

City of Kalamunda

Draft Service 9 - Lease and Licences

Community Engagement Summary 2023



Executive Summary

Draft Service 9 - Lease and Licences

The City of Kalamunda is committed to providing leased facilities to sporting clubs and community organisations to support their activities for the benefit of the community. The City is also committed to providing community spaces that are available as hire facilities to sporting and community organisations, groups and the broader community who can also hire casually for special events.

In December 2022, the City of Kalamunda commenced review of the current **Service 9 Community Group Leases Policy** (Phase 1: Review). As part of the internal review, the City consulted directly with 54 lease holders, progressing to IAP2 spectrum level 'involve' to work directly with stakeholders to ensure their perspectives are considered in the draft Policy. Factors such as usage, maintenance of facilities and operating costs by both the lease holders and the City were reviewed. The City also released a survey in Phase 1 which attracted 10 responses. The findings from this phase of consultation include:

- 50% run a canteen, bar or generate sales from their facility.
- 50% felt that their building is fit for purpose, while 50% did not.
- 70% of respondents would consider allowing their leased facility to be hired out by the City with appropriate levels of revenue generated.

Further detail from Phase 1 is contained in Appendix A.

The feedback obtained during the 2022 review shaped the development of the new **Draft Service 9 - Sporting & Community Group Leases Policy** (the Policy). This policy outlines the City's approach to providing leased facilities to sporting clubs and community groups within the City to support their activities for the benefit of the community.

At the 23 May 2023 Ordinary Council Meeting, Council resolved to release the draft Policy for public advertising. The draft policy was released for public comment on 23 July, with comments closing on 22 September 2023. Community engagement activities for Phase 2 progressed to the IAP2 spectrum level 'consult' to obtain public feedback on the draft Policy.

The engagement attracted 23 survey responses from club representatives and community members and two (2) written submissions. The sentiment toward the new policy was positive, with 48% of respondents rating the policy as 'Good', compared to 22% rating the draft Policy as 'Poor'. A key theme that emerged from the feedback, was the removal of the Peppercorn lease, which is proposed to be replaced with a nominal annual fee. Positive feedback showed that respondents appreciated the clarity of the new agreement and promotion of co-location of clubs to improve efficiency (seasonal leases).

Project timeline



Stakeholder Promotion

The City made direct contact with the following stakeholders to inform them about the draft Policy and invited them to submit feedback:

- Foothills Men's Shed
- Foothills Information and Referral Service
- Foothills Learning Centre
- Forrestfield United Soccer Club
- Forrestfield Football Club (Rhinos)
- Forrestfield & District Bowling Club
- Forrestfield Sporting Club
- Forrestfield Tennis Club
- Girl Guides Lesmurdie
- Hartfield Country Club
- High Wycombe Junior Football Club
- High Wycombe Amateur Football Club
- High Wycombe Cricket Club
- Hills BMX Club
- Kalamunda Archery Club (KGSA)
- Kalamunda Basket Ball and Netball Assoc.
- Kalamunda -Canning Rugby League Club
- Kalamunda Club
- Kalamunda Cricket Club
- Kalamunda District Toy Library
- Kalamunda Districts Arts & Craft Wagon
- Kalamunda & District Rugby Union Club
- Kalamunda & District Football Club
- Kalamunda & District Historical Society
- Kalamunda & District Hockey Club
- Kalamunda Dramatic Society
- Kalamunda Junior Football Club
- Kalamunda Lapidary Club
- Kalamunda Men's Shed
- Kalamunda Out of School Centre
- Kalamunda Pistol Club
- Kalamunda Rangers Baseball
- Kalamunda Small Bore Rifle Club
- Kalamunda United Soccer
- Kalamunda Tennis Club
- Kalamunda Youth Swing Band
- Lesmurdie Mazenod Cricket Club
- Lesmurdie Tennis Club
- Maida Vale Tennis Club
- Pickering Brook Heritage Group
- Pickering Brook Sports Club
- Rangeview Tennis Club
- Rise Network Inc (Jack Healy)
- Scouts Carmel Reserve
- Schools of Kalamunda Area Motor Program (SKAMP)
- The Womens Powder Room
- Veteran Car Club
- Walliston Riding & Pony Club
- Woodlupine Family Centre

Stakeholder Response

The City received 23 responses to the survey on the draft policy, and two (2) public submissions. The sporting groups and community organisations that responded were:

- Forrestfield Flyers Teeball Club
- Forrestfield United Football Club
- Girls Guides WA
- Hartfield Country Club
- High Wycombe Cricket Club
- Kalamunda Community Radio
- Kalamunda Governor Stirling Archers Archery Club
- Kalamunda Pistol Club
- Kalamunda Tennis Club
- Lesmurdie Tennis Club
- Pickering Brook Sports Club
- Rise
- Woodlupine Family Centre

194

Aware visitors

114

Informed visitors

23

Surveys received

2

Direct submissions

The breakdown of the lease types of the respondents are below:

Lease type

58%

Lease

25%

Seasonal

16%

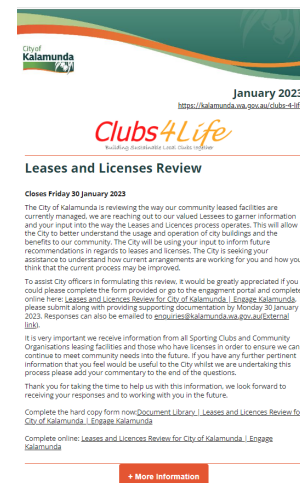
Hire



Communications

Communication activities were targeted towards existing lease and licence holders (including full lease, seasonal and hire categories) in the City of Kalamunda. This included:

- **EDM:** (electronic direct mail): to sporting clubs and organisations via the Clubs4Life e-newsletter (30 club representatives) sent in January, July and August 2023.
- **Direct email:** to 55 lease holders (including community groups and organisations) in July 2023.
- **E-News:** Promotion in the City's September 2023 e-newsletter (approximately 1,957 subscribers).
- **Engage portal:** Project page on engage.kalamunda portal received 240 visits and 23 survey submissions.



Engagement Outcome

Reviewing the community engagement uptake, the following should be noted:

- Engagement was open for two (2) months.
- Promotion was weighted towards direct interface with lease holders, as they would primarily be impacted by the Policy.
- Feedback was also captured via the City's club liaison and lease and licences team, as they have ongoing contact with the lease holders as part of their annual lease renewal.

