MINUTES
Community Development Committee Meeting
Held on Monday, 8 October 2012 at 4:00pm
City of Rockingham Boardroom
# Community Development Committee Minutes

**City of Rockingham**

**Community Development Committee Meeting Minutes**

4:00pm Monday 8 October 2012

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<td>Date and Time of Next Meeting</td>
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<td>20.</td>
<td>Closure</td>
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1. Declaration of Opening

The Chairperson declared the Community Development Committee Meeting open at 4.00pm and welcomed all present.

2. Record of Attendance/Apologies/Approved Leave of Absence

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
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<tbody>
<tr>
<td>Cr Leigh Liley</td>
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<tr>
<td>Cr Joy Stewart</td>
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<td>Cr Deb Hamblin</td>
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<td>Cr Lorraine Dunkling</td>
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<td>Mayor Barry Sammels</td>
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<td>Cr Chris Elliott</td>
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<tr>
<th>2.2 Executive</th>
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<tr>
<td>Mr Andrew Hammond</td>
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<td>Ms Gay Thornton</td>
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<td>Mr John Woodhouse</td>
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<td>Ms Natalie Venables</td>
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<td>Ms Jillian Obiri-Boateng</td>
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<td>Ms Tracey Bottrell</td>
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<td>Mr Nick Brown</td>
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<td>Ms Mary Jane Rigby</td>
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<td>Mr Paul O’Leary</td>
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<td>Ms Schae Haskett</td>
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<td>Ms Diane Zanre</td>
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| Members of the Public: | Nil |
| Press: | 1 |
| 2.3 Apologies: | Nil |
| 2.4 Approved Leave of Absence: | Nil |
3. **Responses to Previous Public Questions Taken on Notice**
   - Nil

4. **Public Question Time**
   - Nil

5. **Confirmation of Minutes of the Previous Community Development Committee Meeting**
   
   **Moved Cr Dunkling, seconded Cr Hamblin**
   
   That Council **CONFIRM** the Minutes of the Community Development Committee Meeting held on 10 September 2012, as a true and accurate record.
   
   **Committee Voting – 4/0**

6. **Matters Arising from the Previous Community Development Committee Meeting Minutes**
   - Nil

7. **Announcement by the Presiding Person without Discussion**
   
   **4.02pm** The Chairperson announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

8. **Declarations of Members and Officers Interests**
   
   **4.03pm** The Chairperson asked if there were any interests to declare. There were none.

9. **Petitions/Deputations/Presentations/Submissions**

   **9.1 One Life Pledge Program**

   **4.04pm** Cr Liley tabled on behalf of the Government’s One Life Pledge program (focused on Suicide Prevention), a Gold Pledge Certificate presented to the Mayor by the Minister for Mental Health on Thursday 4th October recognising the City’s participation in the Suicide Prevention program in partnership with 12 other organisations in Rockingham.

10. **Matters for which the Meeting may be Closed**
    - Nil

11. **Bulletin Items**

    **Community Development Information Bulletin – October 2012**

    **Community Support Services**

    1. Community Support Services Team Overview
    2. Human Resource Update
    3. Project Status Reports
    3.1 Regional Community Services Leadership Programmes
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<td>3.2</td>
<td>Urban Art</td>
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<td>3.3</td>
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<td>4.</td>
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<td>4.1</td>
<td>Community Support Services General</td>
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<td>4.2</td>
<td>Youth Services</td>
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<td>4.3</td>
<td>Out of School Hours Care (OSHC)</td>
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<td>4.4</td>
<td>Social Connector Pilot Program</td>
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**Library Services**

1. Library Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Children’s Book Week 2012
   4.2 New Norcia Lecture

**Community Infrastructure Planning**

1. Community Infrastructure Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Youth Outdoor Recreation Space Strategy – Implementation Actions
   3.2 Public Open Space Strategy
   3.3 Baldivis District Sporting Complex Feasibility Study and Concept Plans
   3.4 Secret Harbour Community Library Feasibility Study and Concept Plan
   3.5 Rockingham Arts Centre
   3.6 Baldivis Library and Community Centre
   3.7 Secret Harbour Surf Life Saving Club Redevelopment
   3.8 Baldivis Group Settlement School Buildings – Conservation Works
   3.9 Aquatic Facilities Strategy
   3.10 Community Infrastructure Plan
   3.11 Community Purpose Site Strategy
   3.12 Regional Cycling Facilities Feasibility Study
   3.13 Council Motion – Development of a Shared Use Reserve at Rhonda Scarrott Reserve/Future Golden Bay Primary School
   3.14 Active Ageing Precinct Master Plan
   3.15 Sports Floodlighting Upgrade Program
4. Information Items
   4.1 Active Open Space (Playing Fields) in a Growing Perth and Peel Report – prepared for the Department of Sport & Recreation by the Curtin University Centre for Sport & Recreation Research

**Community Capacity Building**

1. Community Capacity Building Team Overview
2. Human Resource Update
### 3. Project Status Reports

3.1 Rockingham City Football Club
3.2 Rockingham Regional Environmental Centre
3.3 Rockingham Rams Football Club
3.4 Community Grants Program (CGP)
3.5 Infrastructure Planning and Development Grants
3.6 Bert England Lodge – Management and Governance
3.7 Disability Access and Inclusion Plan

### 4. Information Items

4.1 Community Garden
4.2 Active Ageing
4.3 Challenger Court – Aged Persons Units
4.4 Challenger Lodge
4.5 Youth Development
4.6 Sport and Recreation
4.7 Community Capacity Building Events
4.8 Rockingham Early Years Group
4.9 Rockingham Education and Training Advisory Committee (RETAC)
4.10 Events Advisory Group
4.11 Cultural Development and Arts
4.12 Reconciliation Action Plan

