



CITY OF HOBART

AGENDA

Finance Committee Meeting

Open Portion

Tuesday, 18 July 2017

at 5.00 pm

Lady Osborne Room, Town Hall

THE MISSION

Our mission is to ensure good governance of our capital City.

THE VALUES

The Council is:

about people	We value people – our community, our customers and colleagues.
professional	We take pride in our work.
enterprising	We look for ways to create value.
responsive	We're accessible and focused on service.
inclusive	We respect diversity in people and ideas.
making a difference	We recognise that everything we do shapes Hobart's future.

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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Finance Committee Meeting (Open Portion) held Tuesday, 18 July 2017 at 5.00 pm in the Lady Osborne Room, Town Hall.

COMMITTEE MEMBERS

Thomas (Chairman)
Deputy Lord Mayor Christie
Zucco
Ruzicka
Sexton

Apologies: Nil.

Leave of Absence:

Alderman Denison
Chairman Thomas

ALDERMEN

Lord Mayor Hickey
Briscoe
Burnet
Cocker
Reynolds
Denison
Harvey

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 Finance Committee meeting held on [Wednesday, 14 June 2017](#), the Special Finance Committee meeting held on [Tuesday, 27 June 2017](#) and the Special Finance Committee meeting held on [Monday, 3 July 2017](#), 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 General Manager.

4. INDICATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

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

Aldermen 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 REPORTS

6.1 Occupancy Rates - Multi-Storey Car Parks **File Ref: F17/52144**

Memorandum of the Operations Manager, the Group Manager Parking Operations and the Director Financial Services - Car Parks of 12 July 2017 and attachments.

Delegation: Committee



City of **HOBART**

MEMORANDUM: FINANCE COMMITTEE

Occupancy Rates - Multi-Storey Car Parks

At the meeting of the Finance and Corporate Services Committee on 20 August 2013 (Open agenda item 13 - Questions Without Notice) Alderman Cocker requested the following:-

“Could Aldermen be provided regular updates on the occupancy rates of the Council Multi-storey car parks?”

The General Manager advised that Aldermen will be provided with the figures quarterly.

The initial quarterly car parks occupation rates report was provided to Aldermen at the meeting of the Finance and Corporate Services Committee on 22 October 2013 (item 8 - Closed agenda). The Committee resolved that the report be received and noted. In addition the Chairman informally requested that future reports include occupancy percentages.

This report, for Quarter 3 (January- March) of the 2016/2017 financial year contains:

- The occupancy rates and income of each of the three multi-storey car parks for the quarter ending March 2017 compared with the same period in 2016 (Table 1).
- Weekday hourly occupation percentages for each of the three multi-storey car parks for the same period (**Attachment A**).
- Three month overview of the occupancy rates and income generated by the Trafalgar Car Park through permit and early bird parking (Table 2).

Summary of results

The overall result across the car parks is:

- 3.52 % increase in vehicle usage; and
- Increase in income of 12.01%.

- Trafalgar car park continues to perform well, being slightly ahead of budget.

TABLE 1

2016	ARGYLE STREET		CENTREPOINT		HOBART CENTRAL	
	Cars	Income	Cars	Income	Cars	Income
January	94053	\$213,465.45	47680	\$118,210.70	28109	\$69,727.40
February	95131	\$236,466.05	47482	\$134,365.20	28125	\$90,438.80
March	95932	\$235,411.80	47929	\$139,756.20	27401	\$89,618.60
Totals	285116	\$685,343.30	143091	\$392,332.10	83635	\$249,784.80

2017	ARGYLE STREET		CENTREPOINT		HOBART CENTRAL	
	Cars	Income	Cars	Income	Cars	Income
January	95660	\$231,565.20	47255	\$130,401.60	27947	\$ 83,404.60
February	93594	\$249,340.70	49990	\$137,923.50	27609	\$ 97,748.60
March	101107	\$280,244.40	59834	\$165,082.80	30511	\$111,280.40
Totals	290361	\$761,150.30	157079	\$433,407.90	86067	\$292,433.60

	<u>Argyle Street</u>		<u>Centrepont</u>		<u>Hobart Central</u>	
Car park increase	5245	\$75,807	13,988	\$41,075.80	2432	\$42,648.80
	1.83%	11.06%	9.77%	10.46%	2.91%	17.07%
Overall increase	Cars	21,665				
	Income	\$159,531.60				

- Patronage increased in Argyle Street car park with total patronage 1.83% more than the same period in the previous year.
- Vehicles are tending to stay longer at Argyle Street Car Park due to hospital visits and doctor appointments.
- The increase in Hobart Central income was due to an increase in early bird uptake during February/ March and a higher income per vehicle for short term vehicle parking.
- Income increased in Argyle Street car park with total income 11.06% more, reflecting the increased patronage, fee increase and longer stays. .
- There was an increase in vehicle numbers in Centrepont Car Park of 9.77% with a higher income for short term vehicle stays.
- Overall the increase in vehicle numbers in all car parks in March 2017 was due to the fact that Easter fell in April this year as opposed to March in 2016.

Trafalgar Car Park

Parking Operations assumed operational responsibility of the 544 parking space Trafalgar Car Park on 1 July 2013. As at that date, 388 spaces were

leased to permit holders who pay a monthly rental of either \$255.00 or \$275.00 depending on the conditions of their permit.

The goal is to fully occupy the car park with monthly tenants, however in the interim the void between actual and full occupancy is being filled with early bird parkers.

As at 31 March 2017, the number of spaces leased to permit holders was 476, with 68 vacant spaces being utilised by Early Bird parking. Saturday income is also increasing, mainly due to Salamanca Market patrons taking advantage of the \$6.00 all day parking fee. As at 31 March 2017, the budget for the Trafalgar Car Park showed a favourable balance of \$93,000.

The income for the period 1 January 2017 – 31 March 2017 was split as follows:

TABLE 2

	Jan-17	Feb-17	Mar-17	Total Income	Budgeted Income
Permits	\$108,685	\$109,930	\$110,062	\$328,677	\$314,808
Early Bird	\$17,147	\$16,843	\$18,918	\$52,908	\$62,000
Saturday	\$3,598	\$4,192	\$3,113	\$10,903	\$8,500
Total	\$129,430	\$130,965	\$132,093	\$392,488	\$385,308

Car Park Occupancy Rates Jan – March 2017

(See Attachment A)

During January, Centrepont Car Park recorded average occupation rates of 79.01% during the peak period of the day (11.00am – 2.00pm). Argyle Street averaged 78.03% and Hobart Central averaged 81.46 % for the same period.

In the following two month period (1 February 2017 – 31 March 2017) occupancy rates in all three car parks at the peak period of the day were higher – averaging at or above 84.25%.

Hobart Central and Centrepont car parks both accept “Early Bird” parking. During quieter periods the car park operators manually adjust the number of early birds they accept based on the vehicle usage statistics. The higher percentages of occupation in both of these car parks are reflective of this.

During the three month period vehicular traffic in Argyle Street car park remained constant, with the car park not quite filling during the three month period. The average number of vacant spaces available during the peak period of the day was in the vicinity of 125.

Centrepoint and Hobart Central car parks both had busy periods during January, February and March both car parks filled but only momentarily. Accordingly, early birds were adjusted daily to ensure vacancies remained.

The usage statistics demonstrate that parking capacity remains available even during the busiest periods of the day, which in turn allows for parking availability on-street, thus giving options to parkers when in the City.

RECOMMENDATION

That the information contained in the memorandum of the Operations Manager – Car Parks, the Group Manager Parking Operations and the Director Financial Services of 14 June 2017 titled “Occupancy Rates – Multi-Storey Car Parks” be received and noted.

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.



David Fox
**OPERATIONS MANAGER - CAR
PARKS**



Matthew Tyrrell
**GROUP MANAGER PARKING
OPERATIONS**



David Spinks
DIRECTOR FINANCIAL SERVICES

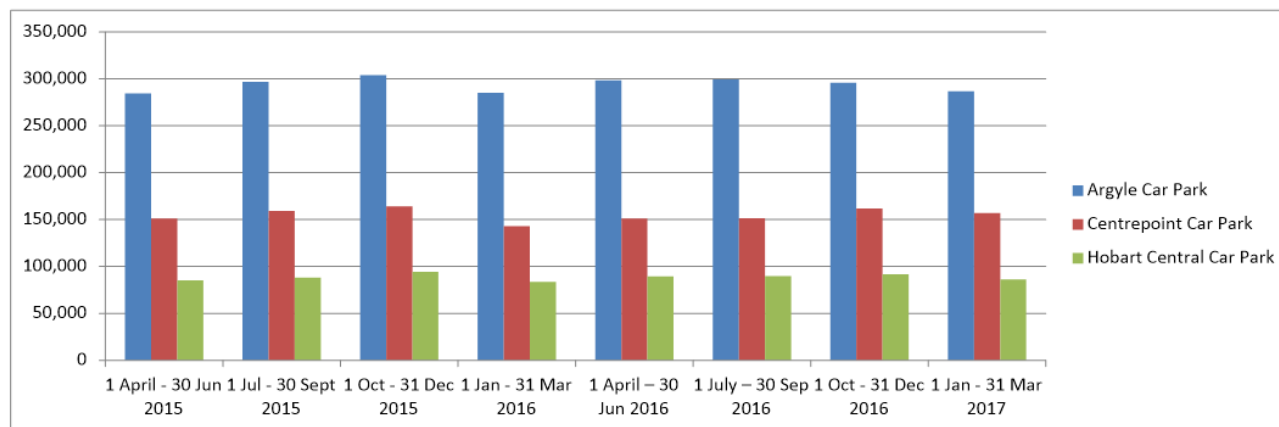
Date: 12 July 2017
File Reference: F17/52144

