



CITY OF HOBART

AGENDA

Parks and Recreation Committee Meeting

Open Portion

Thursday, 14 July 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:

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

ORDER OF BUSINESS

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 Thursday, 14 July 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 31 March 2022 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:

Councillor J Fox
Councillor Dr Z E Sherlock

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

2. CONFIRMATION OF MINUTES

The minutes of the Open Portion of the Parks and Recreation Committee meeting held on [Thursday, 16 June 2022](#), are submitted for confirming as an accurate record.

3. CONSIDERATION OF SUPPLEMENTARY ITEMS

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

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

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

6.1 TCA Ground Indoor Cricket Centre - Lease Renewal File Ref: F22/55232

Report of the Program Leader Sport and Recreation, the Acting Manager Sport and Recreation, and the Director City Life of 4 July 2022.

Delegation: Council

REPORT TITLE: TCA GROUND INDOOR CRICKET CENTRE - LEASE RENEWAL**REPORT PROVIDED BY:** Program Leader Sport and Recreation
Acting Manager Sport and Recreation
Director City Life**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to consider a request from the North Hobart Cricket Club to renew their lease over the TCA Ground Indoor Cricket Centre for a five (5) year period with a further five (5) year option from the date of expiry which is 1 August 2023.
- 1.2. The Club currently utilise the space to provide cricket coaching and training services for the community as well as hiring the facility for training for other codes.

2. Report Summary

- 2.1. The North Hobart Cricket (NHCC) currently lease the TCA Ground Indoor Cricket Centre from the City with that lease due to expire in August 2023.
- 2.2. The Club has recently invested around \$160,000 of its funds as well as grant funding on improvements to the Centre which has seen the building transformed from a tired facility into a modern functional facility.
- 2.3. The Club has requested a new five (5) year lease with an option for a further five (5) year extension from the lease expiry.
- 2.4. The lease terms will be that a commercial rental for the premises is paid.
- 2.5. Consultation is required under the *Local Government Act 1993*, and it is recommended that approval for the new lease be granted subject to this consultation.

3. Recommendation***That:***

1. ***A new lease to the North Hobart Cricket Club for the TCA Ground Indoor Cricket Centre, TCA Ground, Davies Avenue, Hobart be approved for a period of five (5) years with a further option of a second term of five (5) 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. The lease be provided to the North Hobart Cricket Club at a commercial rate determined to be at \$14,685 inc GST per annum with provision for a CPI increase each financial year.**
- 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 authorised to finalise the terms and conditions of the lease.**

4. Background

- 4.1. The TCA Ground Indoor Cricket Centre is located on the eastern side of the TCA Ground. The building was constructed in 1980 and is approximately 534m².



- 4.2. The building has been under lease since the Council took over management of the TCA Ground in 2000, and the most recent lease was considered and approved by the Council in 2015.
- 4.3. That lease was granted to Glenn Hughes for a period of five (5) years with a further option of three (3) years if mutually agreeable by both parties.
- 4.4. Not long after the new lease was signed Mr Hughes sold his cricket coaching business and a request for the reassignment of the lease to Mr Wade Townsend and Ms Emma Parker was approved.
- 4.5. In 2019 the three (3) year option for lease extension was provided to Townsend and Parker.
- 4.6. Soon after the option was enacted a request to reassign the lease to the North Hobart Cricket Club (NHCC) was received and approved.
- 4.7. The NHCC has held the lease since 2019 and are now wishing to secure their tenancy for a further ten years.
- 4.8. The NHCC has invested significantly into the facility via club funds as well as grant funding, with the investment sitting at around \$160,000. It has included full replacement of floor coverings, new netting and new energy efficient lighting.



- 4.9. The NHCC has proven to be an excellent tenant given the investment and improvement into what is a Council facility and their willingness to allow access by other groups.
- 4.10. The use of the Centre is not only for Club use, but it is also hired to cricket coaches, and during winter other sporting codes for indoor training purposes. The Centre is a valuable asset that is highly utilised with very few similar facilities available in Hobart.
- 4.11. The NHCC pay a commercial rental on the premises which has been determined at \$14,685 inc GST per annum.
- 4.12. As the rental will be a full commercial rate the lease will not need to be reported in the City's Annual Report.
- 4.13. However 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.
- 4.14. 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.
- 4.15. Should an objection be received, there is an obligation to report back to the 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 TCA Indoor Cricket Centre by the NHCC 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 a commercial rental.
 - 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.

7. Financial Implications

- 7.1. Funding Source and Impact on Current Year Operating Result
 - 7.1.1. Should the lease be approved there will be no alternation to the predicted income for the current financial year as the new lease will commence at the expiration of the current lease which is 1 August 2023.
- 7.2. Impact on Future Years' Financial Result
 - 7.2.1. Income of \$14,685 with an annual CPI increase will be received should the new lease be approved.
- 7.3. Asset Related Implications
 - 7.3.1. The lease conditions will ensure that the Council will remain responsible for the structure of the building, including walls, roof, electrical and plumbing. However the NHCC will be responsible for all internal fixtures and fittings and will be responsible for all outgoings.

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. The NHCC are a community club who provide cricket opportunities for all ages from young children to masters.
- 9.2. The Club also has a strong relationship with Blind Cricket.

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

Greg Milne
ACTING MANAGER SPORT AND RECREATION

Neil Noye
DIRECTOR CITY LIFE

Date: 4 July 2022
File Reference: F22/55232

7. COMMITTEE ACTION STATUS REPORT

7.1 Committee Actions - Status Report

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: PRC Status Report OPEN June 2022

PARKS AND RECREATION COMMITTEE - STATUS REPORT

OPEN PORTION OF THE MEETING

June 2022

Ref.	Detail	Report / Action	Action Officer	Comments
1	<p>410 ELIZABETH STREET, NORTH HOBART – NAMING OF SWAN STREET PARK</p> <p>Open CPC 15/3/2021, Item 7.2.6</p>	That in consultation with the property owner, consideration be given to naming the park (currently known as Swan Street Park).	Director City Life	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.
2	<p>PETITION - STREET TREE PLANTINGS RUPERT AVENUE, MOUNT STUART</p> <p>Open Council 10/5/2021, Item 6</p> <p>Open Council 21/6/2021, Item 19</p>	<p>That:</p> <p>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:</p> <ul style="list-style-type: none"> (i) Local area consultation and engagement; (ii) Determination of potential locations and number of tree plantings, including suitable species selection; (iii) Traffic safety audit and traffic impact assessments; (iv) Impact of on-street parking availability; (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 (vi) Prioritisation of any installation to consider: <ul style="list-style-type: none"> (a) The timing of any potential road works scheduled for the Street. (b) Available funding (that is to be accommodated within the City's existing budget provision for its wider street tree planting program). 	Director City Life	The Council decision is being actioned with draft plans prepared and undergoing costing.

		<ol style="list-style-type: none">2. Elected Members be kept informed of the matter via advice memorandums.3. The petitioners be advised of the Council's decision.		
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8. QUESTIONS WITHOUT NOTICE

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

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.
- Commercial information that if disclosed could prejudice the commercial position of the person who supplied it.
- Closed Questions Without Notice.

The following items are listed for discussion:-

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| 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 | Reports |
| Item No. 4.1 | Horrie Gorringe Stand Lease, North Hobart Oval - North Hobart Football Club
LG(MP)R 15(2)(c)(i) |
| Item No. 5 | Committee Action Status Report |
| Item No. 5.1 | Committee Actions - Status Report
LG(MP)R 15(2)(d) |
| Item No. 6 | Questions Without Notice |