i) For non-use residential land, vary the General Rate to 0.5506

cents in the dollar of Capital Value.

- (iii) Pursuant to s.88A(1)(a) and (b) of the *Local Government Act 1993* the Council by absolute majority sets and declares that the maximum percentage increase cap on the General Rate for land used or predominately used for commercial and industrial purposes (as previously made and varied in 4.i and 4.ii above) is 10 per cent above the amount payable in respect of that rateable land in the 2023-24 financial year.
- (iv) Pursuant to s.88A(2)(b) of the *Local Government Act 1993* the Council by absolute majority fixes the condition that to qualify for the maximum percentage increase cap (as previously made and varied above) the rateable land must not be subject to a supplementary valuation issued by the Valuer-General during the period from 1 July 2024 to 30 June 2025.
- (v) Pursuant to s.93 of the *Local Government Act 1993*, a Stormwater Removal Service Rate of 0.0226 cents in the dollar of Capital Value be made.
- (vi) Pursuant to s.107 of the *Local Government Act 1993*, Council declares by absolute majority that the Stormwater Removal Service Rate is varied according to the use or predominant use of land, as follows:
 - a) for land used for commercial purposes, vary the Stormwater Removal Service Rate to 0.0374 cents in the dollar of Capital Value.
 - b) for land used for industrial purposes, vary the Stormwater Removal Service Rate to 0.0339 cents in the dollar of Capital Value.
 - c) for land used for primary production purposes, vary the Stormwater Removal Service rate to 0.0194 cents in the dollar of Capital Value.
 - d) for land used for public enterprise purposes, vary the Stormwater Removal Service Rate to 0.0201 cents in the dollar of Capital Value.
 - e) for land used for residential purposes, vary the Stormwater Removal Service Rate to 0.0187 cents in the dollar of Capital Value.
 - f) for land used for sporting or recreation facilities purposes, vary the Stormwater Removal Service Rate to 0.0120 cents in the dollar of Capital Value.
 - g) for non-use of the land, vary the Stormwater Removal Service

Rate to 0.0193 cents in the dollar of Capital Value.

- (vii) Pursuant to s.93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following service rates for land within the municipal area:
 - a) A permanent brigade district fire rate of 0.0534 cents in the dollar of Capital Value subject to a minimum amount of \$49 in respect of all rateable land within the permanent brigade rating district.
 - b) A Fern Tree volunteer brigade district fire rate of 0.0135 cents in the dollar of Capital Value subject to a minimum amount of \$49 in respect of all rateable land within the Fern Tree volunteer brigade rating district.
 - c) A general land fire rate of 0.0130 cents in the dollar of Capital Value subject to a minimum amount of \$49 in respect of all rateable land within the municipal area which is not within the permanent brigade rating district or the Fern Tree volunteer brigade rating district.
- (viii) Pursuant to s.107 of the *Local Government Act 1993*, Council declares by absolute majority that the permanent brigade district fire rate is varied within the permanent brigade rating district according to the use or predominant use of land, as follows:
 - a) for land used for commercial purposes, vary the permanent brigade district fire rate to 0.0830 cents in the dollar of Capital Value.
 - b) for land used for industrial purposes, vary the permanent brigade district fire rate to 0.0743 cents in the dollar of Capital Value.
 - c) for land used for primary production purposes, vary the permanent brigade district fire rate to 0.0424 cents in the dollar of Capital Value.
 - d) for land used for public enterprise purposes, vary the permanent brigade district fire rate to 0.0890 cents in the dollar of Capital Value.
 - e) for land used for residential purposes, vary the permanent brigade district fire rate to 0.0420 cents in the dollar of Capital Value.
 - f) for land used for sporting or recreation facilities purposes, vary the permanent brigade district fire rate to 0.0236 cents in the dollar of Capital Value.
 - g) for non-use of the land, vary the permanent brigade district fire

rate to 0.0416 cents in the dollar of Capital Value.

- (ix) Pursuant to s.94 of the *Local Government Act 1993*, a Waste Management Service Charge be made and varied according to the use or predominant use of land as follows:
 - a) A Service charge of \$290 to apply to residential properties; and
 - b) A Service charge of \$580 to apply to non-residential properties.
 - (x) Pursuant to s.94 of the *Local Government Act 1993*, a Waste Management Service Charge of \$82 be made for kerbside food organics garden organics waste collection for all rateable land within the municipal area to which Council supplies or makes available a food organics garden organics waste collection service fortnightly utilising a food organics garden organics waste collection bin.
 - (xi) Pursuant to s.94 of the *Local Government Act 1993*, a Waste Management Service Charge for food organics garden organics collection be made in the sum of \$170.00 for all rateable land within the municipal area to which Council supplies or makes available a food organics garden organics waste collection service weekly utilising a food organics garden organics collection bin.
 - (xii) Pursuant to s.94 of the *Local Government Act 1993*, a service charge be made for waste management services to offset a levy payable by the Council to the State Government under the Waste and Resource Recovery Act 2022 (a Waste Management Levy Offset Service Charge) and varied according to the use or predominant use of land as follows:
 - a) A Service charge of \$24 to apply to residential properties; and
 - b) A Service charge of \$48 to apply to non-residential properties.
 - (xiii) Pursuant to s94 of the *Local Government Act 1993*, a service charge be made of \$113 for an initial service charge for waste, or recycling, residential or non-residential and \$185 to upgrade from a 120Lt to 240Lt mobile garbage bin residential.
5. The penalty on unpaid rates be 3 per cent of the amount.
6. The interest rate on unpaid rates be 10.14 per cent per annum, charged monthly.
7. The following delegation be approved:
- (i) Pursuant to section 22 of the *Local Government Act 1993*, the Council delegate to the Chief Executive Officer, being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in

