



CITY OF HOBART

AGENDA

Finance Committee Meeting

Open Portion

Tuesday, 12 December 2017

at 5.00 pm

Lady Osborne Room, Town Hall

SUPPLEMENTARY ITEMS

ORDER OF BUSINESS

- 11 TOWN AND CITY HALLS AND WATERSIDE PAVILION -
COUNCIL POLICY ON USAGE..... 3**

The General Manager reports:

“That in accordance with the provisions of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, these supplementary matters are submitted for the consideration of the Committee.

Pursuant to Regulation 8(6), I report that:

- (a) information in relation to the matter was provided subsequent to the distribution of the agenda;
- (b) the matter is regarded as urgent; and
- (c) advice is provided pursuant to Section 65 of the Act.”

11 Town and City Halls and Waterside Pavilion - Council Policy on Usage
File Ref: F17/159532; s60-001-01/02

Report of the Group Manager City Government & Customer Relations of 11 December 2017 and attachments.

Delegation: Council

**REPORT TITLE: TOWN AND CITY HALLS AND WATERSIDE PAVILION
- COUNCIL POLICY ON USAGE****REPORT PROVIDED BY:** Group Manager City Government & Customer Relations**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to seek the endorsement of the Council of its policy relating to usage exclusions for the Town and City Halls and the Waterside Pavilion.
- 1.2. Clarity around usage exclusions is beneficial to the community who utilise these spaces.

2. Report Summary

- 2.1. An application to hire the City Hall to conduct a series of pre-owned clothing markets during 2018 has recently been declined on the basis that the proposed usage is contrary to Council's policy on the use of the Town and City Halls and the Waterside Pavilion. The policy is shown as attachment A to this report.
- 2.2. The purpose of the policy is to ensure that the Council does not unduly impact on the commercial interests of businesses within the City of Hobart which pay rent, rates and the outgoings associated with conducting a retail operation within the City of Hobart.
- 2.3. The policy notes that Council venues have been previously hired for the sale of goods which are available at retail stores located within the City.
- 2.4. The Council's response to these situations has been to avoid such uses by stipulating that the venues may only be hired for the sale of goods to the public in the following circumstances:
 - 2.4.1. The goods proposed to be sold are of a specialised nature and are of a kind not normally in competition with retail outlets in the City; or
 - 2.4.2. The principal purpose of the booking is an exhibition or display and the selling of goods is an activity incidental to that main purpose; or
 - 2.4.3. The facility is to be used by a recognisable charitable or community organisation for a fair, bazaar or similar function.
- 2.5. The policy was last reviewed with all Council policies in March 2016, at which time no change was made.

3. Recommendation

- That:***
- 1. The Council's current policy titled Use of Town Hall, City Hall and Waterside Pavilion, be endorsed.***
 - 2. The proponent of the "Overdressed" Market be advised accordingly.***

4. Background

- 4.1. The Committee will be aware of recent concerns expressed within the media by the proponent of the "Overdressed Market" which hires stall space to hirers for the sale of second hand clothing, at advice provided by officers precluding the booking of the City Hall for a series of markets to be conducted over 2018.
- 4.2. This advice was provided in line with the Council's policy position which is not to facilitate the hire of its venues for the sale of goods which are available within the City.
- 4.3. In respect to the sale of second hand clothing, there are approximately 20 retailers located within the City which conduct this activity. These include charities and privately operated shops.

5. Proposal and Implementation

- 5.1. It is proposed that the Council endorse the current policy and inform the proponent accordingly.
- 5.2. In respect to the nature of this particular application, whilst the re-use and recycling of second hand clothes fits with the responsible use of limited resources and therefore has positive environmental impacts; the primary issue before the Council in this instance, is how the proposed use aligns with its policy as the landlord of the venue proposed for hire.
- 5.3. The question for the committee and Council is whether it considers these matters as having precedence within the context of this particular proposal which is to conduct a commercial operation from a Council owned venue where the goods being sold are available in a significant number of businesses within the City.
- 5.4. As discussed with the proponent, there are a number of other venues not in Council ownership but located within the City of Hobart, which can be hired for the proposed activity.

6. Strategic Planning and Policy Considerations

- 6.1. The recycling of pre-owned goods does accord with the Council's strategic vision of zero waste to the landfill by 2030 articulated in the City's Waste Management Strategy 2015-2030.

7. Financial Implications

7.1. Funding Source and Impact on Current Year Operating Result

7.1.1. There are no financial implications arising from this report.

7.2. Impact on Future Years' Financial Result

7.2.1. Nil.

7.3. Asset Related Implications

7.3.1. Not applicable.

8. Legal, Risk and Legislative Considerations

8.1. Not applicable.

9. Delegation

9.1. 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.



Margaret Johns
**GROUP MANAGER CITY
GOVERNMENT & CUSTOMER
RELATIONS**

Date: 11 December 2017
File Reference: F17/159532; s60-001-01/02

Attachment A: Policy - Use of Town and City Halls and Waterside Pavilion ↓

City of Hobart

Policy

Title: Use of Town Hall, City Hall, and Waterside Pavilion

Category: Property Management

Date Last Adopted: 7 March 2016

1. Objectives

The purpose of this policy is to ensure that through the hire of Council venues, the Council does not unduly impact on the commercial interests of rateable businesses within the Hobart municipal area.

2. Background

In the past, Council venues have been hired for the sale of goods which are available at retail outlets located within the City.

This policy sets out the parameters around such usage.

3. Policy

That:

1. The Town Hall, City Hall and Waterside Pavilion, not be hired to persons, companies or firms where the intended use is the retail selling of goods to the public, subject to the proviso that this prohibition shall not apply where:
 - (i) the goods proposed to be sold are of a specialised nature and are of a kind not normally in competition with retail outlets in the City; or
 - (ii) the principal purpose of the booking is an exhibition or display and the selling of goods is an activity incidental to that main purpose; or
 - (iii) the facility is to be used by a recognisable charitable or community organisation for a fair, bazaar or similar function.

4. Legislation, Terminology and References

Responsible Officer:	Director Corporate Services
Policy first adopted by the Council:	25/3/1985
History	
Amended by Council	10/5/2004
Amended by Council	29/8/2005
Annual Policy Review	7/3/2016
Next Review Date:	