



CITY OF HOBART

# **AGENDA**

## **Parks and Recreation Committee Meeting**

### **Open Portion**

**Wednesday, 13 April 2022**

**at 5:15 pm**

**Council Chamber, Town Hall**

## THE MISSION

**Working together to make Hobart a better place for the community.**

## THE VALUES

**The Council is:**

<b>People</b>	We care about people – our community, our customers and colleagues.
<b>Teamwork</b>	We collaborate both within the organisation and with external stakeholders drawing on skills and expertise for the benefit of our community.
<b>Focus and Direction</b>	We have clear goals and plans to achieve sustainable social, environmental and economic outcomes for the Hobart community.
<b>Creativity and Innovation</b>	We embrace new approaches and continuously improve to achieve better outcomes for our community.
<b>Accountability</b>	We are transparent, work to high ethical and professional standards and are accountable for delivering outcomes for our community.

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## ORDER OF BUSINESS

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Business listed on the agenda is to be conducted in the order in which it is set out, unless the committee by simple majority determines otherwise.

### APOLOGIES AND LEAVE OF ABSENCE

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**Parks and Recreation Committee Meeting (Open Portion) held Wednesday, 13 April 2022 at 5:15 pm in the Council Chamber, Town Hall.**

**This meeting of the Parks and Recreation Committee is held in accordance with a Notice issued by the Premier on 3 April 2020 under section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*.**

The title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant s.61 of the *Local Government Act 1993* (Tas).

**COMMITTEE MEMBERS**

Alderman J R Briscoe (Chairman)  
Deputy Lord Mayor Councillor H Burnet  
Alderman D C Thomas  
Councillor J Fox  
Councillor Dr Z E Sherlock

**Apologies:**

**Leave of Absence:** Nil.

**NON-MEMBERS**

Lord Mayor Councillor A M Reynolds  
Alderman M Zucco  
Alderman Dr P T Sexton  
Councillor W F Harvey  
Alderman S Behrakis  
Councillor M S C Dutta  
Councillor W N S Coats

**1. CO-OPTION OF A COMMITTEE MEMBER IN THE EVENT OF A VACANCY**

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**2. CONFIRMATION OF MINUTES**

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The minutes of the Open Portion of the Parks and Recreation Committee meeting held on [Thursday, 17 March 2022](#), are submitted for confirming as an accurate record.

**3. CONSIDERATION OF SUPPLEMENTARY ITEMS**

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

**Recommendation**

That the Committee resolve to deal with any supplementary items not appearing on the agenda, as reported by the Chief Executive Officer.

#### **4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST**

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Ref: Part 2, Regulation 8(7) of the *Local Government (Meeting Procedures) Regulations 2015*.

Members of the Committee are requested to indicate where they may have any pecuniary or conflict of interest in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Committee has resolved to deal with.

#### **5. TRANSFER OF AGENDA ITEMS**

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Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

A Committee may close a part of a meeting to the public where a matter to be discussed falls within 15(2) of the above regulations.

In the event that the Committee transfer an item to the closed portion, the reasons for doing so should be stated.

Are there any items which should be transferred from this agenda to the closed portion of the agenda, or from the closed to the open portion of the agenda?

## **6. REPORT**

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### **6.1 Tasmanian Bridge Association - 10 Selfs Point Road, New Town - New Lease Request File Ref: F22/30573**

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Report of the Program Leader Sport and Recreation and the Director City Life of 8 April 2022.

Delegation: Council

**REPORT TITLE: TASMANIAN BRIDGE ASSOCIATION - 10 SELFS  
POINT ROAD, NEW TOWN - NEW LEASE REQUEST****REPORT PROVIDED BY:** Program Leader Sport and Recreation  
Director City Life**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to seek in-principle Council endorsement for a new ten (10) year lease over a portion of the property known as 10 Selfs Point Road, New Town to the Tasmanian Bridge Association (TBA).
- 1.2. Bridge is a popular card game played by people of any age, and it is also recognised as a sport by the International Olympic Committee.
- 1.3. The Tasmanian Bridge Association currently has over 400 members and provides a diverse recreational offering to the community.