the Council's Annual Plan 2024-25; and, the Council authorise the Chief Executive Officer to delegate, pursuant Section 64 of the *Local Government Act 1993*, to such employees of the Council as he considers appropriate, the power to expend monies on the Council's behalf identified as Delegation Classification 1 items in the Council's Annual Plan.

8. The Council adopt the amended City of Hobart Rates and Charges Policy, marked as Attachment E to item 10 of the Open Council Agenda of 24 June 2024.
9. The Chief Executive Officer be authorised to make minor administrative amendments to finalise the City of Hobart Rates and Charges Policy and arrange for it to be made available to the public in a paper format from the Council's Customer Service Centre and in an electronic format from Council's website.
10. The Council note the observations of the Risk and Audit Panel as detailed in this report.

11. Response to Petition - Marlyn Road Fire Trail
File Ref: F24/49699; 16/119

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 11 of the Open Council Agenda of 24 June 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:

1. The Council notes that this project has been included in the "Priority 1" capital works list for the 2024-25 financial year.
2. The CEO or his delegate have further discussions with Cascade Brewery Company Pty Ltd (Asahi Beverages) regarding their financial contribution to the cost of the works, along with clarifying the legal arrangements for the Council and community to use its land if these works are carried out.
3. The petitioners be formally advised of the outcome of the Council decision.

12. Response to Petition - QR Codes
File Ref: F24/51766; 16/119

HARVEY
SHERLOCK

That the recommendation contained within the officer report, marked as item 12 of the Open Council Agenda of 24 June 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:

1. The use of QR Codes on heritage buildings not be progressed.

2. The City Heritage Portfolio Committee continue to consider the best way for heritage to be celebrated and promoted within Hobart, and will make recommendations to the Council on how to do so.
3. The petitioners be formally advised of the outcome of the Council decision.

**13. North Hobart Neighbourhood Plan
Draft Structure Plan
File Ref: F24/49370; 23/40**

SHERLOCK
POSSELT

That the recommendation contained within the officer report, marked as item 13 of the Open Council Agenda of 24 June 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 release of the draft North Hobart Neighbourhood Plan (Structure Plan), marked as Attachment A to item 13 of the Open Council Agenda of 24 June 2024 for consultation with the community and that a report be provided on the outcomes of the consultation once completed.

14. Lease Renewal - Amplitel - Part of 2 Davies Avenue, Queens Domain
File Ref: F24/39877; 15/153-689

HARVEY
SHERLOCK

That the recommendation contained within the officer report, marked as item 14 of the Open Council Agenda of 24 June 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:

1. The Council grant a lease of the area at 2 Davies Avenue, Queens Domain, as shown in the plan marked as Attachment B, to item 14 of the Open Council Agenda of 24 June 2024, to Amplitel for a term of ten years together with a 10-year option, to no objections being received during the statutory public advertising period required under Sections 178 of the *Local Government Act 1993*.
2. The rent for the lease is to be not less than \$20,000 (GST exclusive) per annum, indexed annually by 3 per cent and a market review to take place on the exercise of the option.
3. Should any objections be received during the community engagement period, a further report will be provided to the Council.
4. The Chief Executive Officer be otherwise authorised to negotiate and agree to the final terms of the lease.

**15. Annual Maintenance Grants - Leased Facilities - Tasmanian Hockey Centre, Domain Tennis Centre and Hobart Netball and Sports Centre
File Ref: F24/47698**

LOHBERGER
HARVEY

That the recommendation contained within the officer report, marked as item 15 of the Open Council Agenda of 24 June 2024, be adopted.

AMENDMENT

DUTTA
KITSOS

That an additional clause 9 be included that reads as follows:

9. The grant agreement with Hockey Tasmania include a clause to recognise the joint planning work being done with Council to redevelop the carpark for housing.

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. An annual grant of \$81,661 (exc GST) be provided to Hockey Tasmania for a period of two (2) years to assist with the maintenance of the Tasmanian Hockey Centre.
2. An annual grant of \$52,052 (exc GST) be provided to the Domain Tennis Centre Inc for a period of two (2) years to assist with the maintenance of the Domain Tennis Centre.
3. An annual grant of \$37,349 (exc GST) be provided to the Southern Tasmanian Netball Association for a period of two (2) years to assist with the maintenance of the Hobart Netball and Sports Centre.
4. Each grant provided to commence in the 2024-25 financial year.
5. All grant funding must be utilised for asset maintenance that will extend the life of the financial assets that are under lease.
6. The grant recipients provide an annual grant request submission which must outline the proposed use of the City's annual maintenance grant, with an annual grant acquittal to be provided to the Council and assessed prior to the City's consideration of the subsequent year grant submission.
7. An increase to subsequent year grant funding be linked to the rate of Hobart CPI.
8. The value of each grant be recorded in the City's Annual Report in accordance with the Council Policy 'Grants and Benefits Disclosure.
9. The grant agreement with Hockey Tasmania include a clause to recognise the joint planning work being done with Council to redevelop the carpark for housing.