While the uptake in Phase 2 was significantly lower in Phase 1, it should be noted that as engagement projects move through to the later stages, uptake trends downwards as participants feel they have already provided their feedback.

Sentiment

The engagement attracted **23 survey responses** from club representatives and community members and two (2) written submissions. The sentiment toward the new policy was positive, with 48% of respondents rating the policy as **'Good'**, compared to 22% rating the draft Policy as **'Poor'**.

'Good' key themes

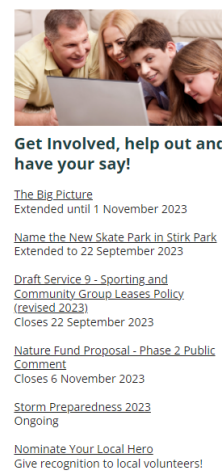
- Clarity on user access and maintenance
- Encourages co-location

'Poor' key themes

- Removal of Peppercorn lease fee
- Short lease term

"\$1000 is excessive. It needs to take into account the size of the group and if the majority of typical attendees are rate payers".

"Articulates the policy clearly and promotes the multi-use of facilities".



Engagement Portal | Overview

Survey | Draft Service 9 - Sporting & Community Group Leases Policy

The Survey received 23 responses

Engage Traffic

240	Total visits
47	Maximum visits per day
114	Informed Visitors
194	Aware Visitors
31	Participants downloaded a copy of the FAQs

Profile

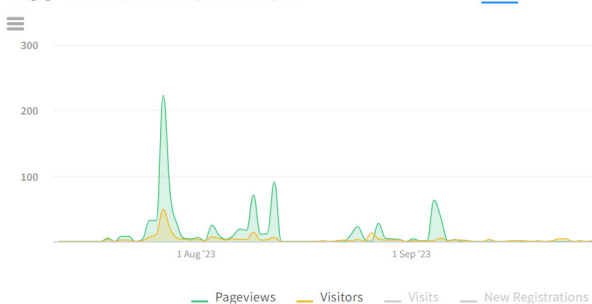
91%	Resident or Ratepayer
8%	Other

This survey was a mix of rating (likert scale) and open-ended questions.

Visitors Summary

Engage Kalamunda from 11 Sep'17 to 26 Sep'23

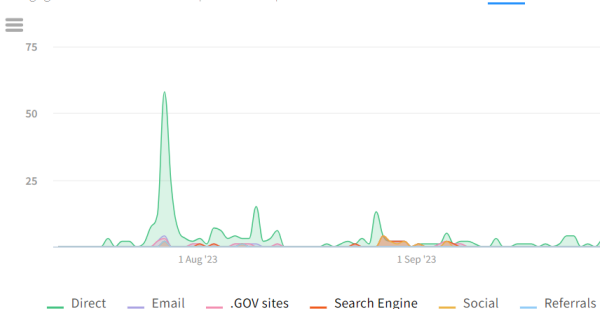
[DAILY](#) [MONTHLY](#)



Visits by Channel

Engage Kalamunda from 11 Sep'17 to 26 Sep'23

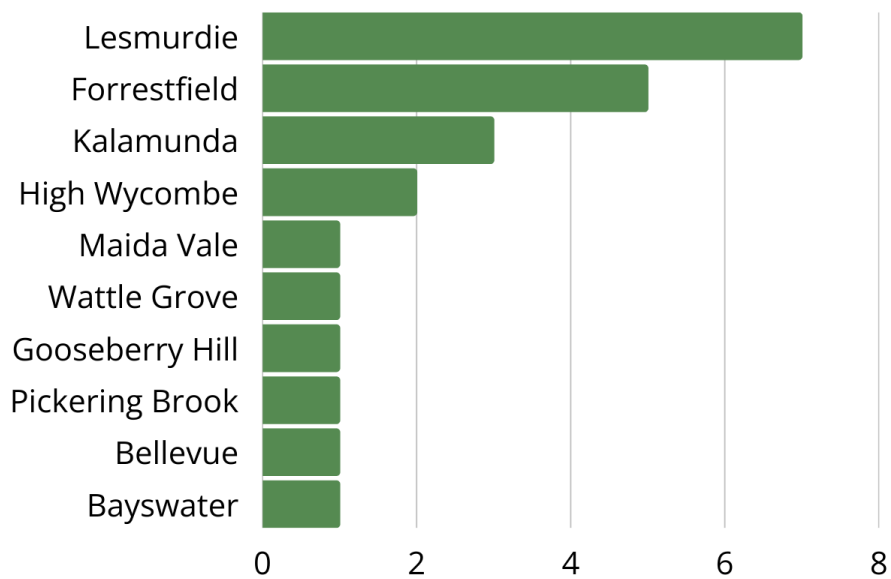
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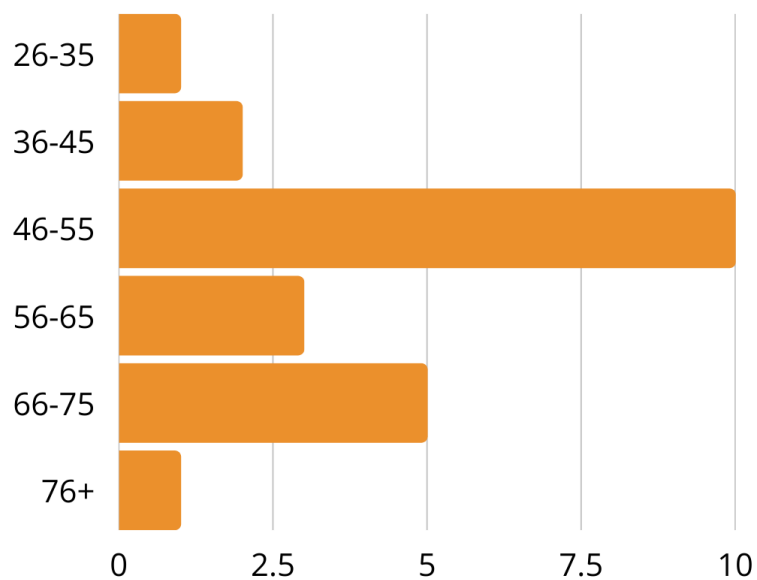
"Articulates the policy clearly and promotes the multi-use of facilities".