Attachment A: Occupancy Percentages ↴
Attachment B: Occupancy Rates ↴
Attachment C: Financial Performance ↴

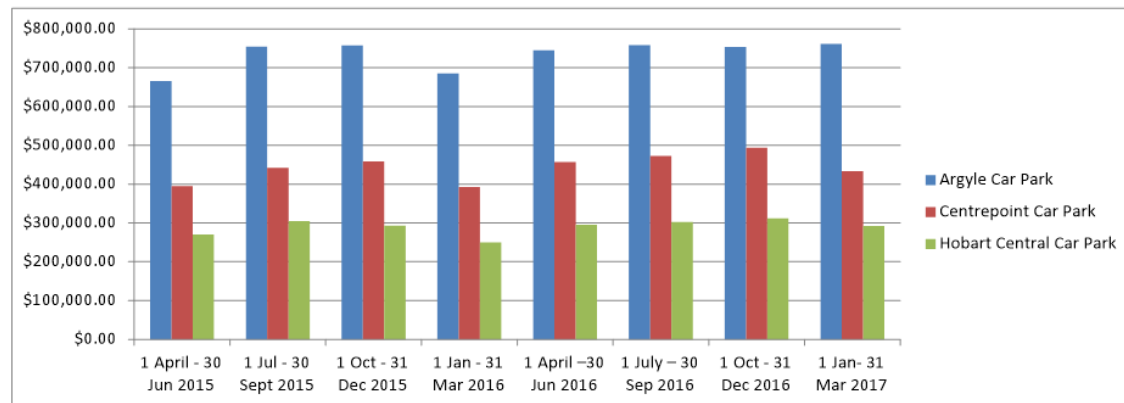
(Table 3): Average Weekday Occupancy Percentage

<u>January</u>	9AM	10AM	11AM	NOON	1PM	2PM	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM
	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Argyle Street (1180 spaces)	42.87	65.16	78.32	83.45	84.11	80.43	69.95	52.64	33.06	18.16	10.70	5.67	2.30	0.96
Centrepont (782 spaces)	38.85	61.47	76.58	82.77	81.22	75.49	64.51	47.15	22.29	1.94	Closed	Closed	Closed	Closed
Hobart Central (462 spaces)	54.05	74.55	83.09	85.68	82.78	74.30	61.99	44.54	19.15	2.17	Closed	Closed	Closed	Closed
<u>February</u>	9AM	10AM	11AM	NOON	1PM	2PM	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM
	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Argyle Street (1180 spaces)	53.87	79.09	91.54	92.07	90.35	85.57	74.07	56.24	33.83	19.68	13.15	7.19	2.67	1.26
Centrepont (782 spaces)	46.07	72.87	86.72	89.26	87.32	79.87	66.01	50.26	25.78	3.00	Closed	Closed	Closed	Closed
Hobart Central (462 spaces)	76.09	97.33	98.71	98.54	96.60	88.62	75.80	58.25	25.20	2.97	Closed	Closed	Closed	Closed
<u>March</u>	9AM	10AM	11AM	NOON	1PM	2PM	3PM	4PM	5PM	6PM	7PM	8PM	9PM	10PM
	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Argyle Street (1180 spaces)	55.21	79.89	90.81	90.69	88.94	84.39	73.94	59.58	39.33	22.48	15.17	8.43	3.14	1.13
Centrepont (782 spaces)	42.60	73.85	88.15	90.25	80.50	71.74	65.35	45.60	23.75	2.50	Closed	Closed	Closed	Closed
Hobart Central (462 spaces)	76.21	95.80	97.82	97.03	93.97	86.06	74.24	57.32	25.50	3.43	Closed	Closed	Closed	Closed

Period	Argyle Car Park	Centrepont Car Park	Hobart Central Car Park
1 April - 30 Jun 2015	284,673	151,322	85,245
1 Jul - 30 Sept 2015	296,950	159,397	88,029
1 Oct - 31 Dec 2015	304,144	164,170	94,230
1 Jan - 31 Mar 2016	285,116	143,091	83,635
1 April - 30 Jun 2016	298,366	151,276	89,716
1 July - 30 Sep 2016	299,419	151,659	89,955
1 Oct - 31 Dec 2016	295,781	162,005	91,865
1 Jan - 31 Mar 2017	286,751	157,079	86,067



Period	Argyle Car Park	Centrepoint Car Park	Hobart Central Car Park
1 April - 30 Jun 2015	\$665,644.90	\$395,403.80	\$269,960.55
1 Jul - 30 Sept 2015	\$753,779.00	\$441,988.60	\$304,599.10
1 Oct - 31 Dec 2015	\$757,371.35	\$458,516.15	\$292,760.00
1 Jan - 31 Mar 2016	\$685,343.30	\$392,332.10	\$249,784.80
1 April - 30 Jun 2016	\$744,704.65	\$457,438.00	\$295,840.20
1 July - 30 Sep 2016	\$758,480.20	\$472,251.45	\$302,589.90
1 Oct - 31 Dec 2016	\$753,611.30	\$493,973.50	\$312,117.10
1 Jan - 31 Mar 2017	\$761,150.30	\$433,407.90	\$292,433.60



6.2 Sandy Bay Bathing Pavilion - Update
File Ref: F17/85677

Memorandum of the Group Manager Executive & Economic
Development and the Director Parks and City Amenity of 11 July 2017
and attachments.

Delegation: Council



City of **HOBART**

MEMORANDUM: FINANCE COMMITTEE

Sandy Bay Bathing Pavilion - Update

Finance Committee on 16 May 2017 deferred consideration of the Sandy Bay Bathing Pavilion (the Pavilion) project, pending further information relating to feedback given on proposed designs for an additional storey (restaurant) by the original architect of the building - Dirk Bolt. The original report is **Attachment A** to this memorandum.

Summary of original report

The Pavilion is permanently placed on the Tasmanian Heritage Register which means changes to the Pavilion require approval not only from the City of Hobart as planning authority, but also the Tasmanian Heritage Council (THC). THC requested that the City of Hobart commissioned a Conservation Management Plan (CMP) for the Pavilion prior to advancing designs for a second floor. Policy 14 in the CMP stated that:

'Prior to making decisions about change to the Pavilion, consult with the architect of the Pavilion, or his agent, in accordance with the provisions of the Copyright (Moral Rights) Amendment Act 2000.'

In line with this policy, Mr Bolt was consulted with the draft design for a restaurant on an additional floor above the Pavilion. Mr Bolt was not supportive of the design. Feedback was sought from Heritage Tasmania on the significance of Mr Bolt's views. They responded that Mr Bolt's view was significant and that it would be prudent to submit a design that Mr Bolt had endorsed.

More Information Requested

Additional information requested at Finance Committee on 16 May was provided to Finance Committee on 14 June 2017 in the form of a memorandum (**Attachment B**). In summary, the memorandum considered the significance of the original architect in more detail and provided additional information relating to the feedback provided by Mr Bolt.

The recommendation in the memorandum was in line with the recommendation from the original report to Finance Committee on 16 May 2017, that:

That proposals associated with the development of a new second floor restaurant above the existing Sandy Bay Bathing Pavilion not be proceeded with, at this time.

Investigation of Potential Collaboration with Dirk Bolt

Upon receiving the memorandum, Finance Committee requested that once more the matter be deferred to allow officers to explore the possibility of a form of collaboration between Mr Dirk Bolt and Terroir (the current architect) regarding the proposed design and any cost implications.

Mr Bolt and Terroir have been in dialogue about the potential of amending the current draft design to secure Mr Bolt's endorsement, retain the authorship of Terroir and meet the City of Hobart's objectives for an innovative and quality design solution. Mr Bolt appears to be very receptive to this approach and has exchanged a number of emails with Terroir.

On this basis, Terroir has provided a fee estimate for a re-design of a second floor restaurant at a cost of \$8,000 + GST. This would not be the only cost associated with the redesign of the Pavilion. All costs anticipated are summarised below:

Architectural re-design of second floor restaurant:	\$8,000
Structural engineering element of design:	\$2,600
Cost estimate of design:	\$1,700
Heritage impact assessment (required by THC):	\$2,500
DA collation and submission:	\$2,000
TOTAL (excluding GST):	\$16,800

Conclusion

It is felt that the issues raised in the report to Finance Committee on 16 May are still relevant. These are:

Costs. Costs associated with the lodgement of a development application have now been expended. It would require a further \$16,800 to develop a new design and supporting information and progress this to lodgement. Should the decision of the planning authority be appealed, costs would rise significantly.