Alderman Zucco declared an interest in item 16 and left the room at 5.50pm.

16. Proposed Lease - Cornelian Bay Sportsground - TasWater
File Ref: F24/47637

SHERLOCK
KITSOS

That the recommendation contained within the officer report, marked as item 16 of the Open Council Agenda of 24 June 2024, be adopted.

AMENDMENT

LOHBERGER
POSSELT

That the recommendation be amended to include additional clauses 6 and 7 to read as follows:

6. The hours of operation are Mon-Fri 7am-5pm, with no use of the work site outside of these hours or on weekends, unless critical works are required. If critical works are required outside of these approved times, TasWater must first liaise with the nearby residents on the eastern end of Bell Street and also with Council staff.
7. The entire work site be shielded behind hoardings featuring creative art, similar to the hoardings used around TasWater's Tamar River sewer pipeline project in Launceston.

Each clause of the amendments was voted on separately

AMENDMENT CARRIED

(CLAUSE 6)

VOTING RECORD

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

AMENDMENT CARRIED

(CLAUSE 7)

VOTING RECORD

AYES

NOES

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

SUBSTANTIVE 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:

1. In principle approval for a lease of the area shown on the plan marked as Attachment A to item 16 of the Open Council Agenda of 24 June 2024 to TasWater for a term of one year and thereafter a monthly lease for a maximum of a further two years be provided subject to consultation being undertaken with the residents of Bell Street and that feedback being provided to Council.

2. Should there be reasonable objections to the proposal that the Council reconsider the matter.
3. The rent for the lease be not less than \$7.50 per square metre for the site, with an approximate annual rental due of \$37,000.
4. Following the end of the lease period, the site be returned to the City of Hobart in a level state, top soiled, seeded and irrigated suitable as a sport playing surface. Any trees/shrubs removed are to be replanted, with TasWater responsible for maintaining the land during an eight week maintenance and establishment period and that any other infrastructure damaged during the lease period be repaired.
5. The Chief Executive Officer be authorised to negotiate and agree to the final terms of the lease consistent with the above recommendations.
6. The hours of operation are Mon-Fri 7am-5pm, with no use of the work site outside of these hours or on weekends, unless critical works are required. If critical works are required outside of these approved times, TasWater must first liaise with the nearby residents on the eastern end of Bell Street and also with Council staff.
7. The entire work site be shielded behind hoardings featuring creative art, similar to the hoardings used around TasWater's Tamar River sewer pipeline project in Launceston.

Alderman Zucco returned to the meeting at 6.07pm.

17. Derwent River Ferry Expansion
File Ref: F24/42487

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 17 of the Open Council Agenda of 24 June 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:

1. The report detailing the development of infrastructure to enable the expansion of the ferry service operating on the Derwent River be noted.
2. The Australian Government grant funding of \$20M having been secured to develop infrastructure at key locations to enable the expansion of the ferry service to proceed be noted.
3. In principle approval be provided for the establishment of a new passenger ferry terminal by the councils at Sandy Bay, with the approval of the terminal site to be considered and agreed by the Council at a future meeting, once it has been determined.
4. The proposed establishment of new passenger ferry terminals in the following locations be noted:

Lindisfarne Sailing Club

Wilkinsons Point

5. The Chief Executive Officer be authorised to:
 - (i) Progress the development of plans, identification of P90 cost estimates and any additional stakeholder engagement required.
 - (ii) Undertake an advocacy campaign with other Greater Hobart councils to strongly encourage the Tasmanian Government to develop systems to enable direct connectivity between Metro Tasmania and the Derwent River passenger ferry terminals.
 - (iii) Undertake investigations for the imposition of time limited parking restrictions in the proximity of the newly established passenger ferry terminal at Sandy Bay.
 - (iv) Progress detailed planning and lodge applications for the statutory approvals required.
6. The Council notes there are processes and submissions to complete in terms of the Australian Government grant, and that these processes need to occur alongside community consultation and work with the Tasmanian Government.

18. City of Hobart Modern Slavery in Supply Chains Prevention Policy
File Ref: F24/47942

SHERLOCK
HARVEY

That the recommendation contained within the officer report, marked as item 18 of the Open Council Agenda of 24 June 2024, be adopted.

AMENDMENT

ZUCCO
ELLIOT

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

4. The Chief Executive Officer provide a further report that explores any potential amendments to the policy to reflect any electronic, electric vehicle and / or battery related modern slavery practices.