Engage (Survey) | Demographics

Suburb of respondents

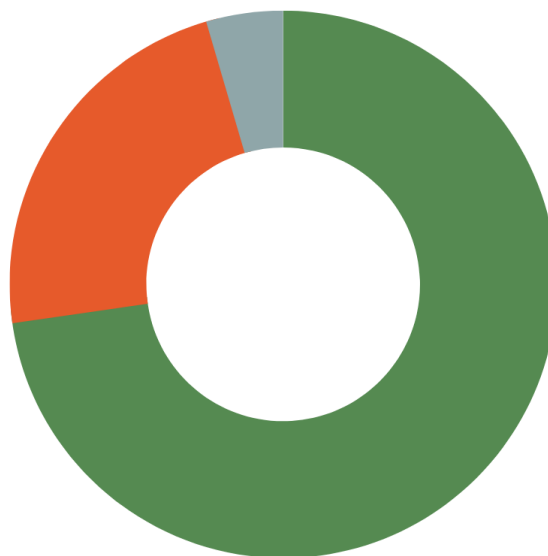
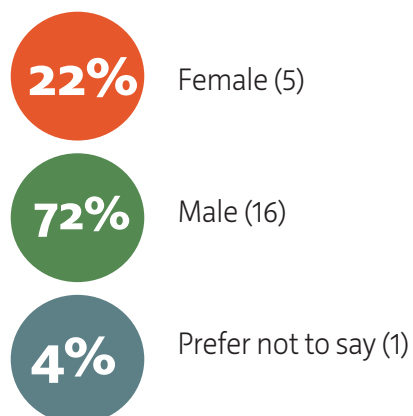


Age of respondents

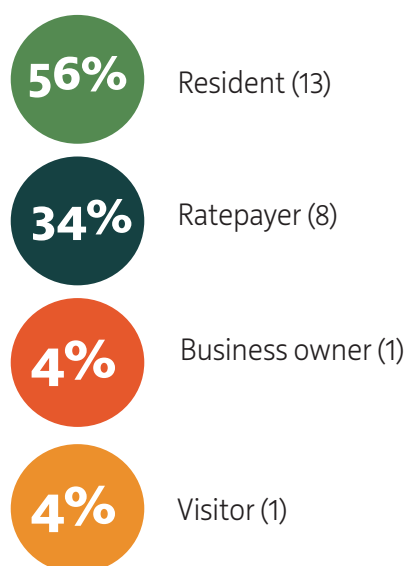


Engage (Survey) | Demographics

Gender of respondents



I am a:

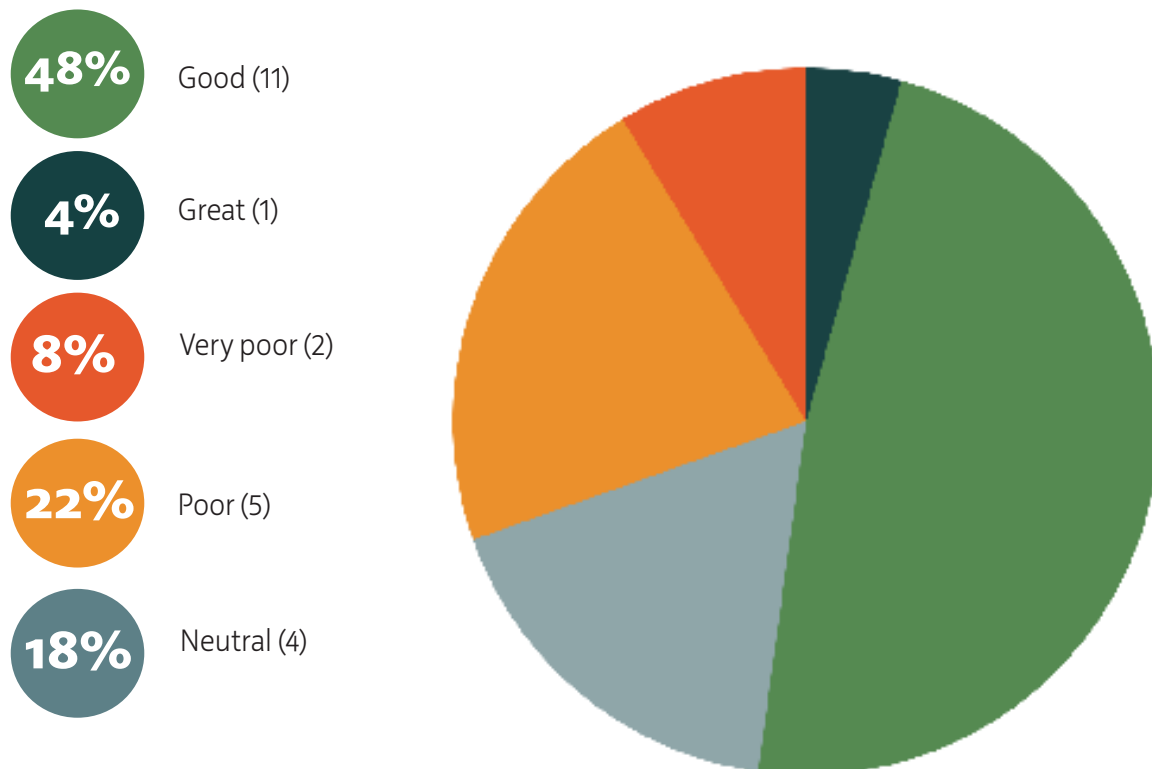


Engage (Survey) | Responses

Have you read the draft Service 9 - Sporting and Community Group Leases (revised 2023) Policy?



How do you rate the policy?



Engage (Survey) | Responses

Comments related to 'Good' or 'Great' ratings

"FUFC does this anyway. The Policy provides user groups with certainty regarding access to facilities. It also provides user groups with an incentive to maintain the City's assets in good condition.

The Policy is predicated on the basis that User Groups will be responsible for the day-to-day costs associated with the buildings and any minor maintenance with each parties' obligations identified in the Lease Agreement".

"Should mean that community benefit". [sic]

"Its [sic] consistent with previous documents and in line with what the community and the associations would want".

"It was short, and easy to understand".

"Proposed conditions are clearly laid out".

"Articulates the policy clearly and promotes the multi-use of facilities".