Ground Floor Tenant. Surf Life Saving Tasmania hold a lease for the ground floor of the Pavilion until 2020.

Prossers Restaurant. There is uncertainty about changes of operations at Prossers restaurant. This may impact the viability of the proposed restaurant development at the Pavilion.

With the above in mind, it may be more appropriate for the Council to re-visit the potential of a second floor development when it can look at the Pavilion holistically and with more clarity around the operations at Prossers.

RECOMMENDATION

That proposals associated with the development of a new second floor restaurant above the Sandy Bay Bathing Pavilion not be proceeded with, at this time.

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.



Tim Short
**GROUP MANAGER EXECUTIVE &
ECONOMIC DEVELOPMENT**



Glenn Doyle
**DIRECTOR PARKS AND CITY
AMENITY**

Date: 11 July 2017
File Reference: F17/85677

Attachment A: Report to Finance Committee 16 May 2017 ↓
Attachment B: Memo to Finance Committee 14 June 2017 ↓

REPORT TITLE: SANDY BAY BATHING PAVILION - PROPOSED DEVELOPMENT OF A SECOND FLOOR**REPORT PROVIDED BY:** Economic Development Project Officer
Director Parks and City Amenity**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to provide an update on the potential development of a second floor restaurant above the existing Sandy Bay Bathing Pavilion.
- 1.2. The community benefit associated with this development is that it would increase the community use of a Council owned building located in a prime position overlooking Long Beach, Lower Sandy Bay.

2. Report Summary

- 2.1. The Council as landowner granted consent for the lodgement of a development application on 21 November, 2016 for a second floor restaurant above the existing Pavilion.
- 2.2. City officers are in the process of completing all necessary actions needed for the submission of a development application (DA) for the construction of a second floor restaurant above the Sandy Bay Bathing Pavilion (Pavilion).
- 2.3. As part of the process of submitting a DA, supporting information has been developed and gathered, including a Conservation Management Plan.
- 2.4. A Conservation Management Plan was requested by the Tasmanian Heritage Council before a development application for the Pavilion could be considered. The Pavilion was permanently placed on the Tasmanian Heritage Register, under the *Historic Cultural Heritage Act 1995* which means changes to the Pavilion require approval from not only the City of Hobart as planning authority, but also the Tasmanian Heritage Council.
- 2.5. Policy 14 in the Conservation Management Plan states:

Prior to making decisions about change to the Pavilion, consult with the architect of the Pavilion, or his agent, in accordance with the provisions of the Copyright (Moral Rights) Amendment Act 2000."
- 2.6. The design for a second floor restaurant has been shared with the original architect of the Pavilion (Mr Dirk Bolt). Mr Bolt's response indicated that he is not supportive of this design concept.

- 2.7. The Tasmanian Heritage Council has provided feedback that Mr Bolt's view is significant and that it would be prudent to submit a design that Mr Bolt had endorsed.
- 2.8. This presents the Council with three options in relation to this project:

Option 1

Submit a development application with the current design (**Attachment A**) for a second floor restaurant above the existing Pavilion that is not supported by Mr Bolt.

Option 2

Re-consider the design for the second floor restaurant in conjunction with Mr Bolt. Submit a development application with a new design endorsed by Mr Bolt.

Option 3

Do not proceed with any form of development application for a second floor restaurant above the existing Pavilion at the present time.

- 2.9. It is recommended that option three is endorsed by Council. The main reasons for this recommendation are:
- 2.9.1. Capping costs relating to a redesign of the second floor or an appeal associated with a development application.
 - 2.9.2. Current uncertainty about the future use of the ground floor of the Pavilion.
 - 2.9.3. Current uncertainty about the future operations of Prossers Restaurant (500 metres away from the Pavilion).

1.1. 3. Recommendation

That proposals associated with the development of a new second floor restaurant above the existing Sandy Bay Bathing Pavilion not be proceeded with, at this time.

4. Background

- 4.1. The Sandy Bay Bathing Pavilion (Pavilion) is a City asset, located at 646A Sandy Bay Road, Lower Sandy Bay.
- 4.2. It was designed by architect Mr Dirk Bolt and constructed in 1962.

- 4.3. The Council has considered the development of a second floor on a number of occasions (2001, 2009 and 2013).
 - 4.3.1. A planning permit was issued in 2001 for a 90 seat restaurant. This was later replaced with a refusal following appeal.
- 4.4. Following a notice of motion in May 2013, the Council proceeded to examine the possible re-development and future uses of a new upper level of the Pavilion.
- 4.5. The City contacted the Tasmanian Heritage Council (THC) in November 2013 in relation to development plans. THC advised that a conservation management plan would be required before consideration of a development proposal.
- 4.6. As the Pavilion is permanently listed in the Tasmanian Heritage Register, approval for development is required from the City of Hobart as planning authority and also the Tasmanian Heritage Council.
- 4.7. A Conservation Management Plan (CMP) was completed in May 2015.
- 4.8. Policy 14 in the CMP states:

Prior to making decisions about change to the Pavilion, consult with the architect of the Pavilion, or his agent, in accordance with the provisions of the Copyright (Moral Rights) Amendment Act 2000.
- 4.9. A design for a second floor of the Pavilion was presented to the Council on 21 November 2016 with the Council as landowner granting consent for the lodgement of a DA.
 - 4.9.1. This design was sent to Mr Bolt in February 2017 for comment.
- 4.10. Mr Bolt responded promptly and questioned the rationale of the new design. Mr Bolt also made a number of suggestions for the design of a second floor on top of the existing Pavilion. Mr Bolt's response made it clear that he did not support the design.

5. Proposal and Implementation

- 5.1. The recent feedback from Mr Bolt and advice from THC give the Council three options in relation to the potential development of a second floor on top of the Pavilion. Each option has differing implications for the Council.

Option 1

- 5.2. Submit a development application with the current design for a second floor restaurant above the existing Pavilion that is not supported by Mr Bolt.

- 5.2.1. This option would present the most risk to the City as the THC has provided feedback that the view of Mr Bolt will be significant in the its consideration of the development application. Submission of the existing design would be unlikely to be approved by THC.

Option 2

- 5.3. Re-consider the design for the second floor restaurant in conjunction with Mr Bolt. Submit a development application with a new design endorsed by Mr Bolt. Amend supporting reports that are currently relevant to the current designs (e.g. Heritage Impact Assessment).
 - 5.3.1. This option would pose less initial risk to the City in terms of the THC's consideration of a development application for a second floor restaurant.
 - 5.3.2. It must be acknowledged however that should the THC and the City as planning authority grant a development application for a second floor restaurant, there is potential for the decision to be appealed by parties such as nearby residents or businesses. Should this occur, it is likely that costs associated with this project would escalate.
 - 5.3.3. Both re-designing the second floor of the restaurant and / or taking part in an appeal process is likely to incur significant cost to the City.
 - 5.3.3.1. \$20,000 was budgeted to progress the project to a development application submission stage.
 - 5.3.3.2. It is not unreasonable to estimate costs associated with a re-design including architect fees, heritage services and planning advice would incur a further \$20,000. This has not been included in the 2017/18 budget.

Option 3

- 5.4. Do not proceed with any form of development application for a second floor restaurant above the existing Pavilion, at the present time.
 - 5.4.1. The notice of motion of May 2013 pre-dates the current Council. Given the lapse of time since the original decision, there is the question of the appetite of the current Council to continue to proceed with this project, given rising costs.
 - 5.4.2. Costs associated with the lodgement of a development application have now been expended. This project has not been included in the ten year capital works program.

- 5.4.3. Arriving at a design that is acceptable to Mr Bolt, the City, the THC and the planning authority could prove a complex and lengthy process.
- 5.4.4. A nearby restaurant (Prossers) is currently for sale. Any subsequent change of operator at this location could impact the viability of the proposed restaurant development at the Pavilion. The two locations are approximately 500 metres apart.
- 5.4.5. The Council on 3 April 2017 has additionally been considering the use of the existing ground floor of the Pavilion and resolved:

Consideration of the future expanded or amended use of the leased ground floor area of the Sandy Bay Bathing Pavilion, Long Beach be deferred until 2020, noting that:

- (i) Surf Life Saving Tasmania hold a lease on the area until September 2020;*
- (ii) The Council is progressing a proposal to seek development of a second floor of the building.*

It may be appropriate for the Council to re-visit the potential of a second floor development in 2020 when it can look at the building holistically and with more clarity around operations at Prossers restaurant.

- 5.4.6. Opting not to proceed with a development at this time would ensure that no more costs are incurred by the City.
- 5.4.7. Opting not to proceed would however not present a positive outcome for the community in terms of enabling a wider use of the Pavilion and its prime location.

It must be noted that the Conservation Management Plan advocates public access to the building of the existing ground floor and a potential second floor.