AMENDMENT CARRIED

VOTING RECORD

AYES

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

NOES

Lord Mayor Reynolds
Kelly
Posselt

SUBSTANTIVE MOTION
CARRIED

VOTING RECORD

AYES

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

NOES

COUNCIL RESOLUTION:

That:

1. The Council adopt the City of Hobart Prevention of Modern Slavery in Supply Chains Policy, marked as attachment A to item 18 of the Open Council Agenda of 24 June 2024.
2. The Chief Executive Officer be authorised to make any minor amendments necessary to finalise the City of Hobart Prevention of Modern Slavery in Supply Chains Policy and arrange for it to be made available from the City's website.
3. The ethical statements setting out the expectations and behaviours for doing business with the City for the City's suppliers, marked as attachment B to item 18 of the Open Council Agenda of 24 June 2024, be included in the existing City of Hobart Code for Tenders and

Contracts.

4. The Chief Executive Officer provide a further report that explores any potential amendments to the policy to reflect any electronic, electric vehicle and / or battery related modern slavery practice risks.

19. Annual Plan Progress Report for the period ending 31 March 2024
File Ref: F24/28039

POSSELT
SHERLOCK

That the recommendation contained within the officer report, marked as item 19 of the Open Council Agenda of 24 June 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 note the 2023-24 Annual Plan Progress Report for the period ending 31 March 2024, marked as Attachment A to item 19 of the Open Council Agenda of 24 June 2024.

20. Sale of Land - South Hobart
File Ref: F24/58251

SHERLOCK
LOHBERGER

That the recommendation contained within the officer report, marked as item 20 of the Open Council Agenda of 24 June 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:

1. The Council by absolute majority affirm its decision of 19 March 2024 to:
 - (i) sell that part of 136 Wentworth Street, South Hobart in Tasmania (CT 94118/1) indicated in Attachment A to item 20 of the Open Council Agenda of 24 June 2024, ("Proposed Sale Area"); and
 - (ii) grant a right of way over that area indicated in Attachment A to item 20 of the Open Council Agenda of 24 June 2024, ("Proposed Easement") to facilitate access to the development, to Homes Tasmania for the market valuation of \$400,000.00.
2. The Chief Executive Officer be otherwise authorised to negotiate and agree to the final terms of the transfer.

REPORT OF THE CHIEF EXECUTIVE OFFICER
--

**21. Code of Conduct Determination Report
Councillor Louise Elliot v Councillor Ryan Posselt
File Ref: F24/49140**

ZUCCO
BLOOMFIELD

That the recommendation contained within the officer report, marked as item 21 of the Open Council Agenda of 24 June 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 receive and note the Code of Conduct Determination Report in respect to a complaint lodged by Councillor Louise Elliot against Councillor Ryan Posselt, shown as Attachment A to item 21 of the open Council Agenda of 24 June 2024.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

**22. Proposed Council Correspondence - Code of Conduct Process
File Ref: F24/56407; 13-1-9**

Motion

That:

1. The Lord Mayor write to the Director of Local Government and Minister for Local Government to request the prioritisation of Amendments to the *Local Government Act 1993* and/or General Regulations 2015 requiring the parties to a Code of Conduct complaint to attempt conciliation as a mandatory part of the requirements under section 28Y of the *Local Government Act 1993*, prior to the referral of a complaint to the Code of Conduct Panel. Should a conciliation be unsuccessful at resolving the dispute that this be communicated to the Code of Conduct Panel to inform their deliberations.
2. While these statewide changes are being finalised, Council requests that elected members follow the process set out in the [Elected Member Issues Resolution Policy](#), which is that prior to commencing a formal Code of Conduct Complaint, elected members who are parties to any disagreement should endeavour to resolve their differences through discussion or formal mediation.

Rationale:

As detailed in answers to recent questions taken on notice from councillors Hobart ratepayers are ultimately carrying the financial burden for Code determinations, including for relatively minor matters that could be better handled via mediation.

Conciliation also affords better prospects for repairing relationships between the parties and returning parties to their relative positions prior to a complaint.

Section 28V (fb) of the *Local Government Act* presently only requires complainants to '*detail all the efforts made to resolve the issue.*' A declaration that 'no effort' has been made presently satisfies the requirement. This is also a statutory impediment to having either a Council policy (or directive from the Director of Local Government) mandating and/or directing that mediation/conciliation be attempted as a pre-condition to undertaking a preliminary assessment of a Code complaint under section 28Y.

Council has been informally advised that the proposed amendments have passed both houses of the Tasmanian Parliament and await gazetting, which is anticipated for August. The Office of Local Government is believed to be

presently focussed on completing the associated policy framework, prior to commencing consultation with the sector.

Administration Response to Notice of Motion

Discussion

Officers are supportive of the Motion and note the significant financial cost to ratepayers for determining Code of Conduct complaints and that they are an adversarial process, which fails to provide for restorative justice considerations and/or relationship repair. The latter should be better reflected within the Code of Conduct framework for councillor v councillor matters as it is in the best interests of both council and the community that a positive working relationship can be retained to aid for continued good government, which in and of itself is also an objective of the *Local Government Act*.