"A variety of different leasing opportunities seem to be available for discussion with COK. Whilst co-location is a preferred model, there does appear to be a recognition that in some circumstances there will be flexibility in this regard. This is quite different to the perceived necessity of co-location arrangements which appeared to be being presented as an ultimatum to sporting clubs in recent times. Flexibility and the opportunity for negotiation is the key".

Engage (Survey) | Responses

Comments related to 'Poor' or 'Very poor' ratings

"Removal of the peppercorn lease of \$1 to be replaced by a \$1000 lease is extremely unfair on the smaller clubs and associations. I'm sure the soccer clubs won't notice but the others really will.

if you are getting rid of the peppercorn leases maybe means test it. Under 100 members maybe. Many clubs can't afford to go from a \$1 lease to a \$1000 lease without passing it on to their members who then won't join as the fees have increased".

"\$1000 is excessive. It needs to take into account the size of the group and if the majority of typical attendees are rate payers".

"The suggested lease fee will make it difficult, if not impossible, for smaller organisations to survive".

"\$1000 fee for a lease is very high for many small clubs, particularly if the lease is not for 12 months. Perhaps a pro rate system should be adopted".

"I am part of the two clubs within the city. Both Clubs provides an important social connection. Both these clubs are non profit and run by volunteers.

It is almost impossible of the Clubs being able to hire out it's facilities to raise additional funds if lease fees and maintenance costs increased".

Engage (Survey) | Responses

How do you rate the draft Policy and Why?

Comments | Note: Text has been included without edits as provided by respondents.

- 1 **Good.** Should mean that community benefit [sic].
- 2 **Great.** Proposed conditions are clearly laid out.
- 3 **Good.** FUFC does this anyway. The Policy provides user groups with certainty regarding access to facilities. It also provides user groups with an incentive to maintain the City's assets in good condition. The Policy is predicated on the basis that User Groups will be responsible for the day-to-day costs associated with the buildings and any minor maintenance with each parties' obligations identified in the Lease Agreement.
- 4 **Great.** Its consistent with previous documents and in line with what the community and the associations would want. See point 5 for only issue i see in the policy.
- 5 **Neutral.** Council does not identify the costs pressures to replace infrastructure expense by not for profit clubs such as ours when as per our lease these remain the asset of the council. Replacement of ovens, fridges, dish washes necessary to service our members and community people using the facility for weddings etc.
- 6 **Neutral.** It follows the direction which we currently work with the City.
- 7 **Poor.** The suggested lease fee will make it difficult, if not impossible, for smaller organisations to survive.
- 8 **Good.** It was short, and easy to understand.
- 9 **Very poor.** \$1000 is excessive. It needs to take into account the size of the group, and if the majority of typical attendees are rate payers.
- 10 **Poor.** Removal of the peppercorn lease of \$1 to be replace by a \$1000 lease is extremely unfair on the smaller clubs and associations. I'm sure the soccer clubs won't notice but the other really will.

if you are are getting rid of the peppercorn leases maybe means test it. Under 100 members maybe. Many clubs can't afford to go from a \$1 lease to \$1000 lease without passing it on to their members who then won't join as the fees have increased. Is that the plan to have fewer small clubs and just a few big rich ones so that the council can sell the land for development?

Also I get the policy of clubs sharing facilities in and out of season. Maybe you need to look at which clubs could utilise a facility all year round on their own if it were improved. That would help them grow their membership by doing so, reduce travel out of the City of Kalamunda for their members to participate in their sport, allow them to increase their revenue stream by hosting home games rather than renting grounds in other Cities and match day revenue going there instead. Those clubs and associations could then afford a 1000% increase on their lease. Also maybe look at the clubs which have exclusive access all year and dont use it.
- 11 **Neutral.** The increase in rent from the current peppercorn rate to \$1000 PA together with the building maintenance changes may jeopardise the ability of marginalised groups to access the Club. Our Club currently runs in a cash flow neutral position. Any significant increase in costs to the Club will have to be reflected in Membership fees. At least 50% of our members are older adults on some form of fixed income. Increased fees may impact on their ability to continue membership to the club. Club membership provides an important social and community connection for older adults in particular, thus being protective of physical and mental health.
- 12 **Good.** There is a marked increase in the annual lease fee, from \$1 to \$1000. I think its more than inflation.

Engage (Survey) | Responses

How do you rate the draft Policy and Why?

Comments | Note: Text has been included without edits as provided by respondents.

- | | |
|----|---|
| 13 | [No entry] |
| 14 | <p>Very poor. I am part of the two clubs within the city. Both Clubs provides an important social connection. Both these clubs are non profit and run by volunteers.</p> <p>It is almost impossible of the Clubs being able to hire out it's facilities to raise additional funds if lease fees and maintenance costs increased</p> <p>The possibility that increased fees for membership may result in myself and other members being unable to afford to continue membership.</p> <p>The significant proportion of Members who are on fixed incomes such as the aged pension, or Centrelink thus making increased costs a particular onerous impost.</p> <p>These clubs provide something's only social interaction for the week.</p> |
| 15 | <p>Good. No definition of minor maintenance. Very open ended, no value set, no boundaries. This could be detrimental to a club with no money, something that could cost a zero profit club could cause major financial costs, yet could be classed as minor by the council. I am a member of a club where most members are retired, which would be a lot of the smaller clubs.</p> |
| 16 | <p>Poor. Service 9 - Sporting and Community Group Leases (revised 2023) Policy seems advantageously vague in its wording to the City of Kalamunda.</p> |
| 17 | <p>Good. A variety of different leasing opportunities seem to be available for discussion with COK. Whilst co-location is a preferred model, there does appear to be a recognition that in some circumstances there will be flexibility in this regard. This is quite different to the perceived necessity of co-location arrangements which appeared to be being presented as an ultimatum to sporting clubs in recent times. Flexibility and the opportunity for negotiation is the key.</p> |
| 18 | <p>Poor. The draft proposes increasing the cost of leases for Community Groups one-thousand-fold from \$1 peppercorn to \$1,000 per year. This will no doubt cause many such Groups to fold or will seriously curtail their activities. As such, this is completely contrary to the City's "Advancing Community Strategic Community Plan to 2031" set out in Para 2 of the Draft. All the activities described there are laudable aims. Placing a monetary constraint on organisation striving to meet those aims is highly regrettable.</p> <p>According to their listing on Spacetoco, the City has about 15 buildings available for community use plus the Kalamunda Learning Centre, KADS Theatre and the Agricultural Hall complex. These are mainly used by residents/ ratepayers of the City. According to the FAQs only \$369,000 is spent annually maintaining these as is evidenced by the poor condition of many of the buildings. It now appears that the City wishes to recoup this cost from local Community Groups with no evidence of a reduction in contributions from ratepayers. In addition, Groups are to continue to carry out minor maintenance at their own expense.</p> <p>Para 7 lists the "Measures of Success" against Community Groups managing their maintenance responsibilities in a satisfactory fashion. There will be no assessment of the Council meeting its responsibilities in this area. Under these proposals it is unlikely that Sporting and Community Organisations will be able to grow their members or that there will be enhanced building utilisation. It is notable that "Success" is not to be measured against City of Kalamunda residents/ratepayers increased enjoyment of the facilities provided, or City staff involvement with Community Groups.</p> |
| 19 | [No entry] |