6. Strategic Planning and Policy Considerations

- 6.1. Consideration of development of the Pavilion is in line with the following 'Future Directions' detailed in the City of Hobart 2025 Community Vision.

-Offers opportunities for all ages and a city for life.

-Is well governed at a regional and community level.

-Achieves good quality development and urban management.

-Is dynamic, vibrant and culturally expressive.

- 6.2. Development of this facility is in line with the following strategic objectives of the Economic Development Strategy 2013-2018.

3.1.3 - Visitor Attraction

3.3.1 - Facilitation of significant city developments

7. Financial Implications

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

- 7.1.1. The Council on 21 December 2015 resolved:

That the Council authorise the General Manager to progress an expansion of the use of the Sandy Bay Bathing Pavilion by developing and submitting a development application for a generic restaurant facility, on a second floor, at an estimated cost of up to \$20,000.

- 7.1.2. The sum of \$20,000 referred to above has been expended on activities associated with the development application including architect designs, traffic impact assessment and heritage impact assessment.

- 7.1.3. Any future costs associated with the continued pursuit of a development application have not been included in the current year's budget.

- 7.1.4. Should the Council support the re-design of the second floor restaurant concept and submission of a development application, it is not unreasonable to estimate that costs associated (including design, re-consideration of heritage impact etc.) would total a further \$20,000.

- 7.1.5. Should an appeal be lodged against a DA decision, costs could escalate significantly.

- 7.2. Impact on Future Years' Financial Result

- 7.2.1. Impact on future years' financial results will be dependent on the approach advocated by the Council.

- 7.2.2. It must be noted that the development of the Sandy Bay Bathing Pavilion has not been included in the Council-endorsed 10 year capital works program.

- 7.3. Asset Related Implications

- 7.3.1. This asset is owned by the City and as such will require ongoing maintenance. Commercial development of the Pavilion would assist in off-setting the maintenance costs.

8. Legal, Risk and Legislative Considerations

- 8.1. The degree of legal, risk and legislative conditions will be dependent on the approach advocated by the Council.
- 8.2. **Option 1** (submit a development application for the existing design) would involve significant risk of not securing THC approval.
- 8.3. **Option 2** (re-design the proposed second floor of the Pavilion, secure the endorsement of Mr Dirk Bolt and submit development application) presents the significant risk of further costs associated with the re-design. Should a development application be granted, there is the potential that this decision could be appealed which would have significant cost implications for the Council.
- 8.4. **Option 3** (do not pursue development at this time) minimises costs and legal challenges but does not provide the community with an expanded use of this facility.

9. Social and Customer Considerations

- 9.1. The development of a second floor restaurant facility at the Pavilion would increase the community use of this Council owned building located in a prime position overlooking Little Sandy Bay Beach.
- 9.2. Some members of the community such as local residents and businesses may not support the development of a second floor.
- 9.3. Should Council continue to pursue the development of the Pavilion, costs associated with this may be questioned by community members.

10. Community and Stakeholder Engagement

- 10.1. Mr Dirk Bolt (Architect of the Sandy Bay Bathing Pavilion).
- 10.2. Tasmanian Heritage Council.
- 10.3. Architect of current design for a second floor of the Pavilion.
- 10.4. Manager Legal & Governance.

11. Delegation

- 11.1. This matter is delegated to the 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.



Lucy Knott
**ECONOMIC DEVELOPMENT PROJECT
OFFICER**



Glenn Doyle
**DIRECTOR PARKS AND CITY
AMENITY**

Date: 11 May 2017
File Reference: F17/33781

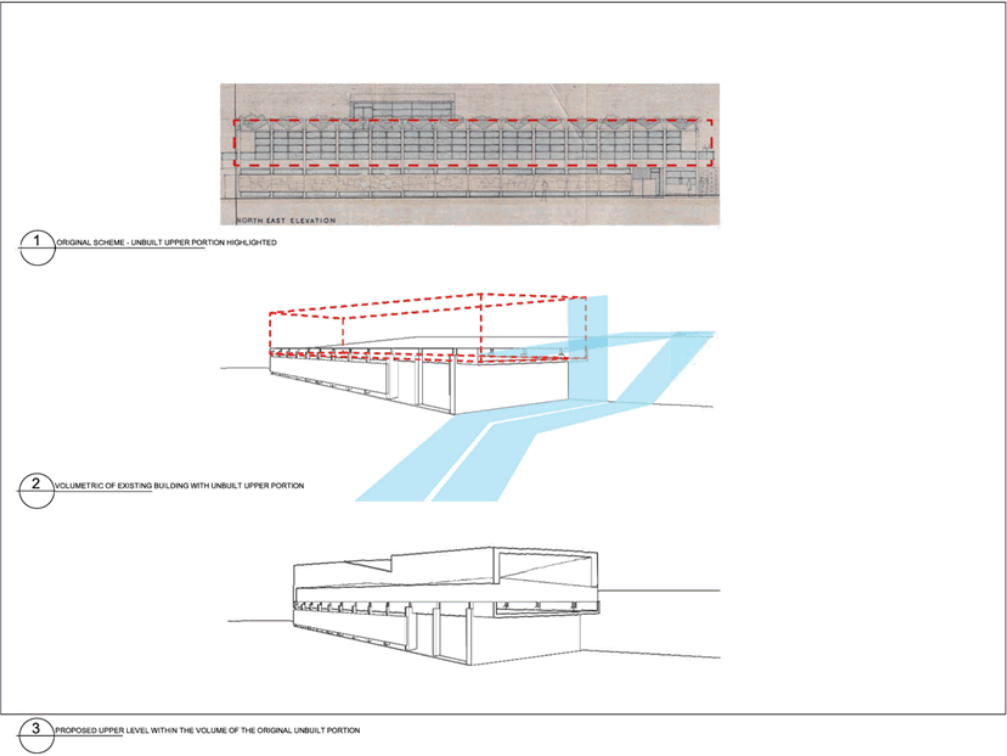
Attachment A: Finance Committee - 15 November 2016 - Final Designs
Second Floor Restaurant Sandy Bay Bathing Pavilion ↓

Drawn by: MF Checked by: SB Scale: 1/2500 (BA)