Officers also note that the reform process has been delayed by the recent State election. Ideally, advocacy from the sector (including the City of Hobart) may see the proposed timeline brought forward.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	8 – Governance and Civic Involvement
Outcome:	8.2 - Hobart is a city that delivers public value and excellence by being a financially responsible, high performing and accountable organisation that is responsive to the needs of the community.
Strategy:	8.2.11 - Foster a positive and supportive organisational culture that prioritises the health, safety and wellbeing of staff, elected members and volunteers.

Legislation and Policy

Legislation:	<i>Local Government Act 1993</i>
Policy:	Elected Member Issues Resolution Policy

Financial Implications

None identified.

KITSOS
SHERLOCK

That the motion be adopted.

MOTION CARRIED

VOTING RECORD

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

COUNCIL RESOLUTION:

That:

1. The Lord Mayor write to the Director of Local Government and Minister for Local Government to request the prioritisation of Amendments to the *Local Government Act 1993* and/or General Regulations 2015 requiring the parties to a Code of Conduct complaint to attempt conciliation as a mandatory part of the requirements under section 28Y of the *Local Government Act 1993*, prior to the referral of a complaint to the Code of Conduct Panel. Should a conciliation be unsuccessful at resolving the dispute that this be communicated to the Code of Conduct Panel to inform their deliberations.
2. While these statewide changes are being finalised, Council requests that elected members follow the process set out in the [Elected Member Issues Resolution Policy](#), which is that prior to commencing a formal Code of Conduct Complaint, elected members who are parties to any disagreement should endeavour to resolve their differences through discussion or formal mediation.

23. Methodology Data on Collins Street Trial
File Ref: F24/57032; 13-1-9

Motion

That the CEO be requested to supply all Elected Members (at the earliest opportunity) with the plans denoting the methodology of data collection and compilation of information for the Collins Street Bike Trial. In particular information that gives the elected members understanding that:

- a. The data collection plans considered meet Transport Commission directives
- b. That the final compilation of data conclusions meet Transport Commission directives.
- c. A plan demonstrating the pre-trial traffic and behavioural environment such that it supplies a reasonable time frame and solid base line in all areas being examined.
- d. Detailed methodologies of data collection such as questionnaires applied and size and type of sample size taken.
- e. Details around proposed compilation methodology of results so that it is clear to all concerned that the report is of good standing and fit for purpose.

Rationale:

The Collins Street Tactical Bicycle Infrastructure proposal which includes the removal of 59 car parks from Collins St and the addition of separated bike lanes on both sides of Collins Street (from Molle to Murray Streets) is a significant change to our CBD with the potential to impact a broad range of businesses and users of our CBD.

This motion is not about establishing a benefit to one 'side' or another – but rather ensure that debate and final decision is based on the best information available.

It is essential that Elected Members have access to relevant, reliable and current data. It is understood that recent data the Council has on the current bike and scooter usage of Collins Street from Molle Street to Murray St is limited, and primarily focuses on the Collins and Molle Street intersection. It is acknowledged that broader data sources that do not necessarily relate directly to this location, such as Bicycle Network and Census data.

All data collection sources should meet a high integrity of accuracy and reliability – and be available for interrogation.

Given the Council has already implemented bike lanes in Campbell and Argyle Streets, information around what impact this infrastructure has had on the volume of bicycle and scooter uses in these locations will be valuable.

Administration Response to Notice of Motion

Discussion

1. In relation to points a) and b), Transport Commission directions relate to local government demonstration of appropriate consideration of design guidance material contained in Austroads Guides and other applicable material. Current Transport Commission directions can be provided to Elected Members.
2. In relation to points c) – e) methodology of data collection and compilation of information will be provided as part of the report to Council where approval of the detailed design is sought. An overview of the planned monitoring and evaluation program was provided to Council at its May meeting, refer Item No. 10 at 6.5.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 5 - Movement and Connectivity of the Community Vision

Outcome:

Outcome 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

Outcome 5.2 Hobart has effective and environmentally sustainable transport systems.

Outcome 5.3 Data informs decision-making.

Strategy:

5.1.1 – Improve connectivity throughout Hobart's innercity and suburbs.

5.1.4 – Collaborate with stakeholders and business on accessible, efficient, sustainable and innovative movement of people, information and goods.

5.2.1 – Prioritise zero emissions and energy efficient transport and technology initiatives that improve city life.

5.2.2 – Prioritise and promote opportunities for safe, accessible and integrated active transport.

5.2.7 – Develop, upgrade and maintain the City's network of roads, bridges, cycleways, footpaths and walkways to ensure they are safe, accessible and sustainable.

5.4.1 – Gather and appropriately manage relevant data that can be used to guide decision-making, monitor trends and measure progress.

Legislation and Policy

Legislation:

Policy: Draft Guidelines for Adjustable Bicycle Infrastructure.

Financial Implications

here are no financial implications expected with this motion.

BLOOMFIELD
LOHBERGER

That the motion be adopted.