**2. Report Summary**

- 2.1. The Tasmanian Bridge Association lease a section of 10 Selfs Point Road, New Town adjacent to the New Town Bay Rowing Centre and Rugby Park.
- 2.2. The initial ten (10) year lease term has recently concluded and the TBA has requested a further ten (10) year lease term.
- 2.3. The TBA has met all of the obligations of their previous lease and officer inspections have determined the premises and surrounds to be in excellent condition and all maintenance requirements have been fulfilled.
- 2.4. The report is recommending in-principle approval of the lease be provided, subject to the statutory consultation required under the *Local Government Act 1993*.
- 2.5. Should any objection to the lease be received during the consultation period, the further report will be provided to Council to consider the objections raised.

**3. Recommendation*****That:***

1. ***A new lease to the Tasmanian Bridge Association for the Tasmanian Bridge Club located at 10 Selfs Point Road, New Town be approved for a period of ten (10) years, subject to no objections being received during the statutory community engagement process required under Sections 178 and 179 of the Local Government Act 1993.***

2. ***Should any objections be received during the community engagement period, a further report will be provided to the Council.***
3. ***The Chief Executive Officer be authorised to finalise the terms and conditions of the lease.***
4. ***In accordance with the Council Policy 'Grants and Benefits Disclosure' the benefit recognised to the Tasmanian Bridge Association by way of reduced rental as part of the amended lease be disclosed in the City's Annual Report.***

#### 4. Background

- 4.1. The Tasmanian Bridge Association (TBA) approached the City in 2010 seeking opportunities for a new premises. Due to increased membership their previous premises in North Hobart was no longer large enough to accommodate their members.
- 4.2. A number of sites were explored, however the preferred location for the new clubrooms was on the property at 10 Selfs Point Road, New Town, adjacent to the New Town Bay Rowing Centre and Rugby Park (see lease footprint below).



- 4.3. The initial ten (10) year lease term has recently expired and the TBA has requested a further ten (10) year lease agreement over the site.
- 4.4. The TBA have complied with all terms and conditions of their current lease and have invested heavily in the site. Following the sale of the former premises in North Hobart, the Club fully funded the construction of the new clubrooms.



- 4.5. Inspections of the premises have demonstrated that the cyclic maintenance required on the building has been undertaken as well as the external areas within the lease footprint.
- 4.6. Due to the increasing popularity of Bridge the TBA have developed plans to extend their premises within the current footprint with plans likely to be lodged for a development application within the next lease term.
- 4.7. The extension will provide a teaching area as well as kitchen and dining areas for club member's use.
- 4.8. A nominal rental of \$50 per annum is proposed to reflect the significant investment in the site by the TBA. A valuer has been engaged to undertake a commercial valuation of the leased area, and the benefit will be recorded in the City's Annual Report.
- 4.9. A proposal for a lease exceeding five (5) years will be required to be publically advertised as required under section 178 and 179 of the *Local Government Act 1993*, upon which the public will have a minimum of 21 days to provide an objection.
- 4.10. As a minimum, the intention to lease is required to be advertised in The Mercury as well as public notices where the property adjoins public highways.
- 4.11. Should an objection be received, there is an obligation to report back to Council to determine if the lease should be provided taking into consideration the nature of any objection.

## 5. Proposal and Implementation

- 5.1. It is proposed that the requested lease over the Tasmanian Bridge Club by the TBA be given in-principle approval.
- 5.2. Pursuant to Section 179 of the *Local Government Act 1993*, as the requested lease term exceeds five years, the City undertake community consultation, as required under Section 179 of the Act 'Sale, exchange and disposal of public land'.
- 5.3. It is proposed that subject to no receipt of public objections to the proposed lease, following the community consultation prescribed under Section 179 of the *Local Government Act 1993*, the Chief Executive Officer negotiate the terms of the lease, at nominal rental, with the value of the benefit to be recorded in the City's annual Report, in accordance with Council Policy *Grant and Benefits Disclosure*.
  - 5.3.1. In accordance with the *Local Government Act 1993*, should any objections be received from the public, a further report will be presented back to the Council.

**6. Strategic Planning and Policy Considerations**

- 6.1. The Capital City Strategic Plan 2019-29 supports the proposal with Strategic outcome 2.3:

Hobart communities are active, healthy and engaged in lifelong learning.

- 6.2. Assessment of the request was undertaken in accordance with Council Policy *Leases to Non Profit Organisations*.

- 6.3. The proposed benefit of the lease, on nominal terms, is to be recorded in the City's Annual Report, in accordance with Council Policy *Grant and Benefits Disclosure*.