#### Community Safety

1. Community Safety Team Overview
2. Human Resource Update
3. Information Items
   3.1 Security Operational
   3.2 Crime Prevention and Community Safety General
   3.3 Rangers
   3.4 Emergency Services
   3.5 Emergency Management and Recovery

#### Community and Leisure Facilities

1. Community and Leisure Facilities Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Rockingham Child Care Services
   4.2 Rockingham Aquatic Centre
   4.3 Rockingham Autumn Centre
   4.4 Gary Holland Community Centre
   4.5 Warnbro Community Recreation Centre and Mike Barnett Sports Complex Management Committee Minutes 19 September 2012
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**Community Development**

1. Community Development Team Overview  
2. Human Resource Update  
3. Project Status Reports  
4. Information Items  
4.1 Bert England Lodge Future Management Arrangements  

**Committee Recommendation**

That Councillors acknowledge having read the Community Development Information Bulletin – October 2012 and the contents be accepted.

Committee Voting – 4/0
Community Support Services

Community Development
Community Support Services

Reference No & Subject: CSS-002/12 Draft Community Support Services

File No: CSV/2033

Proponent/s: Jillian Obiri-Boateng, A/Manager Community Support Services

Author: Gay Thornton, Director Community Support

Other Contributors: Tony Burgoyne, Manager Community Support Services

Date of Committee Meeting: 8 October 2012

Previously before Council: 8 October 2012

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive Function

Site: Lot Area: Draft Community Support Services Strategy

Purpose of Report

To seek Council approval of the draft City of Rockingham Community Support Services Strategy to enable a period of public comment.

Background

The Integrated Planning and Reporting Framework and Guidelines were released by the Minister for Local Government in October 2010. According to this document each local government is expected to adopt a 10 year Strategic Community Plan which clearly links the Community’s identified aspirations with Council’s vision and long term strategies.

On 22 March 2011 Council endorsed the City of Rockingham Community Plan 2011, the first in Western Australia which was then launched by the Minister for Local Government in May 2011.

The Community Plan 2011 was developed by the Rockingham community and represents its aspirations for the future of the City. These Aspirations are addressed through identified activities requiring the development of a range of Specific Purpose Strategies and Plans, one being a Community Support Services Strategy.
The Community Support Services Strategy is essentially a community capacity-building approach used to strengthen and enhance the community services sector serving the vulnerable and special needs groups, within the City of Rockingham. The Strategy aims to attract, support and develop the agencies and services required by a leading and progressive local government area. Within this strategy services to young people, families needing out of school hours care and the transport-disadvantaged using community transport are areas of direct service delivery by the City.

Actions identified within the Community Support Services Strategy will then be identified within the relevant team plans and budget to ensure implementation. The draft Community Support Services Strategy is now completed and forwarded to Council for consideration.

The strategy was submitted to the August 2012 Community Development Committee and was accepted at that time. However, due to some discrepancies being identified in the use of terminology within the strategy, Council resolved to “DEFER consideration of the Community Support Services Strategy 2012-2015 to enable further editing and amendments to terminology”.

Details

Methodology

The development of this Strategy was based on extensive demographic research and mapping as well as a review of best practice approaches to the strengthening of the Community Support Services sector. Additionally the Manager Community Support Services sought expert opinion from many of the peak body service providers both within the City and the larger metropolitan area to ascertain the strengths and gaps of the Community Support Services sector within the City of Rockingham.

Executive Summary

A Community Support Services Strategy is necessary when considering that there is a strong tendency for communities to view those who are not obviously economically productive as a liability and strain upon community resources and to then “marginalise” them in their thinking and their actions. This is enhanced by negative stereotypes and stigmatisation that is more blatant with among others, the unemployed, refugees and single parents but is more subtle (but nonetheless just as damaging) for people with a disability, those with mental health issues, the elderly and the socially isolated. The effect is magnified by these more vulnerable people themselves accepting such labels as “useless” or “welfare-dependent”.

Fortunately community development theories employed over the past 15 years in Western Australia (and for much longer in other parts of Australia and overseas) have begun to focus on strengths-based views of individuals, families and communities and for all community members and their relationships to be viewed as potential social assets.

Strongly allied to these notions is the concept of capacity-building – the building up and realisation of potential by providing information, support, training, coaching, linking to key networks and provision of resources –so that an individual, family, group or organisation can achieve its purpose and goals.

In terms of the City of Rockingham’s Community Plan, Aspiration 1 states: “An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs” comes closest to articulating the purpose of this Community Support Services Strategy.

Many people within the community play formal or informal roles in supporting its more vulnerable members. Many organisations have specific roles in working with special needs populations including government, not for profit, church-based and community-based organisations as well as private sector community services agencies. These organisations range in size from very large government departments (such as parts of the Department for Health which accounts for over 20% of WA Government expenditure), through to large community services agencies such as Anglicare down to the purely local voluntary agencies.

The City of Rockingham’s Community Development Division has a community capacity-building ethos and the Community Support Services Strategy is about applying the ethos to the community
services sector within our community to enable it to best meet the aspirations of the more vulnerable populations amongst us.

The following describes the aspirations from the Community Plan, the purpose and the key elements the Community Support Services Strategy will address.