MOTION LOST

VOTING RECORD

AYES

Zucco
Kelly
Elliot
Bloomfield
Coats

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Sherlock
Harvey
Dutta
Posselt
Lohberger
Kitsos

COUNCIL RESOLUTION:

The motion was lost.

24. Domain Tennis Centre and Helping Support the New Grant Funding
File Ref: F24/57198; 13-1-9

Motion

That Council:

- (1) Note that the Domain Tennis Centre (DTC) is the preeminent club for the sport of tennis in Hobart and supports active participation by the community in the sport of Tennis.
- (2) Note that the DTC has a close relationship with the City of Hobart as a steward and tenant of the Domain Tennis Facility which is owned by the City.
- (3) Note that DTC is a community club (member owned) and its broad goal is to increase participation and growth of the sport of Tennis in Tasmania and that increased community participation and involvement in sport and active movement aligns with the City's goals around increasing health and wellbeing.
- (4) Note that DTC was recently successful in being awarded significant grants, including for new pickleball courts as well as an additional clay court, new equipment including wheelchairs and upgrades to centre court lighting and that these enhanced facilities will enable further growth of the club and the ability for more Hobartians to access sport and participate in recreational activity.
- (5) Call on council to engage with the DTC to support the club in their efforts to effectively activate these new grants as well as promote the opportunity to the wider community.

Rationale:

The Domain Tennis Centre (DTC) presented to the Healthy Hobart Committee on the 4th of June to outline the activity they undertake to promote a healthy Hobart and support the participation and playing of tennis in Tasmania.

Under the auspices of 'where Hobart goes to play' the DTC outlined their reach and programs to support the community to access Tennis and to grow participation in the sport.

The committee were briefed that:

DTC support ~6000 people each year to play tennis and engage in the sport. This includes school children, adults, people with disability as well as supporting group groups such as Hobart Out Tennis Club and Tennis Tasmania tournaments.

DTC has built up a successful ecosystem of support groups as sub-tenants,

including the shop for equipment, a bespoke gym, physiotherapy and directly supports the employment of coaches and trainers.

DTC has grown membership by over 100% and has successfully hosted national (and in conjunction with Tennis Tasmania) international competitions, including the recent Australian school sports national championships 'the Jack Pizzey Cup'.

DTC briefed council on exciting news about the future growth and activity of the club and that they have recently been awarded significant grant funding.

DTC advised that they have been awarded a \$400,000 grant from the State Government under the Active Tasmania Grant program. This grant, along with a \$100,000 contribution by DTC, will fund the construction of one additional clay tennis court and six dedicated pickleball courts. The total project budget is estimated to be \$500,000 and represents a significant upgrade to HCC facilities.

Alongside this they have also received \$5,458 from Active Tasmania for paddles, nets, balls and tennis wheelchairs and finally they received National Court Rebate funding from Tennis Australia for the upgrade of centre court lighting.

This funding package significantly increases their ability to increase participation and enables more people to be active and take up sport.

The Healthy Hobart Committee questioned DTC about the accessibility of the sport from a cost barrier perspective and were advised that like any club there are pressures, but that funding raised goes back into the sport and that increases in membership and participation can in turn reduce upfront membership and increase financial accessibility. The committee heard there are opportunities for casual use and that there is usage by groups such as the LGBT community and youth tournaments. It was noted that they have active players in their 90's, people with disabilities as well as school children who participate so it truly is accessible by all.

Overall, the Healthy Hobart Committee were pleased to hear of the usage of the facility and noted the benefits of active participation for community members. It was pleasing to hear of the expansion of pickleball which is a very fast-growing sport especially popular and of greater access to those new to racquet sports and that these new facilities will be the first outdoor courts available for Hobart.

The committee heard that the DTC would like a closer working relationship with the City of Hobart to help promote the benefits of sport participation and that, noting that HCC is the landlord, one of the key risks for the club is major infrastructure renewal.

This motion was brought to inform the council and note that there is a unique opportunity to help implement the new grant funding and work with the DTC to

promote an increase in participation in healthy activity.

Administration Response to Notice of Motion

Discussion

Officers recently provided a letter of support to the Domain Tennis Centre for abovementioned grant on what will be a very worthwhile project with significant community benefit. It is understood that at times the tennis courts at the Domain Tennis Centre are at capacity. It is also known that pickleball is a sport where participation is growing quickly with venue options very limited.

Discussion with the General Manager of the Domain Tennis Centre is that they are seeking in kind support for the project by way of waiving development fees for planning, building and plumbing fees, as well as the potential for Council crews to assist with trimming trees and shrubs which have encroached into the lease area.

The City has provided financial support to the Domain Tennis Centre by way of a cash grant to assist with maintenance to the value for approximately \$50,000 for the past nine (9) years. It should be noted that the Council will consider an extension of this grant by a further two (2) years at the Council meeting to be held on 24 June 2024 (this meeting).

The City has also supported tennis by provision of grant funding toward the Hobart Women's International which is held at the Centre each January and in-kind access to nearby carparks.

The City's very popular Healthy Hobart program has also worked with the Club on two occasions to stage 'come and try' tennis sessions and will look to incorporate another session in the near future.

