

9.6 STUARTS POINT TENNIS COURTS

Officer Gayleen Burley, Manager Commercial Business
File No F12/1335
Attachments Nil

PURPOSE

Provide an update on the public access provisions for the Stuarts Point Tennis Courts.

RECOMMENDATION

That Council undertake an Expression of Interest for the management of the Stuarts Point Tennis Courts.

BACKGROUND

Councillor Morris, at the Ordinary meeting of 18 February 2020, put forward a notice of motion (NOM) to review the license condition for the management of the Stuarts Point Tennis Courts.

The NOM was initiated due to complaints being received regarding lack of public access to the Stuarts Point Tennis Courts.

At the Ordinary Council meeting of 18 February 2020, Council resolved, minute number 2020.16:

- 1. That Council review the license conditions with the Stuarts Point and District Tennis Club to require a minimum level of community access to the Tennis Courts and an annual report to Council concerning the operation, use and management of the Tennis Courts.*
- 2. That if the Stuarts Point and District Tennis Club do not accede to the minimum community access provisions and a reporting requirement that Council investigates other options for the management of the Stuarts Point Tennis Club facilities.*

The Stuarts Point Tennis Courts are located on Council managed Crown Land with the license to the Stuarts Point and District Tennis Club (SP&DTC) currently on holding over provisions.

The current license has no requirements to provide public access to the courts and has no mandatory reporting requirements to Council.

Given the expired licence and changes to the current licence to accommodate public access and reporting requirements would constitute a material change to the current licence conditions, it is recommended that an Expression of Interest (EOI) for the management of the Stuarts Point Tennis Courts be issued to assess the market interest of third parties in managing, operating and maintaining the Stuarts Point Tennis Courts.

The key Council objectives of the EOI are to:

- Provide affordable, easy and accessible utilisation to Stuarts Point Tennis Courts for the community and visitors;
- Enable community groups and clubs to hold regular competitions and events;
- Enable commercial tennis activities to occur at the facility;
- Provide adequate maintenance to ensure asset preservation; and
- Maximise income-producing opportunities to off-set asset improvements and renewal costs.

An indicative timeframe for the EOI process is as follows:

Activity	Date
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EOI invitation issued	23 November 2020
EOI closes	11 December 2020
Evaluation	14 – 18 December 2020
Issue of Licence	18 January 2020

KEY CONSIDERATIONS

Policy and Legislation

If a successful candidate is found, a licence not exceeding 5 years would be issued under Clause 70(2)(c) of the Crown Land Management Regulation 2018, which provides the following:

70(2)(c) the granting of a new lease or licence over pre-POM Crown land for a term not exceeding the maximum term if:

- (i) there was a lease or licence in force over the land immediately before 1 July 2018, and*
- (ii) there are no additional permitted uses of the land.*

Strategic Alignment

Delivery Program 2017-2020

- HS-01 Plan for and provide infrastructure that encourages and allows for active lifestyles
- SAS-06 Provide vibrant public spaces owned by the community

Impact on Financial Sustainability

Not applicable.

Stakeholder Engagement

SP&DTC have been notified of the recommended action to be taken (subject to Council resolution).

Other Matters

Nil.

CONCLUSION

That Council undertake an Expression of Interest for the management of the Stuarts Point Tennis Courts.

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2020.189 RESOLVED (CI Morris/CI Williams):

That Council:

1. undertake an Expression of Interest for the management of the Stuarts Point Tennis Courts.
2. in the event that the new licenses cannot be issued prior to the middle of December 2020 that Council investigates the feasibility of terminating the existing license and implementing a temporary management arrangement for the management of the Stuarts Point Tennis Courts.

CI Morris Foreshadowed the staff recommendation.

CARRIED (9 / 0)

FOR: CI Campbell, CI Baxter, CI Hauville, CI McGinn, CI Morris, CI Patterson, CI Saul, CI Shields, CI Williams

AGAINST: nil