CITY OF ROCKINGHAM COMMUNITY PLAN ASPIRATIONS

1. An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs.
2. Community facilities and services that are well-utilised, accessible and cost-effective and, where appropriate, multi-functional.
3. A Council which engages with all elements of the community in order to make decisions that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

PURPOSE

To support the introduction & development of services provided by the Community Services sector to special needs groups and individuals in the City of Rockingham

Key Element 1: Personal Development and Well-being

Connecting people to services, facilities and experiences that enhance their physical, social, spiritual, cultural and overall health to enable them to be motivated to make their own positive decisions with regard to well-being

Key Element 2: Infrastructure Development

Planning, developing and managing community facilities that meet the social, recreational, educational, health, housing and transport needs of the community. This includes accommodation for community services agencies

Key Element 3: Community participation

Encouraging and facilitating community involvement in identifying and addressing community need

Key Element 4: Place Activation

Focusing on the social and infrastructure needs of particular areas of the City and facilitating the development of community hubs as service centres and places of social interaction

Key Element 5: Relationship Building and Connections

Building self-reliant community organisations and developing mutually beneficial partnerships between government, not for profits, business and residents

Implications to Consider

a. Consultation with the Community

Consultation was undertaken with a wide range of local service providers.
b. Consultation with Government Agencies
   Many of the peak body community support services agencies across the City have been engaged in consultation including Department for Child Protection, South Coastal Women’s Health Service, Disability Services Commission and many other smaller bodies.

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

   **Aspiration 1:** An involved and engaged community enjoying a lifestyle that caters for all residents, including those with specific or special needs.

   **Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective and where appropriate multi-functional

   **Aspiration 16:** A Council which engages with all elements of the community in order to make decisions that respect Rockingham’s unique sense of place whilst positively contributing to its future prosperity.

d. Policy

e. Financial
   All programs identified within the Community Support Services Strategy that require funds have budgeted allocations within the Team Plan, which in turn are represented in the City Business Plan and annual budgets, including potential external funding sources.

f. Legal and Statutory
   In October 2010 the State Government released an Integrated Planning and Reporting Framework requirement which is enacted as per Section 5.56(2) of the Local Government Act 1995.

Comments

It is important that all City plans and strategies are integrated in order to generate and reinforce a shared vision for the community. The Community Support Services Strategy has strong synergies with the Community Plan, Youth Strategy, Active Ageing Strategy, Disability Access and Inclusion Plan, Health and Wellbeing Plan and the Community Development Plan. As such it reinforces that identified actions within these plans and strategies are important to strengthening the resilience of those groups within the community who are most vulnerable.

The Community Support Services Strategy primarily allows the City to consider how best to meet the challenges of developing the partnerships and relationships that are necessary to provide support to vulnerable populations within the community and to strengthen the sector, through the encouragement of collaborative effort and community participation to systematically address social need in Rockingham.

The Rockingham Kwinana Development Office (RKDO) has developed a Community Services Gap Analysis for Rockingham and Kwinana which suggests the recommended approach to closing service gaps is “through community and sector public organisations forming genuine partnerships in the delivery of human services, untethered from the need for unnecessarily prescriptive processes and controls”.

There is also a strong emphasis on recognition that as Rockingham continues to grow as a strategic metropolitan centre there is significant need to consider and plan for affordable office space which will enable the community sector in partnership with government to deliver accessible and sustainable services. Strong networks and relationships between the government, not for profit, private and voluntary sectors will enable the best possible development of services.
As the City of Rockingham grows larger in terms of population the justification for extra resources will inevitably lead to agencies developing more substantial services and infrastructure in this area.

With a strong emphasis on growing the capacity of the community as a strong, resilient, connected and viable community, it must not be forgotten that the most vulnerable will require extra resources to enable them to take their part within the community.

**Voting Requirements**

Simple Majority

**Officer Recommendation**


**Committee Recommendation**


Committee Voting – 4/0

**The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

**Implications of the Changes to the Officer’s Recommendation**

Not applicable
Library Services

Community Development
Library and Information Services

Reference No & Subject: LIS-002/12
File No: CSV/1920 D12/4128
Proponent/s: Mr Bill Mead, Manager Library Services
Author:
Other Contributors:
Disclosure of Interest:
Nature of Council’s Role in this Matter: Executive Function
Site:
Lot Area:
Attachments: Library and Information Services Strategy 2012-2014
Maps/Diagrams:

Purpose of Report
To seek Council's endorsement of the Library and Information Services Strategy 2012-2014

Background
At the Ordinary meeting of 22 May 2012 Council resolved to ACCEPT the draft City of Rockingham Library and Information Services Strategy 2012-2014. Consequently, the report was circulated for public comment from 16 July to 16 August 2012. The comment period has closed and now seeking Council final endorsement.

Details
The Draft Library and Information Services Strategy was advertised for public comment for a period of 30 days between 16 July to 16 August 2012. The following actions were taken to ensure community awareness during the consultation process:
- Public Notice in the Weekend Courier 13 July 2012
- Notice on the City of Rockingham Website in the “News and Media” section, with an electronic copy of the Library and Information Services Strategy available for download
- Posted on the City of Rockingham Facebook page
 Copies were forwarded to library stakeholders from Murdoch University, Challenger Tafe, and Warnbro Community High School
- Copies were forwarded to Learning City members, Members of Rockingham Educational and Training Advisory Committee, and the Early Years Development Group
- Copies were made available at the Rockingham Community Campus library, Warnbro Community Library and also the Council Administration building

As a result no public comment was received therefore no changes to the document are required.