Officers will be available to assist the DTC in providing advice through the development application process and will continue to assist to promote healthy activities where resourcing allows and opportunities arise.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar:	2 – Community inclusion, participation and belonging.
Outcome:	2.3 – Hobart communities are active, have good health and wellbeing and are engaged in lifelong learning.
Strategy:	2.3.1 – Provide diverse activities and programs that reduce social isolation and build social cohesion and

improve health and wellbeing.

2.3.2 – Provide and progressively enhance a range of accessible quality places, facilities and infrastructure that support healthy living and where people can enjoy social, education and recreation activities and events.

Legislation and Policy

Legislation:

Policy: N/A

Financial Implications

1. The likely loss of income to Council as a result of waiving statutory approval fees is anticipated to be around \$7,000, noting the exact figure will not be known until plans have been developed
2. It is estimated the cost for Council crews to undertake the required work on trimming trees and shrubs will be approximately \$5,000.

COATS
LOHBERGER

That the motion be adopted.

MOTION CARRIED

VOTING RECORD

AYES

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

NOES

COUNCIL RESOLUTION:

That Council:

1. Note that the Domain Tennis Centre (DTC) is the preeminent club for the sport of tennis in Hobart and supports active participation by the community in the sport of Tennis.
2. Note that the DTC has a close relationship with the City of Hobart as a steward and tenant of the Domain Tennis Facility which is owned by the City.
3. Note that DTC is a community club (member owned) and its broad goal is to increase participation and growth of the sport of Tennis in Tasmania and that increased community participation and involvement in sport and active movement aligns with the City's goals around increasing health and wellbeing.
4. Note that DTC was recently successful in being awarded significant grants, including for new pickleball courts as well as an additional clay court, new equipment including wheelchairs and upgrades to centre court lighting and that these enhanced facilities will enable further growth of the club and the ability for more Hobartians to access sport and participate in recreational activity.
5. Call on council to engage with the DTC to support the club in their efforts to effectively activate these new grants as well as promote the opportunity to the wider community.

25. Collins Street Clearway
File Ref: F24/58226; 13-1-9

Motion

That a report be provided to investigate the feasibility of timed clearways being implemented in Collins Street to support bicycle and scooter use with on-street parking remaining outside of these times, and for details and findings to be provided to all elected Members at the earliest opportunity (before the July 2024 Council meeting).

Rationale:

The Collins Street Tactical Bicycle Infrastructure proposal which includes the removal of 59 car parks from Collins St and the addition of separated bike lanes on both sides of Collins Street (from Molle to Murray Streets) is a significant change to our CBD with the potential to impact a broad range of businesses and users of our CBD.

Data obtained directly by some elected members shows that there are clear peaks in the usage of Collins Street by bicycles and scooters between certain hours and on certain days. For example, there is an obvious peak between 7:30 am and 9:30 am on weekdays. Conversely, the on-street parking usage is more consistent and extends across a much broader range of the day and night. A clearway approach has the potential to balance the needs of all and warrants full and fair investigation.

Administration Response to Notice of Motion

Discussion

Several alternative arrangements for the proposed tactical separated bicycle lanes in Collins Street have been considered. It is intended that the details and findings in relation to these options including the clearway option outlined above will be provided within the officer report on the matter to the Council at its July 2024 meeting.

Strategic, Legislative and Policy Implications

Capital City Strategic Plan

Pillar: 5 - Movement and Connectivity of the Community Vision

Outcome: Outcome 5.1 An accessible and connected city environment helps maintain Hobart's pace of life.

Outcome 5.2 Hobart has effective and environmentally sustainable transport systems.

Strategy: 5.1.1 – Improve connectivity throughout Hobart's innercity and suburbs.

5.1.4 – Collaborate with stakeholders and business on accessible, efficient, sustainable and innovative movement of people, information and goods.

5.2.1 – Prioritise zero emissions and energy efficient transport and technology initiatives that improve city life.

5.2.2 – Prioritise and promote opportunities for safe, accessible and integrated active transport.

5.2.7 – Develop, upgrade and maintain the City's network of roads, bridges, cycleways, footpaths and walkways to ensure they are safe, accessible and sustainable.

Legislation and Policy

Legislation: *Traffic Act 1925*

Policy: Draft Guidelines for Adjustable Bicycle Infrastructure

Financial Implications

1. There are no financial implications with providing this information.

KELLY
ZUCCO

That the motion be adopted.

ZUCCO
SHERLOCK

That Councillor Elliot be granted an extra three minutes to address the item.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SHERLOCK
ELLIOTT

That Alderman Zucco be granted an extra two minutes to address the item.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

SHERLOCK
DUTTA

That Councillor Posselt be granted an extra two minutes to address the item.

MOTION CARRIED

VOTING RECORD

AYES

NOES

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

MOTION LOST

VOTING RECORD

AYES

Zucco
Kelly
Elliot
Bloomfield
Coats

NOES

Lord Mayor Reynolds
Deputy Lord Mayor Sherlock
Harvey
Dutta
Posselt
Lohberger
Kitsos

COUNCIL RESOLUTION:

The motion was lost.