**7. Financial Implications**

- 7.1. Funding Source and Impact on Current Year Operating Result

- 7.1.1. The current lease provides the City with \$50 in income, however the TBA is responsible for all maintenance and outgoings for the premises.

- 7.2. Impact on Future Years' Financial Result

- 7.2.1. It is proposed the new lease be offered at the same rate of \$50 per annum, so income of \$500 would be expected across the lease period, subject to approval.

- 7.3. Asset Related Implications

- 7.3.1. The City technically owns the building and associated improvements notwithstanding the TBA funded the construction. The Council therefore has these assets listed in its asset database. However, the assets are reflected as 'non-valuation' assets, as such there is no provision for asset replacement funding for any asset within the leased area.

**8. Legal, Risk and Legislative Considerations**

- 8.1. Any new lease documentation will be prepared by the City's Legal Officer.

**9. Social and Customer Considerations**

- 9.1. As noted earlier in the report the TBA currently has over 400 active members, with club membership increasing.
- 9.2. Bridge is a unique recreational offering as it can be played by all, no matter what age.

**10. Community and Stakeholder Engagement**

10.1. Pursuant to Sections 179 and Sections 178 of the *Local Government Act 1993*, community consultation be undertaken in accordance with the Act, as listed below:

10.1.1. Notification in the Mercury on at least two separate occasions;

10.1.2. Display of the notification where the property meets public highways;

10.1.3. Display of the notification on the premises.

10.2. The notifications to advise the public that any objections to the proposed lease may be made to the City within 21 days of the date of the first publication.

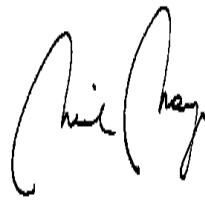
**11. Delegation**

11.1. Council

*As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.*



Shannon Avery  
**PROGRAM LEADER SPORT AND  
RECREATION**



Neil Noye  
**DIRECTOR CITY LIFE**

Date: 8 April 2022  
File Reference: F22/30573

## **7. COMMITTEE ACTION STATUS REPORT**

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### **7.1 Committee Actions - Status Report**

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A report indicating the status of current decisions is attached for the information of Elected Members.

#### ***RECOMMENDATION***

***That the information be received and noted.***

Delegation: Committee

Attachment A: Status Report - March 2022

## PARKS AND RECREATION COMMITTEE - STATUS REPORT

OPEN PORTION OF THE MEETING

November 2014 to March 2022

Ref.	Detail	Report / Action	Action Officer	Comments
1	<b>SOLDIERS MEMORIAL AVENUE – MANAGEMENT PLAN REVIEW</b>  Open Council 25/1/2016, Item 13  Open Council 23/5/2016, Item 18	A review of the Soldiers Memorial Avenue Management Plan 2004 be undertaken with the development of a new management plan, at an estimated cost \$15,000 to be funded from the Open Space Planning Function.  (i) The management plan consider the utilisation of the 'Tree Widows' material for the interpretation and promotion of the Soldiers Memorial Avenue.  The Friends of Soldiers Memorial Avenue be advised of the Council's decision.	Director City Life	Completed  Soldiers Memorial Avenue Action Plan endorsed by Council – 28/3/2022
2	<b>KUNANYI/MOUNT WELLINGTON - ORGAN PIPES</b>  Open Council 19/12/2018, Item 12  Open Council 19/3/2019, Item	The below report was deferred at the Council meeting on 19 March 2019 to allow an opportunity to discuss with the State Government its level of support for the proposed listing of the eastern face of kunanyi / Mount Wellington onto the National Heritage Register.  <i>That a report be prepared to consider the merits or otherwise;</i>  (i) <i>Of seeking national heritage listing for the Organ Pipes of kunanyi/Mount Wellington and/or</i>  (ii) <i>An extension of the South West World Heritage area to include the Wellington Park; and</i>  (iii) <i>The report to also investigate and ascertain who is the correct party to formally make the nomination to seek a national heritage listing or inclusion in the South West World Heritage area.</i>	Director City Life	The Council decision is being actioned with advice sought from the Minister to confirm the State government position on a nomination.