### Implications to Consider

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<thead>
<tr>
<th></th>
<th>Consultation with the Community</th>
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<tr>
<td>b.</td>
<td>Consultation with Government Agencies</td>
<td>Nil</td>
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<tr>
<td>c.</td>
<td>Strategic</td>
<td>Community Plan</td>
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<td></td>
<td>This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:</td>
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<td>Aspiration 3: A vibrant community, enjoying access to a wide range of educational, cultural and artistic activities and a wide range of other social opportunities</td>
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<td>d.</td>
<td>Policy</td>
<td>Nil</td>
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<td>e.</td>
<td>Financial</td>
<td>Nil</td>
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<td>f.</td>
<td>Legal and Statutory</td>
<td>The library services provided by the City of Rockingham result from a Joint Agreement between the City of Rockingham and the Library Board of Western Australia. The Library Board of Western Australia is a statutory authority accountable to the State Library of Western Australia, is in the form of:</td>
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<tr>
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<td>- Resources</td>
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<td>- Professional support services</td>
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<td>- Staff training</td>
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<td>Under the Agreement, the City of Rockingham contribution towards the provision of public library services is in the form of:</td>
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<td>- Capital building costs</td>
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<td>- Recurrent expenditure (including staffing costs)</td>
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### Comments

The purpose of the Library and information Strategy 2012-2014 is to provide a guide to the future direction, planning and development of library and information services within the City of Rockingham. It is considered that the three main elements which have arisen from producing this strategy will ensure that this purpose is achieved.

### Voting Requirements

Simple majority
### Officer Recommendation

That Council **ENDORSE** the City of Rockingham Library and Information Strategy 2012-2014.

### Committee Recommendation


Committee Voting – 4/0

### The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

### Implications of the Changes to the Officer’s Recommendation

Not applicable
Community Safety

Community Development
Community Safety

Reference No & Subject: CSA-013/12
Recommendation/s from the City Safe Advisory Committee Meeting held on 13 September 2012

File No: CPM/14
Author: City of Rockingham
Other Contributors: Sharon Phillips, Community Safety Projects Officer
Genevieve Rowles, Manager Community Safety
Date of Committee Meeting: 8 October 2012
Disclosure of Interest: Executive Function
Nature of Council’s Role in this Matter:
Attachments:
Maps/Diagrams:

Purpose of Report
To seek Council support for the City’s proposed approach in managing abandoned shopping trolleys within Rockingham.

Recommendations to the Community Development Committee

Advisory Committee Recommendation 1:
Abandoned Shopping Trolley Management Approach

That Council SUPPORT the fundamental elements of the City’s proposed approach in managing abandoned shopping trolleys within Rockingham.

Background
The City of Rockingham has regularly received complaints regarding abandoned shopping trolleys throughout Rockingham, which are unsightly and, if abandoned in waterways, can cause particular problems to wildlife, environment and make recovery difficult.

Abandoned trolleys can have a negative or detrimental effect on the street scape and there are links between abandoned trolleys making people feel unsafe and influencing their perception of crime. Inappropriate use of these abandoned trolleys may also result in anti-social behaviour, causing damage to property and possible injury to person/s.

In order to address the issue and encourage changes in practice the role local government can and should play, has been researched and has resulted in the formulation of a number of fundamental elements that form the basis of the City’s proposed approach. The abandonment of shopping trolleys is a major issue for all local governments, and on investigation, there is no easy fix to the
problem, however the facilitation of a coordinated response led by the Local Government is a sound place to start addressing the issues.

City officers have, in liaison with the Chief Executive Officer, been investigating the situation and verbally presented the findings and recommended approach to the City Safe Advisory Committee on 13 September 2012 as outlined in the following.

A ‘Quick Fix’ strategy recently trialled by the City

The Rockingham Shopping Centre and other major shopping centres in the area currently employ a local contactor to collect abandoned trolleys within a 5km radius of their premises. City Officers met with Rockingham Shopping Centre management and outlined the issues as raised by community members. Officers requested the Centre communicate the issue and growing concern to their contractors to encourage a renewed focus on the issue and to test the current process and its ability to minimise the impact of abandoned trolleys.

The Community Security Service then conducted a reporting blitz, for the three week period, 28 June to 22 July 2012. All abandoned trolleys were noted and retailers preferred reporting process was followed which meant all details were entered onto the Trolley Tracker or Coles Ltd website. Unfortunately the results were disappointing with many trolleys remaining where they had been reported for long periods of time. This is partly due to the fact that there was no online reporting system for trolleys belonging to some local stores and an apparent lack of coordination between different retailers in the way they are implementing retrieval of abandoned trolleys.

To ensure that this issue is adequately addressed and to encourage retailers to adopt and implement different strategies until a suitable and effective solution is reached Officers proposed that the following approach be undertaken.

Proposed Approach Ongoing from October 2012

• Throughout October and November 2012 City Officers to approach and work with retailers and representatives from Centre Management at the major shopping centres in the City of Rockingham to encourage them to address and significantly impact the number of abandoned trolleys throughout the City, through their own business plans, utilising their own resources.

• City Officers to monitor the number of reported abandoned shopping trolleys through October and November.

• If no significant decrease in the number of reported abandoned shopping trolleys is noted during October and November, on 1 December 2012, City Officers will enforce current local laws to remove, impound and where an appropriate fee is paid, release impounded trolleys or dispose of trolleys which are not claimed, under the relevant sections of Local Laws and the Local Government Act.

A review of the fee structure will need to be undertaken to ensure the fees cover fully the City’s costs associated with collecting, impounding and disposing of abandoned trolleys, and to provide a strong incentive for trolley owners to control trolley use.

Implications to Consider

a. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

Aspiration 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

Aspiration 13: A community that is welcoming and desirable in the eyes of residents and non-residents alike.

b. Policy

Nil
CONFIRMED AT A COMMUNITY DEVELOPMENT MEETING HELD ON MONDAY, 12 NOVEMBER 2012

PAGE 19

C. Financial
Nil

D. Legal and Statutory
The control of shopping trolleys is currently covered by the provision of Part 4, Division 2, of the City of Rockingham Activities In Thoroughfares and Public Trading Local Law 2001 and Section 3.38 of the Local Government Act 1995, which in part, states as follows:

“Retailer to remove abandoned trolley

a) If a shopping trolley is found in a public place, other than in an area set aside for the storage of shopping trolleys, the local government may advise (verbally or in writing) the retailer whose name is marked on the trolley of the location of the shopping trolley.

b) A retailer shall remove a shopping trolley within 24 hours of being so advised under subclause

(i) unless the retailer –

i. Requests the local government to collect and deliver the shopping trolley to the retailer; and

ii. Pays any fee for the collection and delivery (imposed and determined under and in accordance with sections 6.16 to 6.19 of the Act) within the period specified by the local government.