26. RESPONSES TO QUESTIONS WITHOUT NOTICE
File Ref: F24/54409

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.

KELLY
SHERLOCK

That the recommendation contained within the officer report, marked as item 26 of the Open Council Agenda of 24 June 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:

26.1 Pre-Employment Screening

Memorandum of the Director City Enablers 7 June 2024.

26.2 Councillor Elliot - Donations

Memorandum of the Director City Enablers 7 June 2024.

26.3 Cross Street, Valentine Street, New Town Road - Resurfacing

Memorandum of the Acting Director Connected City 12 June 2024.

27. QUESTIONS WITHOUT NOTICE

File Ref: F24/54434

Regulation 29 of the *Local Government (Meeting Procedures) Regulations 2015*.

File Ref: 13-1-10

27.1 Councillor Dutta - kunanyi / Mt Wellington - National Park

File Ref: 13-1-10

Question: Can the Planning staff please outline what the planning process is for a commercial development in a National Park?

If for example kunanyi/Mt Wellington was made a National Park, would the Hobart City Council still be the Planning Authority for any proposals put forward in the Park?

If kunanyi/Mt Wellington was declared a National Park what process would be required to transfer the land to a new tenure and would there need to be new planning provisions developed to apply to the Park?

Answer: The Chief Executive Officer took the question on notice

27.2 Alderman Zucco - kunanyi / Mt Wellington - Cost Savings

File Ref: 13-1-10

Question: If kunanyi / Mt Wellington was made a National Park, what cost savings would there be to the City of Hobart?

Answer: The Chief Executive Officer took the question on notice

27.3 Councillor Elliot - Hobart City Council / City of Hobart - Difference

File Ref: 13-1-10

Question: Can the Chief Executive Officer provide clarity on the distinction between City of Hobart and Hobart City Council as stand alone entities as one may be branding?

Answer: The Chief Executive Officer advised that the Hobart City Council is our technical title under the law although we also refer to ourselves as City of Hobart.

27.4 Councillor Coats - Aboriginal Commitment Action Plan
File Ref: 13-1-10

Question: Can the Chief Executive Officer advise what is the consultancy cost for the development of the new Aboriginal Commitment Action Plan?

Could Council be provided with the reporting produced as part of the 2020 – 2022 Aboriginal Commitment Action Plan including a summary of: which action items were finalised, which were part complete and which were not completed?

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

27.5 Deputy Lord Mayor Sherlock - Hobart City Council / City of Hobart - Distinction
File Ref: 13-1-10

Question: Can the Chief Executive Officer advise if the Hobart City Council is the 'Elected Members' and the City of Hobart the 'Organisation' or is it the other way around?

Answer: The Manager Legal and Corporate Governance advised that in terms of Officers under the Local Government Act, it is the one legal entity. The ABN trading component of Council, under the Corporations Act from the Commonwealth, which you need to give effect to the legislative powers of the Council so that we can trade. In short, it is the one organisation.

27.6 Lord Mayor Reynolds - Video Data
File Ref: 13-1-10

Question: Can the Chief Executive Officer advise if it is lawful to collect video data of people without their permission, or without public notices being made available about the presence of video cameras?

Answer: The Manager Legal and Corporate Governance advised that there has been High Court commentary on the issue. If you are in public you can be filmed without consent, there are however some exceptions if you are a minor, then legal consent may be required from a parent or guardian.

BUSINESS ARISING

28. QUESTIONS TAKEN ON NOTICE DURING DEBATE
File Ref: F24/58358

SHERLOCK
DUTTA

That the recommendation contained within the officer report, marked as item 28 of the Open Council Agenda of 24 June 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

COMMITTEE RESOLUTION:

That the register of questions arising during debate, marked as Attachment A, to item 28 of the Open Council Agenda of 24 June 2024 be received and noted.

29. 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 provided to the Council on condition it remain confidential
- Personal hardship of a ratepayer in the municipality

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 Chairperson
Item No. 3	Leave of Absence
Item No. 4	Consideration of supplementary Items to the agenda
Item No. 5	Indications of pecuniary and conflicts of interest
Item No. 6	2023-24 Supplementary Rates - Variation Objection LG(MP)R 15(2)(g) and (j)
Item No. 7	Code of Conduct Determination Report and Addendum Councillor Louise Elliot v Councillor Ryan Posselt LG(MP)R 15(2)(g)
Item No. 8	QUESTIONS WITHOUT NOTICE LG(MP)R 15(2)(g)
Item No. 9	Business Arising - Questions Taken on Notice During Debate LG(MP)R 15(2)(g) and (h)

SHERLOCK
DUTTA

That the recommendation be adopted.

MOTION CARRIED
ABSOLUTE MAJORITY

VOTING RECORD

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

The Chairperson adjourned the meeting at 8.03pm for a dinner break.

The meeting was reconvened at 8.20pm.

Item 24 was then taken.

There being no further business the Open portion of the meeting closed at 9.36pm.

TAKEN AS READ AND SIGNED AS
A CORRECT RECORD THIS
22ND DAY OF JULY 2024.

CHAIRPERSON