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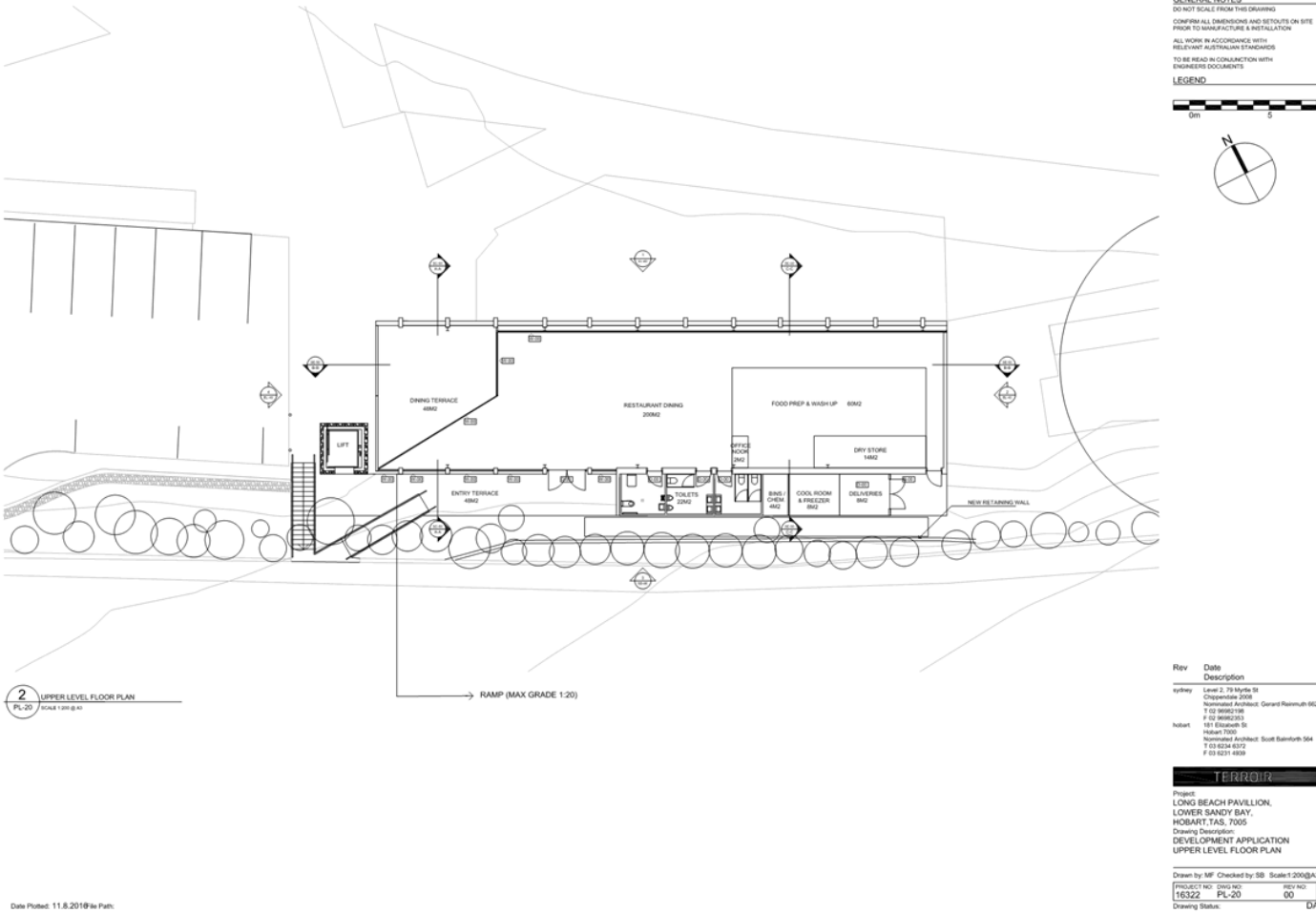
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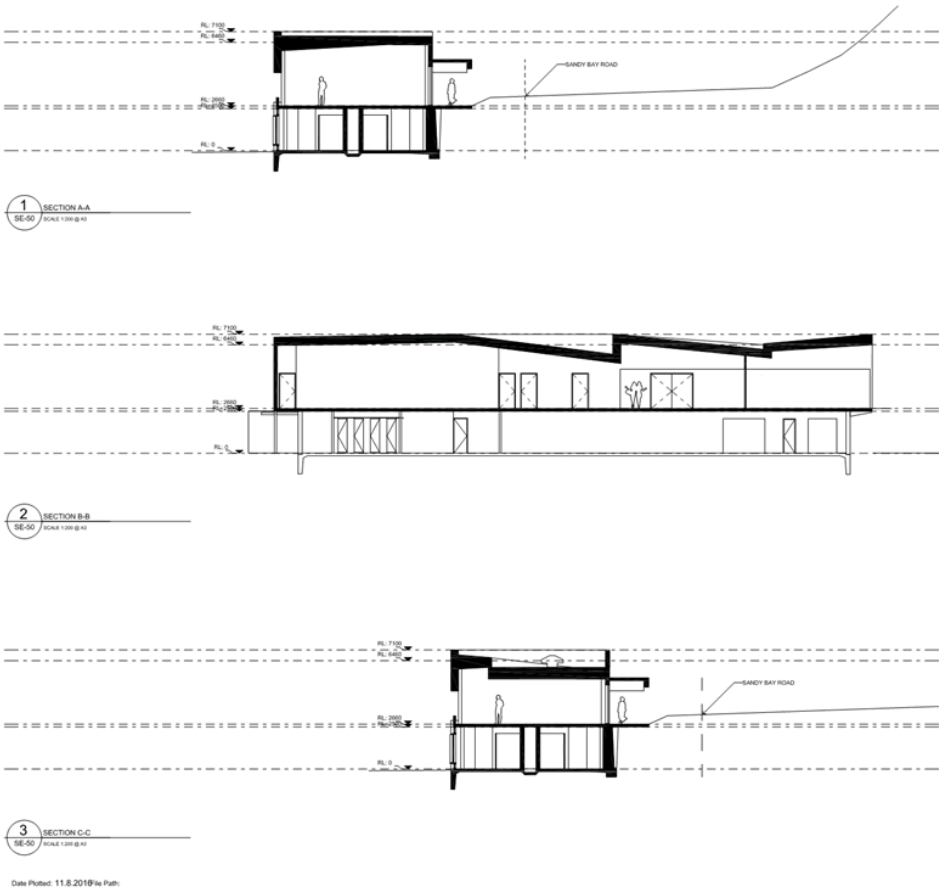
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1 PROPOSED VIEW FROM PROMENADE

Date Plotted: 11.8.2019 by Path:

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1	10/08/2018	Issue 1: 78 Mjale St Chippendale 2008 Nominated Architect: Gerard Reinhardt 9029 T 02 9692 1188 F 02 9692 1188
2	10/08/2018	Issue 2: 181 Elizabeth St Hobart 7000 Nominated Architect: Scott Bainforth 504 T 03 6234 6375 F 03 6231 8308

TERROIR
Project:
LONG BEACH PAVILION,
LOWER SANDY BAY,
HOBART TAS, 7005
Drawing Description:
DEVELOPMENT APPLICATION
PROPOSED VIEW FROM PROMENADE

Drawn by: MF	Checked by: SB	Scale: NTS
PROJECT NO: 16322	DWG NO: 00	WCD NO: DA
Drawing Status:		



City of HOBART

MEMORANDUM: FINANCE COMMITTEE

Sandy Bay Bathing Pavilion Update

Finance Committee on 16 May 2017 deferred consideration of the Sandy Bay Bathing Pavilion (the Pavilion) project, pending further information relating to feedback given on proposed designs for an additional storey by the original architect of the building - Dirk Bolt.

Significance of original architect

A conservation management plan (CMP) was commissioned by the City of Hobart and completed in May 2015. This CMP was required by Heritage Tasmania before they would consider any development plans for the site. The CMP supported the concept of an additional floor, stating in section 9.1 that:

"While the integrity of the original architecture is of major conservation concern, given the original intention of an upper level, the sensitive addition of an upper level should not be detrimental to the heritage significance of the Pavilion as constructed in 1962."

The CMP listed a number of recommended policies relating to the continued ownership and management of the Pavilion. Policy 14 states:

"Prior to making decisions about change to the Pavilion, consult with the architect of the Pavilion, or his agent, in accordance with the provisions of the Copyright (Moral Rights) Amendment Act 2000."

Moral rights

An amendment was made to the *Copyright Act 1968* in 2000 that sought to protect the moral rights of artists including architects. This was to protect their reputation and the integrity of their work. Moral rights comprise three elements of which the third 'the right of integrity of authorship' is relevant.

An author of artistic work (in this case Dirk Bolt as the architect of the Pavilion) has the right of 'integrity of authorship' which means the project designed by the artist (in this case the Pavilion) can be protected from derogatory treatment defined as a material distortion or alteration, a mutilation or anything else that is prejudicial to the honour and reputation of the author. *The Copyright Act 1968* states that the rights of the designer (or their representative) extend for a period of 50 years after the death of the designer.

Pursuant to Section 195AT of the *Copyright Act 1968* (amended in 2000), the City, as the owner, has to provide written notice to the designer (in this instance Dirk Bolt) stating the intention to undertake alteration etc. to the Pavilion. The designer then has three weeks to seek access to the building for the purposes of making a record

of the building and /or consulting in good faith with the owners about the proposed alteration. On seeking access, the designer subsequently has a further three weeks in which they should be provided with access to the building.

Views of original architect

The draft plans, as drawn up by local architect Terroir, were sent to Dirk Bolt via email. Mr Bolt responded promptly in February 2017. The plans were also accompanied by an architect design statement that is intended to form part of the documentation necessary for submitting a development application.

Key points from Mr Bolt's response are summarised as:

- Although the front sea facing surface of the new building design is not one continuous surface, it would still overpower the existing Pavilion.
- The front sea facing surface (fascia) appears to have little to do with the Pavilion.
- The proposal seems to have no compelling rationale.
- A better shape would be one with a simple saddle roof that would preserve the view of the residents on the other side of Sandy Bay Road and would not overwhelm the Pavilion with a white wall.
- The façade from the original designs for a second storey is set back and broken into smaller units leaving the concrete panels as the largest elements of the building.

Tasmanian Heritage Council

Upon receiving unsupportive feedback from Dirk Bolt on the design, an officer met with the Tasmanian Heritage Council (THC) to ascertain the weight the original architect's view would be given in the development application process. THC stated that significant weight would be given to Dirk Bolt's view and that it would be preferable that his support was secured.

Next Steps

As mentioned in the report to the Finance Committee on 16 May 2017, there are three options in relation to this project:

Option 1

Submit a development application with the current design for a second floor restaurant above the existing Pavilion that is not supported by Mr Bolt.

Option 2

Re-consider the design for the second floor restaurant in conjunction with Mr Bolt. Submit a development application with a new design endorsed by Mr Bolt.

Option 3

Do not proceed with any form of development application for a second floor restaurant above the existing Pavilion at the present time.

Should the Council proceed with submitting a development application (DA) for the Pavilion and should this be granted, two options for development were presented to the Council at its meeting of 21 December 2015 to progress the project.

These were where the Council secured a DA for the basic shell of a restaurant and then took this to market, seeking a lease agreement with a developer / operator that would constructing the design and complete the fit out.

The other option was for the Council to develop the site and lease to third parties to fit out the restaurant and operate it.

The Council resolved at that stage

That:

- 1. The Council authorise the General Manager to progress an expansion of use of the Sandy Bay Bathing Pavilion by developing and submitting a development application for a generic restaurant facility, on a second floor, at an estimated cost of up to \$20,000.*
- 2. Subject to the development approval, a further report be provided detailing the proposed tender process for the Sandy Bay Bathing Pavilion facility use.*

RECOMMENDATION

That:

- 1. That proposals associated with the development of a new second floor restaurant above the existing Sandy Bay Bathing Pavilion not be proceeded with, at this time.*

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.