Where a retailer who is taken to own an abandoned trolley, in the absence of any proof to the contrary, a shopping trolley is to be taken to belong to a retailer whose name is marked on the trolley.

E. Voting Requirements
Simple Majority

Officer Recommendation if Different to Advisory Committee Recommendation
Nil

The Officer’s Reason for Varying the Advisory Committee Recommendation
Nil

Committee Recommendation
That Council SUPPORT the fundamental elements of the City’s proposed approach in managing abandoned shopping trolleys within Rockingham.

Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation
Not applicable

Implications of the Changes to the Officer’s Recommendation
Not applicable
Community and Leisure Facilities

Community Development
Community and Leisure Facilities

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>CLF-020/12 Amendment to Rockingham Aquatic Centre Fees and Charges for 2012/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>FLM/277</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Mark Toomath, Coordinator Leisure Facilities</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Wayne Smith, Coordinator Financial Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>8 October 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>24 April 2012 CS-011/12</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Executive Function</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
</tbody>
</table>

Site:                     
Lot Area:                 
Attachments:             
Maps/Diagrams:           

Purpose of Report

To amend previously endorsed fees, and approve fees for additional programs at the Rockingham Aquatic Centre in 2012/13.

Background

The majority of fees and charges applicable to the Rockingham Aquatic Centre in 2012/13 were supported in principle by Council on 24 April 2012 (CS-011/12) and implemented with the adoption of the 2012/13 budget. Since that time, in response to patron demand, additional programs have been implemented which attract fees that need to be adopted. In addition to the new fees, the existing squad training fees that were endorsed as GST free, need to be amended as it has been ascertained they are subject to GST.

Details

The new fees to be adopted include the following:

1. Squad training Series 2 to 4, patrons now have the option to attend these series four days per week for $140.
2. Squad training series 5, patrons may enrol to attend one day per week ($30), two days per week ($56), three days per week ($72) or for a daily fee of $8.
3. Bronze medallion courses are available for $170 (GST free).
4. Bronze medallion requalification courses are available for $75 (GST free).
5. Funday Sunday entry is $2.50 for all patrons.

The squad training fees that were previously adopted as being free of GST need to be amended as it has been determined that they should be subject to GST.

The new and amended fees proposed for the Rockingham Aquatic Centre in 2012/13 are detailed below:

<table>
<thead>
<tr>
<th>Description</th>
<th>GST Status</th>
<th>Proposed Fee (excl. GST) 1/07/2012</th>
<th>GST Amount 1/07/2012</th>
<th>Total Fee (inc. GST) 1/07/2012</th>
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<tbody>
<tr>
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<td>General Entry</td>
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<tr>
<td>▪ Squad 4 Day (Per Series)</td>
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<td>127.27</td>
<td>12.73</td>
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</table>

Implications to Consider

a. Consultation with the Community
   Not applicable

b. Consultation with Government Agencies
   There is no requirement to consult with government agencies.

c. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-
   
   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable and legally and ethically compliant.
   
   **Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective, and where possible, multi-functional.

d. Policy
   Nil

e. Financial
   Fees will be required to be set by local government pursuant to s6.16 of the Local Government Act 1995 "Imposition of fees and charges".
The fees for programs that teach personal aquatic survival skills (learn to swim) and first aid/lifesaving skills (Bronze medallion and Bronze medallion requalification) are exempt from the Goods and Services Tax (GST).

f. Legal and Statutory

Additional or amended fees are required to be approved by Absolute Majority of Council in accordance with s6.16 Local Government Act 1995. In addition, s6.19 of the Local Government Act 1995 requires the local public notice of those fees prior to them being applied.

The proposed fees and charges will be advertised in the local paper and on the City’s webpage.

Comments

The Rockingham Aquatic Centre is an important facility for the Rockingham community, attracting in excess of 115,000 patrons annually. The Centre runs the second largest aquatic education program in the City and in 2012/13 will expand the program range to build on the success of the current squad training program. The addition of the bronze medallion qualification and requalification training will provide an avenue for residents to be trained locally and meet minimum requirements for entry level positions in the aquatics industry.

These opportunities are valued and well supported by the wider Rockingham community. Some of the many user groups include local schools, sporting clubs and local families, particularly those with young children.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council **ADOPT** the following fees for the Rockingham Aquatic Centre for 2012/13, pursuant to section 6.16 of the Local Government Act 1995 and give notice of intention to impose the fees from 29 October 2012 pursuant to section 6.19 of the Local Government Act 1995.

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Committee Recommendation

That Council **ADOPT** the following fees for the Rockingham Aquatic Centre for 2012/13, pursuant to section 6.16 of the Local Government Act 1995 and give notice of intention to impose the fees from 29 October 2012 pursuant to section 6.19 of the Local Government Act 1995.

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Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

Implications of the Changes to the Officer’s Recommendation

Not applicable
Confidential

Confirm at a Community Development Meeting held on Monday, 12 November 2012

Community Development Committee

Community and Leisure Facilities

Reference No & Subject: CLF-021/12 Tender T12/13-19 – Period Caretaking and Cleaning of Council’s Halls and Community Centres and Other Public Facilities

File No: T12/13-19

Proponent/s: Paul O’Leary, Coordinator Community Facilities

Author: Paul O’Leary, Coordinator Community Facilities

Other Contributors: Nick Brown, Manager Community and Leisure Facilities

Gary Rogers, Manager Procurement and Projects

Date of Committee Meeting: 8 October 2012

Previously before Council: 26 June 2012 EP-044/12

Disclosure of Interest: Nature of Council’s Role in this Matter: Executive Function

Site:

Lot Area:

Attachments:

Maps/Diagrams:

Purpose of Report

Provide Council with details of contract C12/13-19 - Period Caretaking and Cleaning of Council’s Halls, Community Centres and Other Public Facilities, and make a recommendation regarding acceptance of another tenderer for these services.