4	<p><b>BICYCLE AND PEDESTRIAN BRIDGE OVER BROOKER AVENUE - PROPOSED NAME 'ROSE GARDEN BRIDGE'</b></p> <p>Open Council 18/3/2019, Item 18</p> <p>Open Council 19/8/2019, Item 16</p>	<p>That 'Rose Garden Bridge' be submitted as the Council's recommended name for the new bicycle and pedestrian bridge across Brooker Avenue, located between Bathurst Street and the University Rose Gardens on the Queens Domain, to the Nomenclature Board of Tasmania, pursuant to the Survey Co-ordination Act 1944 (Tasmania).</p> <p>The City explore ways to commemorate persons and groups of significance with strong connections to the development of the University Rose Gardens, including Kitty Henry and TT Flynn.</p>	Director City Life	<p>The Nomenclature Board has accepted the name for the Bridge.</p> <p>The City is in discussions with UTas to integrate the University Gardens with the Rose Gardens and explore the significant people connected with the gardens in order to prepare a naming protocol for the rose beds.</p> <p>This is the subject of the plans for the movement of UTAS to the City and the architects are preparing a draft plan for the required works.</p>
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5	<p><b>REGATTA GROUNDS BUILDINGS - REQUEST FOR LEASE</b></p> <p>Open Council 17/12/2020, Item 21</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. A lease to the Royal Hobart Regatta Association over two buildings located on the Domain Regatta Ground foreshore (as indicated in paragraph 4.3 of the report marked as item 6.2 of the Open Parks and Recreation Committee agenda of 10 December 2020) for a period of ten (10) years, be approved, subject to no objections being received during the statutory community engagement process required under Sections 178 and 179 of the Local Government Act 1993.</li> <li>(i) Should any objections be received during the community engagement period, a further report will be provided to the Council.</li> <li>2. The leased area be provided at a nominal annual rent (\$50 per annum)</li> <li>3. The General Manager be authorised to finalise the terms and conditions of the lease.</li> <li>4. In accordance with the Council Policy 'Grants and Benefits Disclosure' the benefit recognised to the Royal Hobart Regatta Association by way of reduced rental as part of the new lease be disclosed in the City's Annual Report.</li> <li>5. The lease include a clause that allows the City to re-negotiate the terms and conditions of the lease between the City and the Royal Hobart Regatta Association in relation to the two buildings located on the Domain Regatta Ground foreshore in the event that any development should proceed in that vicinity of the foreshore.</li> </ol>	Director City Life	<p>Preparation of the lease is progressing but is now subject to review with the announcement by the State Government of a new covered stadium for the site to be built by 2027.</p>
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6	<p><b>410 ELIZABETH STREET, NORTH HOBART – NAMING OF SWAN STREET PARK</b></p> <p>Open CPC 15/3/2021, Item 7.2.6</p>	<p>That in consultation with the property owner, consideration be given to naming the park (currently known as Swan Street Park).</p>	<p>Director City Life</p>	<p>The City is in discussions with the adjoining Church that owns the land but no decision has been made. Future ownership options for the site is being reconsidered.</p>
7	<p><b>PETITION - STREET TREE PLANTINGS RUPERT AVENUE, MOUNT STUART</b></p> <p>Open Council 10/5/2021, Item 6</p> <p>Open Council 21/6/2021, Item 19</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. The City undertake detailed investigations and design work for the potential installation of new street trees within Rupert Avenue, Mount Stuart, involving the following:               <ol style="list-style-type: none"> <li>(i) Local area consultation and engagement;</li> <li>(ii) Determination of potential locations and number of tree plantings, including suitable species selection;</li> <li>(iii) Traffic safety audit and traffic impact assessments;</li> <li>(iv) Impact of on-street parking availability;</li> <li>(v) Cost assessment for the installation of the trees within the road reservation to ensure appropriate tree root treatment and backfilling with structural soil to ensure surface surrounds remain trafficable; and</li> <li>(vi) Prioritisation of any installation to consider:                   <ol style="list-style-type: none"> <li>(a) The timing of any potential road works scheduled for the Street.</li> <li>(b) Available funding (that is to be accommodated within the City's existing budget provision for its wider street tree planting program).</li> </ol> </li> </ol> </li> <li>2. Elected Members be kept informed of the matter via advice memorandums.</li> <li>3. The petitioners be advised of the Council's decision.</li> </ol>	<p>Director City Life</p>	<p>The Council decision is being actioned with draft plans prepared and undergoing assessment.</p>