Engage (Survey) | Responses

How do you rate the draft Policy and Why?

Comments | Note: Text has been included without edits as provided by respondents.

- 19 **Good.** We are not sure about the replacement clause as to whether our club (Kalamunda Archery Club Inc) would be responsible for the replacement of the clubhouse building under the new policy... ???
We do agree with a notional annual fee being charged for the lease.
Disappointing that the proposed policy limits the lease tenure to 10 years .. we were hoping for more.
- 20 **Neutral.** It is an update and refresh to a policy which needed amending to reflect the changes in the community.
- 21 **Good.** Whilst the draft document outlines the aims of the leasing policy, it lacks enough detail for me to determine if it benefits or disadvantages our Centre or our members.
- 22 **Good.** Articulates the policy clearly and promotes the multi-use of facilities.
- 23 **Poor.** \$1000 fee for a lease is very high for many small clubs, particularly if the lease is not for 12 months. Perhaps a pro rate system should be adopted.

Engage (Survey) | Responses

Tell us what you like about the draft Policy.

Comments | Note: Text has been included without edits as provided by respondents.

1	Easy to understand
2	It is clear and concise and uses everyday language that all sports and community groups would understand.
3	<p>'I like the part that recognizes long-term tenants and clubs which operate annually will have exclusivity. As in FUFC, we are long-term tenants, we operate all year round.</p> <p>I like this statement. - The City is committed to providing long-term leased facilities to community groups within the City to support their activities for the benefit of the community - User Groups enjoy quiet enjoyment and may have exclusive occupancy of the leased area.</p> <p>I like - Objective 1.2 - To provide a safe and healthy environment for community to enjoy. Strategy - 1.2.3 - Provide high quality and accessible recreational and social spaces and facilities.</p>
4	I like how relatively simple it is and that it reaffirms the shires willingness to support and work with organisations for the benefit of the community which at the end of the day is what it is all about.
5	That it is planned to MAKE IT ALL INCLUSIVE.
6	Nothing specific
7	Not much
8	[No entry]
9	That there is one.
10	Was presented nicely.
11	NA
12	Most of the document is self-explanatory and the City has generally been good about providing support or assistance in completing any necessary governance documentation.
13	I appreciate the measures the city are taking to make more use of facilities as a mutli use/dual season facilities
14	Nothing. Kalamunda city needs to provide these services to the community as notional cost
15	Simple to read and understand, not a drawn out document
16	Not much.
17	<p>Possibility of long term leases. (not more than 10 years)</p> <p>The understanding of some sports facilities being for exclusive use, would suggest that the COK recognises the need for some sports have specific needs in terms of infrastructure and the sole occupancy will be considered.</p>
18	It is good that there will be Community Consultation provided this is widely advertised and that the City does not ignore valid requests from such Groups.
19	Contribution by clubs with a lease by payment of a notional amount per annum.
20	N/A
21	[No entry]
22	Has clear outcomes and intentions for both users and the City
23	The fact that you consult the community is a positive.

Engage (Survey) | Responses

Is there anything in the draft Policy you would change?

Comments | Note: Text has been included without edits as provided by respondents.

1	Not sure about the flat \$1000 rate may be beyond some organisations may need to allow some flexibility
2	No
3	[No entry]
4	in section 4 - the detail in reference to the \$1000 or as agreed. In old document it was stated as a \$1 peppercorn I think the dollar amount should not be stated. It should depend on each individual circumstance. I think as a policy document it should reference something like - the shire will assess each lease and the fees on an individual basis but with a principle of keeping these to the lowest amount possible. This allows for groups that perhaps do the right thing to be rewarded with lower lease payments but protect the shire more with other groups that perhaps needs higher lease amounts to protect the shire and enable them to do more inspections and follow up on the premises where required and recoup some of those costs.
5	Set times for Council officers to do inspections of facilities.
6	If i read it correctly there could be an annual fee of \$1000 payable by the club . This is not acceptable...
7	The proposed lease fee
8	[No entry]
9	Yes, cost capped at no more than \$10 per annum per average attendee, max of \$1000.
10	As in Q3 - Dont abandon the peppercorn lease. Means test it if you have to but give the smaller (less than 100 mmebers?) clubs a fair go.
11	As intimated in point 3.
12	Not sure how the annual lease fee increase would be enacted? Immediately? After the current lease period? Consider a stepped approach so that sporting organisations and steadily increase membership fees to cover costs and not have to absort a steep increase in one step.
13	N/A
14	Leave fees as is. Kalamunda city to still pay for maintenance of their properties. These costs can not be absorbed by vol clubs that are Non profit
15	Clear definitions of minor costs. Maybe there could be a way to adjust the lease fee based on the clubs in going and out going books?
16	Singling out tennis courts, bowling greens and netball courts seems excessively unfair to those particular sports.
17	I feel that the redevelopment clause needs more specific explanation. Does this refer to buildings only or is this also to apply to the redevelopment of sporting fields to cater for specific sporting infrastructure (eg artificial surfaces)
18	There needs to be much improved lines of communication between Community Groups and City of Kalamunda staff. The present system seems to be designed to reduce such contact as far as possible and to introduce obstacles to development by Community Groups. There is far too much ultra-strict interpretation of legislation against Community Groups whilst far too lax implementation of legislation by the City itself. Trivial non-consequential changes to buildings by Community Groups require excessive and repetitive paperwork all of which has to be signed off by numerous City staff whilst serious safety issues in City buildings are ignored. It appears that the City has its responsibilities upside down.
19	We are not sure about the replacement clause as to whether our club (Kalamunda Archery Club) would be responsible for the replacement of the clubhouse building under the new policy...