Background

At the June 2012 Council Meeting, Council resolved (Reference – EP-044/12) to award the tender T12/13-19 - Period Caretaking and Cleaning of Council’s Halls, Community Centres and Other Public Facilities to All Clean Property Services Plus.

All Clean Property Services Plus was appointed contractor on 27 June 2012, the contract period was awarded for an initial period of two years (until 30 June 2014) with the possibility of extension for a further two years in periods not greater than 12 months.

Details

Correspondence was received from All Clean Property Services Plus on 31 August 2012 advising their tender submission had been incorrectly priced. Specifically, they misinterpreted the scope of works outlined in the tender, the implication of which led to the City’s Community Facilities being inadequately cleaned and maintained. All Clean Property Services Plus also advised that in order to
carry out the scope of works required by the City (as originally outlined in the tender document) they would require an increased payment of $108,502.40 over the two year contract period.

After consideration this request was not accepted and All Clean Property Services Plus was advised to inform the City as to whether they would complete the contract as per their submitted price schedule. All Clean Property Services Plus advised that they wished to terminate the contract effective from 14 September 2012, which was agreed to by the City.

<table>
<thead>
<tr>
<th>Implications to Consider</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
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<tr>
<td>b. Consultation with Government Agencies</td>
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<td>Aspiration 15: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant</td>
</tr>
<tr>
<td>d. Policy</td>
</tr>
<tr>
<td>Purchasing policy applies. To provide compliance with the Local Government Act 1995; Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 11 (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $100,000 unless sub regulation (2) states otherwise.</td>
</tr>
<tr>
<td>e. Financial</td>
</tr>
<tr>
<td>Operating works expenditure will be in accordance with the Operational Building Maintenance 2012/13 Budget. The cost for this service per year is $225,433.</td>
</tr>
<tr>
<td>f. Legal and Statutory</td>
</tr>
<tr>
<td>In accordance with the Local Government Act 1995 section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, Division 2, Regulation 18 (7). If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.</td>
</tr>
</tbody>
</table>

| Comments |
| Operational requirements to ensure the City’s facilities are adequately cleaned and maintained required the City to hastily consider tender submissions within the original tender process. Karen Dennison Services, who scored second in this process (and was the City’s previous cleaning and caretaking contractor), was approached to take over the contract, initially on a temporary basis until full resolution is made at the October Council Meeting. |
| Karen Dennison Services agreed to these conditions and also to carry out the contract scope of works as per the submission received during the original tender process. Thus, Karen Dennison Services commenced cleaning and caretaking of the City’s Community Facilities on 15 September 2012. |
Voting Requirements

Simple majority

Officer Recommendation

That Council ACCEPT the tender submitted from Karen Dennison Services for Tender T12/13-19 - Period Caretaking and Cleaning of Council's Halls, Community Centres and Other Public Facilities in accordance with the tender documentation for the contract period being for the date of award to 30 June 2014 to the value of $450,866.

Committee Recommendation

That Council ACCEPT the tender submitted from Karen Dennison Services for Tender T12/13-19 - Period Caretaking and Cleaning of Council's Halls, Community Centres and Other Public Facilities in accordance with the tender documentation for the contract period being for the date of award to 30 June 2014 to the value of $450,866.

Committee Voting – 4/0

The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

Implications of the Changes to the Officer’s Recommendation

Not applicable
Community Development
Community and Leisure Facilities

Reference No & Subject: CLF-022/12 Shoalwater Visitors’ Centre Lease
File No: 94-401
Proponent/s: Penguin Island Cruises Pty Ltd trading as Rockingham Wild Encounters
Author: John Pearson, Director, Corporate Services
Other Contributors: 
Date of Committee Meeting: 8 October 2012
Disclosure of Interest: 
Nature of Council’s Role in this Matter: Executive Function

Site: Shoalwater Visitors’ Centre (also known as the Mersey Point Kiosk)
Lot Area: Lot 24 Arcadia Drive, Shoalwater, (Reserve 22948), parcel 243261
Attachments: 
Maps/Diagrams: 1. Lot 24 Arcadia Drive, Shoalwater (Reserve 22948)

Purpose of Report
To provide information to Council regarding Penguin Island Cruises Pty Ltd and seek tenure clarification for continued occupation of Shoalwater Visitors’ Centre.

Background
In 1993, Council entered into a lease agreement with Mr S D & Mrs D G Pickersgill, trading as Westopol Pty Ltd, for use of an area of building at the Shoalwater Visitors’ Centre (located at Part Reserve A22948) as a kiosk to be used in conjunction with the business known as Rockingham Sea Tours. The period of the lease commenced 1 February 1993 with an expiry date of 14 August 2012. The remainder of the building comprised public toilets, a Department of Environment and Conservation (DEC) Ranger’s Office and a DEC Interpretation Centre.

As a result of the withdrawal of the DEC from the Interpretation Centre in late 1994, Council negotiated with the Pickersgills for lease of the vacated area and accordingly a Deed of Variation Lease was finalised in early 1995 for the additional area of the premises.