Lucy Knott
**ECONOMIC DEVELOPMENT PROJECT
OFFICER**



Glenn Doyle
**DIRECTOR PARKS AND CITY
AMENITY**

Date: 9 June 2017
File Reference: F17/58791

6.3 Sullivans Cove Public Floating Marina - Transfer of Management Responsibilities
File Ref: F17/86770

Report of the Group Manager Parking Operations and the Director Financial Services of 12 July 2017 and attachments.

Delegation: Council

**REPORT TITLE: SULLIVANS COVE PUBLIC FLOATING MARINA -
TRANSFER OF MANAGEMENT RESPONSIBILITIES****REPORT PROVIDED BY:** Group Manager Parking Operations
Director Financial Services**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to seek approval from the Council to transfer the management responsibilities of the Sullivan's Cove Public Floating Marina back to Marine and Safety Tasmania (MAST).

Report Summary 2.1. In 2012 MAST constructed a floating marina in Sullivan's Cove adjacent to the Elizabeth Street Pier.

- 2.2. The marina facilitates free berthing for yachts/boats for short durations (3 hours or less).
- 2.3. On the 26 March 2012 following a request from MAST the Council agreed to undertake management responsibilities of the facility. This included erection of signage, asset maintenance and the monitoring of the use of the marina. This was to be facilitated by Parking Officers when they were patrolling the general waterfront area.
- 2.4. The Tasmanian Ports Corporation (TasPorts) is the owner of the land on which the marina is positioned, being an extension of the Elizabeth Street Pier. The City has therefore entered into a lease agreement with TasPorts.
- 2.5. Since assuming responsibility, the management of the marina has been problematic. This has been mainly due to the intermittent nature of the Parking Officer patrols coupled with the misuse of the facility outside of normal business hours. Another contributing factor has been the uncertainty as to the application of the Councils By-Laws.
- 2.6. MAST have recently approached the Council and offered to take back management of the facility themselves. The offer was made on the basis that MAST recently moved their office to a waterfront location where they are now better able to visually monitor the use of the marina, plus their revised (2017) By-Laws provide greater protection in areas of misuse and abuse of marina rules.

3. **Recommendation**

That:

1. ***Management of the public floating marina located adjacent to the Elizabeth Street Pier in Sullivan's Cove be transferred from the City of Hobart to Marine and Safety Tasmania (MAST).***
2. ***The existing lease between the City and The Tasmanian Ports Corporation (TasPorts) be terminated at the agreed date of transfer.***
3. ***The General Manager be authorised to facilitate the transfer of the title and lease agreement to MAST.***

4. **Background**

- 4.1. In 2013 MAST constructed a floating marina in Sullivan's Cove adjacent to the Elizabeth Street Pier.
- 4.2. The marina has two sections, one being public and the other private. The public section facilitates free berthing for yachts/boats for short durations (3 hours or less). The private section is occupied by Pennicott Wilderness Journeys (PWJ).
- 4.3. On 26 March 2012 prior to construction and following a request from MAST (**Attachment A**) the Council agreed to accept management responsibilities once the facility was built. This included erection of signage, maintenance of the facility and the monitoring of the use of the marina by Parking Officers when they were patrolling the general waterfront area.
- 4.4. The Tasmanian Ports Corporation (TasPorts) is the owner of the land on which the marina is positioned, being an extension of the Elizabeth Street Pier. The City has therefore entered into a lease agreement with TasPorts. TasPorts apply a rental fee for the section occupied by PWJ, however the public section is rent free.
- 4.5. The rental fee for the PWJ section is paid by the City and fully recovered from PWJ through a recurring invoice arrangement. No other operating fees are paid by the City as maintenance inspections, repairs etc. are conducted by MAST and funded through their Recreational Boating Fund.
- 4.6. Since assuming responsibility the management of the marina has been problematic, mainly due to: intermittent nature of the Parking Officer

patrols of the area; the misuse of the facility outside of normal business hours; and the uncertainty as to the application of the Councils By-Laws.

- 4.7. MAST have approached the Council and offered to take back the management of the facility themselves (**Attachment B**). The offer was made on the basis that MAST recently moved their office to a waterfront location where they are now better able to visually monitor the use of the marina, plus their revised (2017) By-Laws provide greater protection in areas of misuse and abuse of marina rules.

Proposal 5.1. It is proposed that the management of the Public Floating Marina located adjacent to the Elizabeth Street Pier in Sullivan's Cove be transferred back to MAST.

- 5.2. The existing lease agreement between The City and TasPorts will be transferred to MAST along with all responsibilities associated with management of the facility.
- 5.3. MAST will operate the marina in accordance with the provisions contained in the Marine and Safety (*Jetties*) By-Law, which will provide greater control over the use of the facility.

6. Financial Implications

- 6.1. Funding Source and Impact on Current Year Operating Result
 - 6.1.1. There are no funding implications or impacts on operating budgets both current and in the future.

7. Legal, Risk and Legislative Considerations

- 7.1. The current lease agreement held between TasPorts and the City will require transferring from the City to MAST.

8. Social and Customer Considerations

- 8.1. The change of management will not affect the operation of the Public Floating Marina. MAST intend to operate the facility in the same manner as the City has for the past four (4) years.

9. Community and Stakeholder Engagement

- 9.1. TasPorts have been consulted and have no objection to the transfer of ownership and responsibility.

10. Delegation

- 10.1. The original recommendation to manage the facility was approved by the Council at its meeting on 26 March 2012, therefore this report recommending the cessation of the management agreement is delegated to the 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.



Matthew Tyrrell
**GROUP MANAGER PARKING
OPERATIONS**



David Spinks
DIRECTOR FINANCIAL SERVICES

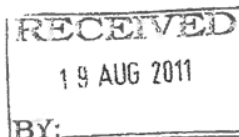
Date: 12 July 2017
File Reference: F17/86770

Attachment A: Original MAST Letter ↴
Attachment B: Current MAST letter ↴



18 August 2011

Mr Nick Heath
General Manager
Hobart City Council
P O Box 503
HOBART TAS 7001



33-10-1

MAST**MARINE and SAFETY TASMANIA**
making boating better

ABN 65 826 990 806

Dear Nick

As you are aware Marine and Safety Tasmania (MAST) would like to develop a facility within Sullivans Cove to enable short term berthing for the general public.

The benefits of such a facility for Hobart and the waterfront cannot be underestimated. For recreational boats to be able to use Sullivans Cove and then for the skipper and crew to walk around Salamanca or have a meal at one of the waterside eateries, will add a new dimension to the facilities on the waterfront.

It is envisaged the facility would be closed over the period of the Sydney-Hobart Yacht race to allow participating yachts to use the berths, this will further add to the excitement generated around the area at that time of year. The popular Wooden Boat Festival would also benefit and larger visiting boats for that festival could be berthed at the facility.

MAST recently met with representatives from TasPorts and Mr Neil Noye from the Hobart City Council (HCC) to further discuss the project which sits neatly with recommendations contained in the Gehl Report.

One of the issues discussed at the meeting was that of enforcement and how long a vessel may be able to stay at a berth. Whilst not entirely resolved it was discussed that the HCC currently patrol the parking meters for TasPorts and it was considered a similar arrangement could be looked at.

MAST has written to the Chief Executive of TasPorts, Mr Paul Weedon to seek their approval in principal of the project.

In addition MAST has also met with the Finance Manager of Bruny & Tasman Island Cruises who has expressed initial support for the facility. MAST will discuss the project further with the company when the owner Mr Robert Pennicott returns from his fundraising around Australia trip.

Level 1, 7-9 Franklin Wharf, Hobart 7000 GPO Box 607, Hobart, 7001, Tasmania, Australia
Telephone: (03) 62358888 Facsimile: (03) 6233 5662
Email: admin@mast.tas.gov.au Internet: www.mast.tas.gov.au

MAST has also met with Bellingham Marine who constructed the adjacent Kings Pier Marina. Preliminary costs based on concept drawings provided by Bellingham were in the vicinity of \$487,000.

Whilst MAST will provide the majority of the funds for the project we will also be endeavouring to source funds from Bruny and Tasman Island Cruises as that business has been planning a structure for its own use.


MAST also requests that Council consider making a contribution and owning and managing the facility as it will greatly benefit the City of Hobart and surrounding retailers in the Cove.

Ongoing maintenance funds can be sourced from the popular Recreational Boating Fund and MAST would assist Council in ascertaining the condition of the facility on a regular basis.

This is an exciting opportunity for the waterfront and we hope the three organisations MAST, HCC and TasPorts can work together to ensure an outcome that will benefit many within the community.

We hope Council can contribute to the project and we look forward to further discussions with you and your staff once TasPorts have given their approval.