Engage (Survey) | Responses

Is there anything in the draft Policy you would change?

Comments | Note: Text has been included without edits as provided by respondents.

- | | |
|----|---|
| 20 | N/A |
| 21 | Consultation with the groups and organisations the policy will effect should have been by invitation, to ensure that true community consultation occurred. |
| 22 | Maintenance responsibilities needs some clarification, however this is a policy so hopefully this can be included in lease documents |
| 23 | <p>It was fairly generic. Doesn't really prescribe if clubs will be on seasonal leases and what that might look like?</p> <p>For a seasonal lease to work for a club like the Kalamunda Bulldogs Rugby League Club, the Shire would need to acknowledge an 8 month football season.</p> <p>This lack of detail makes it difficult to really offer a firm opinion.</p> |

Engage (Survey) | Responses

Do you have any additional comments that are important to finalising the draft Policy?

Comments | Note: Text has been included without edits as provided by respondents.

- | | |
|----|---|
| 1 | [No entry] |
| 2 | No |
| 3 | <p>I think the policy is trying to ensure users and assist the Cof K to treat and respect the facility and maintain its appeal to the community, safety, and maintenance so community groups prosper.</p> <p>FUFC has always treated our facility like a home. We have done multiple repaints and monthly maintenance tasks, and we are always looking to enhance the aesthetics and improve the facilities to meet modern needs.</p> |
| 4 | <p>Just that the lease and the conditions in the lease need to be negotiated and determined in good faith between the parties taking into account the unique circumstances of each situation. There have been issues in the past where the staff / lawyers in the lease areas do not take the overriding principle of the benefit to the community and take very hard line approach as if the lease is being negotiated with pure commercial tenant and not a volunteer group providing services and amenity to the community.</p> <p>This allows for groups that perhaps do the right thing to be rewarded with lower lease payments but protect the shire more with other groups that perhaps needs higher lease amounts to protect the shire and enable them to do more inspections and follow up on the premises where required and recoup some of those costs.</p> |
| 5 | pleasing to see council active in assisting not for profit organizations actively providing services for the rate payers old and young to enjoy. |
| 6 | No |
| 7 | [No entry] |
| 8 | [No entry] |
| 9 | No. |
| 10 | Maybe i didnt look hard enough but the "CEO instruction of this policy" was mentioned a few times but no mention as to where to find it. |
| 11 | NA |
| 12 | Any changes policy should state the time frame for the change, how it may affect existing leases. |
| 13 | N/A |
| 14 | None |
| 15 | no |
| 16 | I can see what this policy is seeking to accomplish, however not everyone in the City of Kalamunda enjoys activities which fall under the Cities narrow definition of " multipurpose usage". What this policy appears to be attempting to achieve is the improvement of some more popular activities at the expensive of those less popular. What it fails to take into account is that, as a rate payer, those less popular activities might not be less important to support. |
| 17 | Are there any specific guidelines being developed for the process to be followed when negotiating a shared lease for the purposes of co-location, specifically when determining 'seasonal' usage? For many sporting codes, this is a redundant term, given that many sports now operate on an all-year basis. The notion of there being winter and summer sports is beginning to change and should be reflected in future policy documents to protect the rights of sports which DO operate on a 12 month basis. |

Engage (Survey) | Responses

Do you have any additional comments that are important to finalising the draft Policy?

Comments | Note: Text has been included without edits as provided by respondents.

- 18 [Kalamunda Community Radio (Inc.) (KCR) was set up in the 1990s with strong support from the then Shire of Kalamunda driven by the Deputy President and other members of the Shire Council. Over the ensuing years this enthusiasm has waned to the extent that there is now only a one-way dialogue between the Station and the City. The City makes no use whatsoever of a valuable facility to promote the City's activities widely and for free, instead placing costly advertisements in local newspapers with little circulation.
- Recently, however, the City has greatly assisted KCR with Landgate to secure title to the block of land behind the Council Offices at 2 Railway Road, Kalamunda where our transmission tower and transmitter equipment are located. This will facilitate our dealings with the Australian Communications and Media Authority (ACMA) and with the ABC, both of whom are unwilling to make the necessary decisions that will enable KCR to obtain grant funding for much-improved reception in those parts of the City (such as Lesmurdie) in the shadow of the escarpment. This will be a costly exercise of the order of \$70,000, so any extra demands on our income could jeopardise this.
- KCR is investing around \$75,000 funded by grants, past equipment and volunteer effort creating state-of-the-art studios at the Gooseberry Hill Hall which will vastly improve the On Air presentation with greater listener satisfaction, and also includes some improvements to the building itself.
- By occupying the building 18 hours a day, 365 days of the year, KCR's presence acts as a deterrence to vandalism and theft from an isolated building.
- KCR relies upon Sponsorship fees to continue operating. Annually this costs almost \$9,000, much of which comprises the ACMA licence fees for the spectrum (102.5 FM) KCR uses, the use of a transmitter, fees for Copyright costs to APRA AMCOS (Australasian Performing Right Association and Australasian Mechanical Copyright Owners Society) and PPCA (Phonographic Performance Co of Aust Ltd), also fees for membership of the CBAA (Community Broadcasting Association of Australia), maintenance of equipment and building, volunteer and equipment Insurance, plus the usual IT costs involved for phones and getting the station audio to the transmitter, etc.
- In the past when Sponsorship sources ceased to keep KCR functioning an Announcer Access fee was levied upon every Presenter and those funds sustained KCR for many years until recently, with a change of management at KCR, major efforts went into securing new Sponsors. Even in these difficult financial times KCR has begun to build a Sponsorship base. It is hoped that the Access Fees can then be dispensed with as no other WA Community Radio Station has that levy, and which is an impediment to securing quality Presenters.
- There is nothing in the proposed draft document to indicate that there will be much change, or that the City will take positive and continuing action that will help Community Groups and benefit Kalamunda ratepayers/residents.
- Another point that the City has possibly never considered is that their proposed increase in rentals for all Community groups using City buildings may force many to close down as they have minimal revenues from the small fee base that they charge participants. These are primarily the parents of the children using the facilities provided. The result of those closures is that businesses nearby the various facilities that the groups use will have a drop off in customers as frequently the Mums and Dads who take the children often go off shopping whilst they wait for the children to finish their activities. Then with children bored or not occupied one could reasonably expect to see an increase in anti-social behaviour within the City. The current minimal rent charged has a very beneficial impact in keeping children stimulated and not bored or idle.
- 19 [No entry]

Engage (Survey) | Responses

Do you have any additional comments that are important to finalising the draft Policy?