The additional area was to be used for the purpose of ferry ticket sales, promotion of the Shoalwater Marine Park and generally for tourism including, without limiting the generality of the foregoing, tourist and information facilities and displays to a standard specified by Council in conjunction with the Rockingham Tourist Authority and any other purposes ancillary to the use of the premises and the additional area.
The period of lease for the additional area commenced April 1995 with an expiry date of 14 August 2012.

In 1997, a formal application to assign the lease was received from the Pickersgills to Graham and Leanne Deague, trading as Traminer Pty Ltd. Council consented to the assignment of the lease in September 1997.

In 2000, approval was granted to the Deagues to operate a café within the leased premises as an ancillary to other services being offered at the centre.

In December 2005, Council approved an application received from Mr Terry Howson of Penguin Island Cruises Pty Ltd (PIC) to sublease a portion of Shoalwater Visitor's Centre to accommodate facilities associated with the applicant’s cruise operations and to approve the proposed alterations to the existing building subject to approval by the Manager Building Services and the obtaining of a Building Licence. Furthermore, Council also approved, in principle, PIC’s application to sublease an additional area adjacent to the existing building to accommodate an extension to the building for the purpose of facilitating the applicant’s cruise operation and to house rehabilitated penguins over the winter months, however, this option was not pursued by PIC.

In February 2006 Council formally approved the Deed of Sublease for a portion of the existing premises as per the application approved at the 2005 Council meeting, being an area of 15 square metres.

In September 2008 Council approved an application from PIC to extend the existing sublease agreement by 166.9sqm (from 15sqm to 181.9sqm) for use of premises within the Shoalwater Visitors’ Centre between the City of Rockingham, Traminer Pty Ltd and PIC. Under this agreement PIC had 75% of the total lease (Traminer Pty Ltd had 25% of the area).

In June 2009 Council approved the assignment of the Master Lease from Traminer Pty Ltd to PIC thereby transferring the remaining 25% of the area to PIC (total area of 245.6sqm), making them the sole lessee of Shoalwater Visitors’ Centre.

In August 2012 Council resolved that:

“The Council **DEFER** consideration of entering into a lease agreement with Penguin Island Cruises Pty Ltd for Shoalwater Visitors’ Centre pending discussions between CEO and Proprietor regarding lease terms.”

### Details

1. Lot 24 Arcadia Drive, Shoalwater (Reserve 22948), leased portion outlined in blue.

Shoalwater Visitors’ Centre is situated adjacent to the Shoalwater Marine Park Jetty and a large car park consisting of 63 parking bays, seven motorcycle parking bays and a bus drop-off area. The building consists of public toilets, a kiosk and kitchen, three internal toilets, Rangers’ Office, Visitors’
Centre and extensive patios extending around the kiosk and Visitors’ Centre areas. The DEC leases the Rangers’ Office highlighted within the blue border above.

Currently PIC is using part of the Centre as a kiosk selling light refreshments including hot and cold food and drinks. The room previously called the “CALM Interpretive Centre” is currently being used by PIC for ticketing and merchandise sales in order to supplement ticket sales income.

PIC’s cruise season runs annually from 15 September to 5 June in line with directions given by DEC and provides tourist-based cruises including diving with dolphins, dolphin watching and tours to Penguin and Seal Islands within the Shoalwater Marine Park. PIC is regarded as one of Western Australia’s leading ecotourism operators with the company’s Director Mr Howson having visited China in 2011 in conjunction with Tourism WA in an effort to promote the region and develop the Chinese tourism market. PIC has also previously won three state and one national tourism awards for its work within the Shoalwater Marine Park.

On 28 February 2012 the City received a letter from Mr Terry Howson and Mr Aaron Heath of PIC requesting early consideration of a renewal to its lease agreement of Shoalwater Visitors’ Centre. Due to the nature of the existing lease agreement and as it was due to expire in only six months, City officers were not prepared to terminate the lease when a new lease agreement could be approved and prepared prior to expiry.

In an email dated 21 March 2012, PIC stated its intention to enter into a new lease agreement with the City for Shoalwater Visitors’ Centre for 21 years as per its previous lease. City officers have advised that the lease should be for an initial term of 15 years which runs in line with DEC’s term of licence to run tours in the area. An option of extending for a further term of six years takes the entire term to the full 21 years as permissible by the Minister for Lands.

### Implications to Consider

a. **Consultation with the Community**
   In accordance with Local Government Act 1995, Section 3.58 (3), the City will provide public notice, seeking public comment on this matter for a period of 14 days.

b. **Consultation with Government Agencies**
   All leases on vested reserves will require consent from the Minister for Lands.

c. **Strategic**
   **Community Plan**
   This item addresses the Community’s Vision for the future and specifically the following Aspiration/s contained in the Community Plan 2011:-

   **Aspiration 7:** Community facilities and services that are well utilised, accessible and cost effective, and where appropriate, multi-functional.

d. **Policy**
   Nil

e. **Financial**
   Rental income is proposed to be at market valuation and will total $48,000 per annum excluding GST (this figure is based on a certified valuation carried out in June 2012). The lessee is responsible for all outgoing costs for the leased portion of the building (noting that the facility is shared between DEC and the City) inclusive of water rates, land rates, emergency services levy, rubbish removal, insurances, power, gas, telephone usage and maintenance as determined by the City.

   The lessee will be required to pay legal fees associated with preparation of lease documents.

   Rental income will be used to offset the building’s maintenance costs.

   Rental is proposed to be increased in line with CPI annually with market valuations occurring every five years.
Council should note that these matters have not been finalised.

f. **Legal and Statutory**

Local Government Act 1995, Section 3.58 (3) (a) requires the City to give public notice of any proposed lease, including the subject property and proposed tenancy and invite public submissions regarding the proposed lease/property.

Local Government Act 1995, Section 3.58 (3) (b) requires the City to consider public submissions (should any be received) to the proposed lease and that any subsequent decisions made by the City are recorded.