Yours sincerely



Peter Hopkins
Manager – Recreational Boating
Marine and Safety Tasmania



15 June 2017

Mr N D Heath
General Manager
City of Hobart
GPO Box 503
HOBART TAS 7001

Dear Nick,

I refer to our recent meetings regarding the public pontoon and marina located in Sullivans Cove adjacent to Kings Pier Marina and the future ownership.

This facility was funded by Marine and Safety Tasmania (MAST) from recreational power boat licence fees in late 2012. Ownership of the facility was transferred to the City of Hobart in 2013, however since then it has become apparent that the Council does not have jurisdiction to manage this piece of infrastructure.

MAST is happy to again take ownership of this facility and use the *Marine & Safety (Jetties) By-laws 2017* to manage it.

Can you please advise when Council may be in a position to hand ownership back to MAST.

I look forward to your reply.

Yours sincerely

Lia Morris
Chief Executive

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 Aldermen.

RECOMMENDATION

That the information be received and noted.

Delegation: Committee

Attachment A: Status Report

FINANCE COMMITTEE - STATUS REPORT

OPEN PORTION OF THE MEETING

November 2014 to June 2017

Ref.	Title	Report / Action	Action Officer	Comments
1	SANDY BAY BATHING PAVILION – REQUEST FOR LAND OWNER CONSENT TO LODGE A DEVELOPMENT ACTION Council, 21/11/2016 Item 16	1. A further report be provided once the outcome of the development application process is known. 2. A report be provided in respect to options for the use of the ground floor of the building.	General Manager	A further report for Committee is attached to this Agenda. Council resolved to take no further action on the ground floor options at its meeting of 3 April 2017. Complete. Ground floor uses will be reconsidered when the lease of the current occupant expires (2020).
2	BATTERY POINT PARKING METER INSTALLATION Council, 24/11/2014, Item 15	Consultation with traders and residents on Hampden Road occur with a view to increasing availability of short term parking.	Director City Infrastructure	Usage surveys have been carried out and the information collated. Consultation will commence in August 2017.
3	CITY HALL – DEVELOPMENT OPPORTUNITIES – VENUES Council, 23/2/15, Item 12 CITY HALL	1. Funding of \$400,000 in 2016/2017 and \$200,000 in 2017/2018 be listed for consideration in the City's draft 5 Year Capital Works Program to undertake a short term works package for City Hall. 2. A consultant be engaged to develop a business plan for the City Hall, as a matter	Director Community Development	The first stage of City Hall building improvements are complete.

Ref.	Title	Report / Action	Action Officer	Comments
	RESTORATION Council, 22/02/2016 Item 19	<p>of urgency to inform long term infrastructure investment, the future management and operational model for the facility, at an approximate cost of \$100,000 to be funded from 2015/2016 operational savings.</p> <p>3. A brief report be provided that details the model used for the 2010-2013 Brisbane City Hall restoration works.</p> <p>A further report also be prepared that provides details of all Council physical building assets and their current uses including options for maximising community usage for buildings that are underutilised.</p>		
4	<p>INVESTMENT OF COUNCIL FUNDS – AMENDMENT TO COUNCIL POLICY Council, 27/4/2015, Item 18</p> <p>FC, 15/12/2015 Item 5</p> <p>Open Council, 19/9/2016 Item 16</p>	<p>1. The Council reaffirm its decision to proceed with a detailed external review of its investment approach.</p> <p>2. The Council's approach to ethical investments and borrowings, and in particular the matters raised in the petition presented to the Council at its meeting of 9 May 2016, form part of that review.</p>	Director Financial Services	<p>The successful provider has been appointed and arrangements to conduct the review have been initiated. With the 17/18 Budget and Long term Financial Management Plan nearing completion, forecast cashflows and cash balances can be forwarded to the consultant for incorporation into the review.</p> <p>The review of the Council's investment approach will also address the matters raised in the petition presented to the Council on 9 May 2016 for the Council to lead the community in responding to the threat of climate change and join the</p>

Ref.	Title	Report / Action	Action Officer	Comments
				growing number of cities and municipalities worldwide in divesting completely from the fossil fuel industry.
5	ACOUSTICS FOR THE HOBART TOWN HALL BALLROOM Council, 22/6/2015, Item 13	That a report be prepared documenting the quality of acoustics for the Hobart Town Hall Ballroom and addressing the costs associated with the recommendations made in respect to suggested improvements.	Deputy General Manager	A specialist contractor has undertaken the acoustic testing. Recommendations are now being assessed. A report is being prepared on the acoustic testing undertaken, the options available, materials available, costs and heritage considerations.
6	MAJOR WORKS PROJECTS Council, 22/6/2015, Item 20	<ol style="list-style-type: none"> 1. The Council endorse the draft Capital Works Program as a guide for officers in prioritising project development work for the next four financial years. 2. Officers report back to Council on opportunities for external funding from both public and private sources. 3. The Council approve the development of a feasibility study into possible options to link the CBD to the waterfront, and resolving pedestrian issues with crossing Macquarie and Davey Streets, in the 2015/2016 financial year. 	Director City Planning	<p>The Capital Works Program is being implemented with opportunities for external funding from both public and private sources identified for individual projects. This action is complete.</p> <p>Terroir Architects were appointed to undertake the brief and have completed a draft report. A report was presented to the Council at its meeting on the 3 June 2017.</p> <p>This action is complete.</p>
7	TOWN HALL UNDERGROUND REFURBISHMENT Council, 24/8/2015, Item 21	<ol style="list-style-type: none"> 1. The Council approve the following works being undertaken in the Town Hall Underground, to the value of between \$37,000 and \$41,000. 2. An appropriate fee structure for the hiring 	Deputy General Manager	Quotes for the work have been obtained. Work was due to commence on 15 May, however this has been delayed due to the space being used as part of Dark Mofo. Work will progress immediately following completion of Dark Mofo.

Ref.	Title	Report / Action	Action Officer	Comments
		<p>of the Town Hall Underground be determined The Town Hall Underground be actively marketed as a venue for hire</p> <p>3. Council officers undertake further investigation with a view to providing further clarification in respect to appropriate nomenclature for the site.</p>		The balance of the Council's resolution will be dealt with upon completion of the works.
8	<p>SUPERANNUATION ENTITLEMENTS FOR ALDERMEN Council, 26/10/2015, Item 20</p>	The matter be deferred until it has been considered by the Local Government Association of Tasmania.	General Manager	The General Manager advises that the LGAT have written to the Minister for Planning and Local Government requesting an independent review of elected member expenses. The Minister in response agreed that a review was timely and indicated that he would ask the Local Government Division to initiate a review once the current Boards of Inquiry into the Huon Valley and Glenorchy City Councils had concluded.
9	<p>NOTICE OF MOTION COUNCIL CAR PARKS - SECURE SHORT TERM BICYCLE FACILITIES Council, 23/05/2016 Item 14</p>	A report be prepared on options for appropriate secure short-term cycling facilities with a focus on the 42 vacant spaces in the Argyle Street car park along with other Council car parks, for people who choose to cycle into the city.	Director Financial Services	The Group Manager Parking Operations will provide a report to the Committee following final approval of plans for the refurbishment of the foyer and ground level of the Argyle Street Car Park and the neighbouring multi-level development. This is expected to occur in the next few

Ref.	Title	Report / Action	Action Officer	Comments
				months.
10	SOLAR PANEL POWER INSTALLATIONS FOR COUNCIL BUILDINGS Council, 20/6/2016 Item 19	<ol style="list-style-type: none"> 1. Solar photovoltaic systems be installed at several Council sites 2. The initiative be promoted with an article in the Capital City News with a joint media release of the Lord Mayor and Committee Chairman to be released at the appropriate time. 	Director City Infrastructure	<p>Solar panels have been installed at the Bushland Depot, Mornington Nursery, North Hobart Oval, Clearys Gates Depot, McRobies Gully Waste Management Centre, City Hall, Town Hall, Centrepoint Car Park, Hobart Central Car Park and DKHAC.</p> <p>All installations planned were completed by the end of June 2017.</p> <p>An article has been written for the August/September edition of the Capital City News.</p> <p>A media release was issued on 3 May 2017.</p> <p>Action is now complete.</p>
11	ST GEORGE'S CHURCH, BATTERY POINT - REQUEST FOR FINANCIAL ASSISTANCE Open Council, 25/7/2017 Item 18	A report be prepared in respect to the opportunity to pursue a National Heritage Lottery with the Federal Government, as suggested in December 2015.	Director City Planning	This matter will be the subject of a report to the Council in mid 2017.