Comments | Note: Text has been included without edits as provided by respondents.

- | | |
|----|---|
| 20 | <p>1. It would be useful to understand how the City of Kalamunda sees this new clause 'The leases shall also include a redevelopment clause such that the City can undertake redevelopments without unacceptable constraints being sought by the Tenant' working in practice. For example if the CoK decided to undertake re-developments mid-season would there be a presumption that reasonable notice of redevelopments would be given?</p> <p>2. If the City of Kalamunda is going to refer to needing to "address the criteria outlined within the CEO instruction of this Policy", that the aforementioned policy is accessible and circulated with the draft document to ensure clubs can address the criteria required.</p> <p>3. How this new clause 'Sports infrastructure that is exclusive use with limited public usage, and integral to their operations such as tennis courts, bowling greens and netball courts, may form part of the Sporting Clubs leased area. Under these circumstances the Sporting Clubs shall be responsible for the renewal of their sports specific infrastructure.' works if the specific area falls under the Sporting Clubs "leased area" but then Sporting Clubs are responsible for paying for/renewing their sports specific infrastructure?</p> <p>4. How the new Measure of Success - 'Number of Sporting and Community Organisations with membership growth' works in practice? Does the CoK require sporting organisations membership numbers to continually increase?</p> |
| 21 | <p>It is important to recognize that some groups are maintaining buildings to a much higher standard than others and this should be considered when introducing lease agreements. Our organization maintains our buildings and grounds to a very high standard and at our own cost. The \$1000 lease fee should be removed or reduced to reflect this.</p> |
| 22 | <p>No</p> |
| 23 | <p>Please provide more detail on how this will effect small clubs. Also detail on what criteria determine if a club would be granted a permanent or long term lease.</p> |

Community Submissions

Submission 1 | Note: Text has been included without edits as provided by respondents.

From: <content removed>

Date: <content removed>

Subject: Sporting and Community Lease Policy

I write as a long term resident of Kalamunda and a long term member of the Kalamunda Pistol club. I wish to recommend a withdrawal of the proposed lease hikes

The pistol club used to use a range in Pickering Brook. That range is now a rifle club. The pistol shooters wanted a facility closer to the centre of Kalamunda, and the then Shire council offered the use of their old rubbish tip. This is where the club resides now. The site was considered contaminated at the time as years of car body, asbestos etc dumping made the land unusable for most uses. The membership tidied up the site, spending many hours and many more dollars to make the area suitable. A peppercorn lease fee of \$1 per year was introduced to help the club remain in Kalamunda. Over the years the pistol club cleared scrub and built the ranges, facilities and other buildings needed for the club's use. That work continues to this day..

With a membership of around 80 the club provides many senior citizens with a place to meet and socialise. In many cases these events provide the only social activity some members enjoy. It has to be more beneficial for many than sitting around a bar table. Small bore pistol shooting is an international sport where hand to eye coordination is required. This also helps maintain mental health and awareness.

Domestic developments along Lawnbrook Road have invited adverse comments about noise when the ranges are in use. The club has no desire to antagonise its neighbours and over recent months a significant amount of fill material has been imported and placed by the club, at no cost to ratepayers, as a move to reduce to almost zero the level of noise generated by the club and impacting on neighbours. Indeed the transfer station now impacts the neighbours more than the gun club.

Most building and maintenance activities are performed by club members at virtually no cost to the City. We see this remaining our preferred policy. The main adverse effect the proposed lease changes will have on a small organisation such as the Pistol Club will come from the lift in leasing fees. To increase the fees from \$1 per year to \$1000 per year will threaten the viability of the club and may even force its closure. If club fees rise too much as a result of the lease fee rise many members, particularly those on fixed or no income, are likely to leave. This will of course have the result that even more will find retaining membership unjustifiable. exacerbating the already damaged club base.

I urge the City of Kalamunda to reconsider the proposed lease arrangements.

<content removed>

Submission 2 | Note: Text has been included without edits as provided by respondents.

From: <content removed>

Date: <content removed>

Subject: Draft Service 9 submission

I am writing to have my say on some issues I have on the Draft Lease policy.

I am a local resident, Tennis Club President, as well as a user of a large number of City facilities and member of multiple sporting clubs.

According to your FAQ, feedback was sought from clubs to improve the Leases policy. In that feedback, I highlighted some of the limitations that a maximum 10 year lease has on clubs. According to the draft, "Sports infrastructure that is exclusive use with limited public usage, such as Tennis courts, bowling greens and Netball courts.... Shall be responsible for renewal of sport specific infrastructure". In the case of Tennis courts, the playing surface has a recommended lifespan of 8-10 years. Our current court renewal plan, has the half life of the surface when the lease is due for renewal.

So does the club spend \$40-\$50,000 when there is no certainty that the lease will be renewed in 5 years time?

Range View Park Tennis club organised purchase and installation of an online booking and automatic gate system to allow court access to the community 14 hours a day, 7 days a week, 365 days a year, at a cost of \$20 000. Is this considered "Limited public usage"?

If a club uses its facility 12 months of the year, it is deemed to be an exclusive user. If a club has a 6 month season and another has a 6 month season, ie Cricket and Football, they are deemed to have shared facilities, even though there is only one user at a time. The 2x 6 month facility is not used any more than the 12 month facility, so the definition of shared facilities is a flawed theory.

If a club has a turf cricket pitch that is fenced off, does the cricket club have to pay all costs for that? I was under the impression that the City pays the cricket club to maintain it.

Does Sport specific infrastructure include lighting and fences?

In the case of Netball, KDNA struggle to fit all training and games on their courts, so there is no way they can ever be multi user on the outdoor courts, because basketball is no longer played outdoors.

How many clubs provided "direct feedback" that suggested a fee of \$1000 should be put in place?