Commercial Tenancy (Retail Shops) Agreements Act 1985 provides legislation that the City will need to comply with relating to certain commercial/retail tenancies. This includes minimum length of tenure, renewal options and statutory provision of certain statements. Given this legislation, it may be appropriate to form two separate leases with PIC, one covering the kiosk environment and surrounds and the other for the visitors’ centre. This matter will need to be explored during the lease negotiation process.

**Comments**

It is noted that PIC offers significant value to Rockingham as a destination and promotes not only the Shoalwater Marine Park as a beautiful, natural location for tourists and locals to visit but also promotes the DEC’s Penguin Rehabilitation Centre situated on Penguin Island and provides environmental education regarding the marine park and its ecosystem. By attracting many international, interstate and out-of-town visitors to Rockingham, PIC is also boosting the City’s reputation as well as stimulating the local economy.

On 22 August 2012 correspondence was received by the City explaining PIC’s position and reasons why the City should grant it a 21-year lease. The letter is attached to this report.

As per Council’s August 2012 resolution, the Director Corporate Services and Coordinator Community Facilities met with PIC to discuss lease terms, particularly related to length. During these discussions officers offered a 10 to 15-year lease with options however PIC made it clear that it wanted no less than a 21-year lease and only once this had been refused would it be willing to discuss other options. It is officer opinion that PIC is willing to negotiate should Council refuse a 21-year lease.

It is officer opinion that a 21-year lease is too long and not in the best interests of the City. At this stage PIC has provided no clear investment plan into the facility and is unwilling to commit to this. Further, a 21-year lease exposes the City to greater risks associated with changing coastal conditions. It is believed that 15 years should provide surety of tenure to allow the operators of PIC to invest knowing that they have secure tenure for at least the next 15 years. It is believed that any PIC past investments should be able to be recouped during a 15-year time frame. It should also be noted that past investments made by PIC were done with full knowledge that its current lease arrangements ceased in August 2012.

PIC currently holds the only DEC licences to run tours within the Shoalwater Marine Park and ferry people to Penguin Island. The provision of a 15-year lease will provide certainty of tenure allowing them to plan for current and future activities and tour seasons and to further develop business plans and ideas. According to PIC, the DEC licences expire in 2015 and need to be renewed. It may be appropriate to link at least the Shoalwater Visitors’ Centre lease to holding of approved licences to run tour and ferry services.

Depending on the nature of the Council resolution, officers will continue the negotiation of lease arrangements to bring the matter to Council again for consideration and then public advertising. The City is required to give public notice of any proposed lease and invite public submissions in accordance with section 3.58 (3) of the Local Government Act 1995. Following the public notice period, a further report will advise Council of submissions received (if any) and the subsequent implications this has on the decision to enter into the proposed lease. It is intended that the lease be prepared and negotiated as a standard full commercial operations and no subsidies be provided by the City.
Community Development Committee Minutes
Monday 8 October 2012

Voting Requirements
Simple majority

Officer Recommendation

That Council:
1. SUPPORTS the forming of a lease/leases with Penguin Island Cruises Pty Ltd, PO Box 5321, Rockingham Beach, WA 6168 for a portion of Lot 24 Arcadia Drive (Reserve 22948) for a maximum of 15 years and a report be prepared for Council consideration at a later date confirming lease details.
2. SUPPORTS the notion of forming two separate leases- one for the kiosk area and a second for the visitors' centre.
3. REQUIRES any lease associated with the visitors' centre be conditional with holding and maintaining appropriate DEC licences to conduct ferry and tour activities associated with and around Penguin Island.

Committee Recommendation

As the Committee wished to consider the elements of the lease separately, the CEO suggested the recommendations be voted on individually.

That Council:
1. SUPPORT the forming of a lease/leases with Penguin Island Cruises Pty Ltd, PO Box 5321, Rockingham Beach, WA 6168 for a portion of Lot 24 Arcadia Drive (Reserve 22948) for a maximum of 15 years and a report be prepared for Council consideration at a later date confirming lease details.

   Committee Voting – 3/1

2. SUPPORT the notion of forming two separate leases- one for the kiosk area and a second for the visitors' centre.

   Committee Voting – 4/0

3. REQUIRE any lease associated with the visitors' centre be conditional with holding and maintaining appropriate DEC licences to conduct ferry and tour activities associated with and around Penguin Island.

   Committee Voting – 4/0

The Committee's Reason for Varying the Officer's Recommendation
Not applicable

Implications of the Changes to the Officer's Recommendation
Not applicable
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<thead>
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<tbody>
<tr>
<td>13.</td>
<td><strong>Reports of Councillors</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
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<tr>
<td>14.</td>
<td><strong>Addendum Agenda</strong></td>
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<td>Nil</td>
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<td>15.</td>
<td><strong>Motions of which Previous Notice has been Given</strong></td>
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<td>Nil</td>
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<td>16.</td>
<td><strong>Notices of Motion for Consideration at the Following Meeting</strong></td>
</tr>
<tr>
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<td>Nil</td>
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<td>17.</td>
<td><strong>Urgent Business Approved by the Person Presiding or by Decision of the Committee</strong></td>
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<td>Nil</td>
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<td>18.</td>
<td><strong>Matters Behind Closed Doors</strong></td>
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<td>Nil</td>
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<td>19.</td>
<td><strong>Date and Time of Next Meeting</strong></td>
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<td></td>
<td>The next Community Development Committee Meeting will be held on <strong>Monday 12 November 2012</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
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<td>20.</td>
<td><strong>Closure</strong></td>
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<td>There being no further business, the Chairperson thanked those persons present for attending the Community Development Committee meeting, and declared the meeting closed at <strong>5.14pm</strong>.</td>
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