8	<p><b>SANDY BAY ROWING CLUB, MARIEVILLE ESPLANADE - REQUEST FOR EXTENSION OF LEASE FOOTPRINT</b></p> <p>Open Council 23/8/2021, Item 17</p> <p>Open Council 22/11/2021, Item 15</p>	<p>That:</p> <ol style="list-style-type: none"> <li>1. An extension of the lease footprint to the Sandy Bay Rowing Club over a section of land outside of its premises at Marieville Esplanade, Battery Point (marked as Attachment A to item 6.1 of the Open Parks and Recreation Committee agenda of 12 August 2021), be approved.</li> <li>2. A letter be sent to the objector of the lease during the community engagement period to advise of Council's decision and to provide advice on appeal rights.</li> <li>3. The extended lease footprint area be added to the existing lease which, if all lease options are pursued, expires in 2030 under the same terms and conditions as the current lease.</li> <li>4. The Chief Executive Officer be authorised to finalise the terms and conditions of the lease, including a clause relating to the possible implications due to climate change and ensuring the area isn't used as a car park for the Club outside of its operating times.</li> <li>5. In accordance with the Council Policy 'Grants and Benefits Disclosure' the benefit recognised to the Sandy Bay Rowing Club by way of reduced rental as part of the amended lease be disclosed in the City's Annual Report.</li> <li>6. The Club submit a landscaping plan, including furniture design, to the satisfaction of the Director City Amenity, prior to any on-ground improvements being undertaken by the Club.</li> </ol>	Director City Life	The draft lease is being prepared
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9	<b>CLARE STREET OVAL, NEW TOWN - CHANGE ROOM AND TOILET IMPROVEMENTS</b> Open Council 23/8/2021, Item 18	That: 1. The Council endorse the proposal to significantly upgrade and enhance the public toilet and changeroom facilities at Clare Street Oval, New Town, as detailed in the report of 6 August 2021 marked as item 6.2 of the Open Parks and Recreation Committee agenda of 12 August 2021. (i) The Council note the City's current asset replacement budget allocation of \$900,000, together with State Government's 'Levelling the Playing Field' grant funding of \$450,000 for the improvement works. 2. The CEO be delegated authority to secure all statutory permits for the development to proceed.	Director City Life	Public tenders for the construction have closed and a contractor will be appointed in the near future.
10	<b>REVIEW OF COUNCIL TREE COMPENSATION POLICY</b> Open Council 6 December 2021 Notice of Motion	That Council review its tree removal compensation policy, to ensure that it balances the need to maintain significant tree coverage with the need for additional housing development, and to ensure it remains consistent with community expectation.	Director City Life	Officers are progressing this matter and a report is scheduled for May 2022.
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## **8. QUESTIONS WITHOUT NOTICE**

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

An Elected Member may ask a question without notice of the Chairman, another Elected Member, the Chief Executive Officer or the Chief Executive Officer's representative, in line with the following procedures:

1. The Chairman will refuse to accept a question without notice if it does not relate to the Terms of Reference of the Council committee at which it is asked.
2. In putting a question without notice, an Elected Member must not:
  - (i) offer an argument or opinion; or
  - (ii) draw any inferences or make any imputations – except so far as may be necessary to explain the question.
3. The Chairman must not permit any debate of a question without notice or its answer.
4. The Chairman, Elected Members, Chief Executive Officer or Chief Executive Officer's representative who is asked a question may decline to answer the question, if in the opinion of the respondent it is considered inappropriate due to its being unclear, insulting or improper.
5. The Chairman may require a question to be put in writing.
6. Where a question without notice is asked and answered at a meeting, both the question and the response will be recorded in the minutes of that meeting.
7. Where a response is not able to be provided at the meeting, the question will be taken on notice and
  - (i) the minutes of the meeting at which the question is asked will record the question and the fact that it has been taken on notice.
  - (ii) a written response will be provided to all Elected Members, at the appropriate time.
  - (iii) upon the answer to the question being circulated to Elected Members, both the question and the answer will be listed on the agenda for the next available ordinary meeting of the committee at which it was asked, where it will be listed for noting purposes only.

## 9. CLOSED PORTION OF THE MEETING

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### RECOMMENDATION

That the Committee resolve by 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:

- Minutes of a Closed Committee meeting
- Closed Questions Without Notice

The following items are listed for discussion:-

Item No. 1	Minutes of the last meeting of the Closed Portion of the Committee Meeting
Item No. 2	Consideration of supplementary items to the agenda
Item No. 3	Indications of pecuniary and conflicts of interest
Item No. 4	Committee Action Status Report
Item No. 4.1	Committee Actions - Status Report LG(MP)R 15(2)(d)
Item No. 5	Questions Without Notice