Ref.	Title	Report / Action	Action Officer	Comments
12	ELECTRIC VEHICLES AND CHARGING STATIONS Open Council, 25/7/2016 Item 20	<ol style="list-style-type: none"> 1. The Council identify suitable locations for the future installation of direct current fast charge stations, and actions be taken to preserve the locations until such time as it becomes viable to install the stations. 2. Council officers continue to monitor the types of electric and hybrid vehicles available on the market to determine whether any would be suitable for inclusion in the City's fleet. 3. City employees be canvassed to determine demand for electric bicycle charging stations at the City's corporate buildings. If there is sufficient demand, then power outlets be installed in suitable locations. 4. Appropriate street signage be installed to direct users of electric vehicles (EV) and bicycles to the charging stations located at the Hobart Central Car park. 5. That the Hobart Bicycle Advisory Committee be requested to consider initiatives to encourage the wider use of electric bicycles. 	Director City Infrastructure	<p>This matter is being progressed. Officers have had further meetings with the Electric Highway Working Group and continue to monitor changes and standardisation in charging system technology.</p> <p>Officers are monitoring electric and hybrid vehicle models for potential inclusion in the fleet.</p> <p>Options for canvassing employees are being considered.</p> <p>Charging stations to be installed in the Argyle Street car park in 2017.</p> <p>The HBAC considered this matter at the September 2016 meeting and a number of actions are underway.</p>

Ref.	Title	Report / Action	Action Officer	Comments
13	FINANCIAL REPORTING Open Council, 3/4/2017 Item 17	<ol style="list-style-type: none"> 1. Financial reporting to the Council be enhanced through: <ol style="list-style-type: none"> (i) The provision of a quarterly budget report of variances, in excess of 10% and over and above a dollar threshold to be proposed by the Director Financial Services, by function; and (ii) A detailed project status report detailing year to date capital expenditure. 2. The General Manager investigates the development of a report on Work Health and Safety issues and other Human Resource matters. 	Director Financial Services and Deputy General Manager	<p>A report of budget function variances and explanatory comments for the March quarter was distributed to Aldermen via the Hub. Further reports will be provided each quarter. Accordingly, part (i) is complete.</p> <p>The remaining matters are being progressed.</p>
14	REVIEW OF CREDIT CARD SURCHARGE Open Council, 24/4/2017 Item 26	<ol style="list-style-type: none"> 1. The 1 percent credit card surcharge currently applied to payments made by credit card, including point of sale transactions, in areas of Council except the Tasmanian Travel and Information Centre be discontinued, effective from 1 July 2017. 2. That a credit card payment limit for the 	Director Financial Services	Council's decisions in respect of the credit card surcharge have been implemented as at 1 July 2017. A report with the outcomes from the review requested will be provided in twelve months.

Ref.	Title	Report / Action	Action Officer	Comments
		<p>payment of Council rates be re-introduced at the level of \$3,000 per transaction.</p> <p>3. The Lord Mayor to advise the community of the change to the credit card surcharge through an appropriate media release.</p> <p>4. A review be conducted in 12 months' time to ascertain the cost incurred by Council in relation to credit card payment charges.</p>		
15	FINANCIAL REPORT AS AT 31 MARCH 2017 Open Council, 22/3/2017 Item 14	<p>1. The Council approve the changes to the 2016/2017 Estimates listed in tables 4, 5, 7 and 9 marked as Attachment A to item 6.3 of the Open Finance Committee agenda of 16 May 2017, noting that the financial impacts of which are to decrease the underlying surplus by \$0.72M, and to increase the cash balance by \$0.91M.</p> <p>2. Comparative data, in graph form, of the last three years key financial results be provided on a quarterly basis to the Council, in the appropriate form.</p>	Director Financial Services	<p>Complete.</p> <p>This data will be provided as part of the September quarterly report.</p> <p>This matter is now complete</p>

Ref.	Title	Report / Action	Action Officer	Comments
16	BUDGET ESTIMATES Open Council, 3/7/2017 Item 16	<ol style="list-style-type: none"> 1. Based on a reduction in the council's debt profile, maintenance of a moderate surplus and lessening the impact on future rate increases, the Council endorse a rate increase of 3.25 per cent. 2. The Council endorse the revised 2017/18 capital works program with a further report on the balance of the 10 year program to be provided for Council consideration in November 2017. 3. The Council approve the Budget Estimates and rates resolution marked as Attachment E to item 4.1 of the Special Open Finance Committee agenda of 3 July 2017. 4. The General Manager be delegated the authority to make any minor and consequential amendments to the 2017/2018 Estimates document, 2017/2018 Annual Plan (marked as Attachment F to item 4.1 of the Special Open Finance Committee agenda of 3 July 2017), and Long Term Financial Management Plan given the amendments to the capital works program. 5. The capital works and long term financial management plan budget discussions for 2018-19 be returned to the Finance Committee by August 2017 for early consideration of rating and debt consideration rather than the usual cycle of reporting. 	General Manager	Items 1 – 4 are complete.

Ref.	Title	Report / Action	Action Officer	Comments
17	REVIEW OF PARKING – NORTH HOBART Open Council, 19/6/2017 Item 21	<p>1. An internal working group be established to review the parking needs and availability in North Hobart in the context of the Transport Strategy.</p> <p>(i) The internal work group include appropriate officers and Aldermen Zucco, Ruzicka, Burnet and Thomas and any other Aldermanic nominations.</p> <p>2. The Council approve the following to be included in the review:</p> <ul style="list-style-type: none"> • The review of on-street parking time limits in Elizabeth Street and streets adjoining the restaurant strip; • The possible installation of parking meters and in ground sensors in Elizabeth Street between Warwick and Federal Streets; and • The introduction of evening and weekend parking Officer patrols. <p>3. Within 6 months, and following consultation with the wider community and the North Hobart Traders Group, the Internal working group report back to the Council with the findings of the review, including a list of suggested actions to improve the parking availability and a copy of this report.</p>	Director Financial Services	The initial meeting of the working group will be held on Monday the 17 th of July 2017.

Ref.	Title	Report / Action	Action Officer	Comments
		<p>4. The list of actions include income and expenditure estimates and timeframes for implementation.</p> <p>5. The Committee's resolution be published in the Open portion of the meeting minutes, with the elements of the Report that are not confidential in nature, being made publicly available.</p>		

8. RESPONSES TO QUESTIONS WITHOUT NOTICE

Regulation 29(3) *Local Government (Meeting Procedures) Regulations 2015*.
File Ref: 13-1-10

The General Manager reports:-

"In accordance with the procedures approved in respect to Questions Without Notice, the following responses to questions taken on notice are provided to the Committee for information.

The Committee is reminded that in accordance with Regulation 29(3) of the *Local Government (Meeting Procedures) Regulations 2015*, the Chairman is not to allow discussion or debate on either the question or the response."

8.1 Tender Process for Leasing and Hiring Council Property
File Ref: F17/87651; 16/121

Report of the Manager Legal and Governance of 18 July 2017.

Delegation: Committee

That the information be received and noted.



City of **HOBART**

Memorandum: Lord Mayor
Deputy Lord Mayor
Aldermen

Response to Question Without Notice

TENDER PROCESS FOR LEASING AND HIRING COUNCIL PROPERTY

Meeting: Finance Committee

Meeting date: 18 July 2017

Raised by: Alderman Christie

Question:

Can the General Manager provide details of how the tender process for the leasing and hiring of Council properties operates?

Response:

The Council has engaged LJ Hooker Commercial to manage the leasing of its commercial properties. Part of this engagement includes seeking new tenants in the case of a vacant property. The process for seeking new tenants would vary on a case-by-case basis depending on the nature of the property, the circumstances of tenure proposed and any community outcomes being sought.

Generally, the process would likely include advertising of the property for lease (both print and online), LJ Hooker Commercial exploring its databases of possible tenants and dealing with any possible tenants identified or referred by the Council. Proposals would be sought and presented to Council for its consideration. The decision whether to grant a lease to any particular party remains solely a decision for the Council, although advice may be obtained from LJ Hooker Commercial as part of the Council's considerations.

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.

A handwritten signature in black ink, appearing to read 'Paul Jackson', with a stylized, flowing script.

Paul Jackson
**MANAGER LEGAL AND
GOVERNANCE**

Date: 12 July 2017
File Reference: F17/87651; 16/121

9. QUESTIONS WITHOUT NOTICE

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

An Alderman may ask a question without notice of the Chairman, another Alderman, the General Manager or the General Manager'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 Alderman 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, Aldermen, General Manager or General Manager'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 Aldermen, at the appropriate time.
 - (iii) upon the answer to the question being circulated to Aldermen, 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.

10. CLOSED PORTION OF THE MEETING

The following items were discussed: -

- | | |
|--------------|---|
| Item No. 1 | Minutes of the last meeting of the Closed Portion of the Council 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 | 3 Wilks Road Lenah Valley Update
LG(MP)R 15(2)(f) |
| Item No. 4.2 | Contract Extension - Contract No. 5762 - Security Services
Cash Collection
LG(MP)R 15(2)(d) |
| Item No. 4.3 | Application for Remission of Part of Rates Paid - 59 Tasma Street, North Hobart
LG(MP)R 15(2)(g) |
| Item No. 4.4 | Sale of Land for Unpaid Rates - 18 Norfolk Crescent, Sandy Bay
LG(MP)R 15(2)(f) and (j) |
| Item No. 5 | Committee Action Status Report |
| Item No. 5.1 | Committee Actions - Status Report
LG(MP)R 15(2)(b) and (f) |
| Item No. 6 | Questions Without Notice |