Where will the lease fee money be spent?

How was the fee of \$1000 arrived at?

It doesn't seem fair that all clubs pay the same fee. Should a club with 1000 members, pay the same as a club with 80 members?

Should a club that has its playing surface mowed, fertilised, vertimowed, cored and reticulated by the City, pay the same as a club where the City pays \$0 for maintenance of the playing surface?

Should a club with a Clubhouse that accommodates 300 people, full kitchen and bar facilities, pay the same as a club with a clubhouse that fits 10 people?

[CONTINUED ON NEXT PAGE]



Submission 2 | Note: Text has been included without edits as provided by respondents.

[CONTINUED]

The City currently has a grant program that clubs can access to receive up to \$1000/year for equipment and training purposes. It takes about 6 hours for clubs to gather quotes, fill out the application and complete the acquittal process, to access these funds. It also takes officer time to promote, advise and assess applications. Is there any point in having this costly program if you are going to then charge the clubs a \$1000 lease fee per year?

All clubs have different facilities and different needs. Having one lease agreement is grossly inadequate and quite unfair. I think this needs to be seriously thought through before being endorsed.

Thanks for the opportunity to comment. Can I please be informed when this is going to council, as I would like to give a deputation on the issue?

<content removed>

APPENDIX A.

Phase 1: Review of City lease and licences

Stakeholder Response

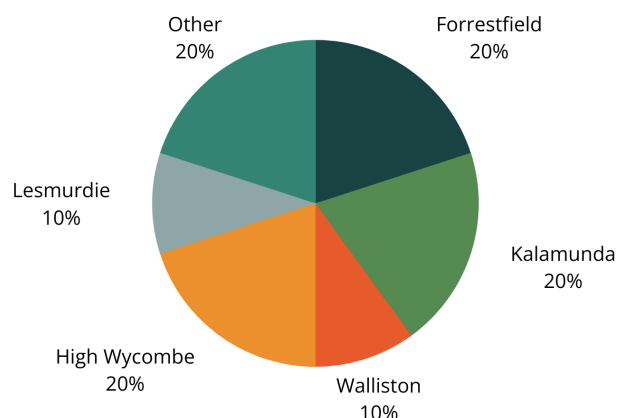
In December 2022, the City of Kalamunda commenced review of the current **Service 9 Community Group Leases Policy** (Phase 1: Review). As part of the internal review, the City consulted directly with 54 lease holders, progressing to IAP2 spectrum level 'involve' to work directly with stakeholders to ensure their perspectives are considered in the draft Policy. Factors such as usage, maintenance of facilities and operating costs by both the lease holders and the City were reviewed.

The City also released a survey in Phase 1 which attracted 10 responses. The findings from this phase of consultation include:

- 50% run a canteen, bar or generate sales from their facility.
- 50% felt that their building is fit for purpose, while 50% did not.
- 70% of respondents would consider allowing their leased facility to be hired out by the City with appropriate levels of revenue generated.

The sporting groups and community organisations that responded to the survey were:

- Child & Adolescent Health Service
- Forrestfield Football Club
- Forrestfield United Football Club (FUC)
- Kalamunda Archery Club Inc (KGSA)
- Kalamunda Districts Toy Library
- Kalamunda & Districts Arts & Crafts Group
- Kalamunda & Districts Basketball Association
- Kalamunda Rangers Incorporated
- Kalamunda Smallbore Rifle Club Incorporated
- Range View Park Tennis Club



Engage survey responses

Note: Text has been included without edits as provided by respondents. Questions containing personal details such as names have been omitted from this summary.

Name of Club

#	Response
1	Kalamunda Rangers Incorporated
2	Kalamunda smallbore rifle club inc
3	Child & Adolescent Health Service
4	Forrestfield Football Club
5	Range View Park Tennis Club
6	Kalamunda Archery Club Inc. (KGSA)
7	Forrestfield United FC
8	Kalamunda Districts Toy Library
9	Kalamunda & Districts Basketball Association
10	Kalamunda & Districts Arts & Crafts Group

Operating from (location)

#	Response
1	Norm Sadler Pavilion
2	halleendale rd
3	Woodlupine CHC, Kalamunda CHC
4	John Reid Oval
5	Swan Rd, High Wycombe
6	Archery club - Ridgehill Rd, Maida Vale
7	199 Hale Rd Forrestfield, Hartfield Park
8	Kalamunda Toy Library
9	Ray Owen Sports Centre
10	Building Number 5202, Arts & Crafts Wagon, Kalamunda

Membership numbers

#	2020	2021	2022
1			
2	32	30	30
3	N/A	N/A	N/A
4	272	293	348
5	85	100	110
6	approx 100	approx 100	109
7			
8	59	47	30
9	2000	2300	2500
10	13 members, 4 honorary members	15 members, 4 honorary members	17 members, 0 honorary members

Overall comments in regard to membership

#	Response
1	stable. Difficulty in increasing/recruiting due to inability to provide off-season/pre-season recruitment programs (ground access issues)
2	we have 30 full members but 15 visitors from other clubs come regularly
3	CAHS is not a sporting club or community group, we are a health service provider who partners with local government in WA to deliver easily accessible, critical health services to City residents
4	Membership numbers only includes players and does not include coaches, managers, committee or social members. Our membership is increasing. In 2023 we are expecting to have 2 extra seniors teams, the first time the club will have a Colts and Reserves team. We also expect greater Auskick numbers for 2023 than 2022 due to issues with registration in 2022
5	
6	Strong base of members plus quite a few that join due to lower cost than attending ComeNTry / beginners groups for extended periods... been a strong interest post COVID..
7	We are multicultural. We are very young to the very old. 4 to 65+
8	Covid had a big impact on our membership numbers. We seem to be recovering well in the last 6 months and hopefully the numbers will continue to improve through 2023
9	Rapidly growing but restricted due to lack of court space to hold more games
10	There was a review of membership in September to determine those members who wish to be active in the group and several did not renew their membership for 2023. All of the honorary members have withdrawn from the group due to age, ill health or death. There have been 10 new people joined the group over the past 3 months. It is now required that members rostering actively in the group.

Status: Not for profit, charity, commercial business?

#	Response
1	Not-for-Profit
2	not for profit
3	Government agency
4	Not for profit
5	Not for profit
6	Not for profit
7	not for profit
8	Not for profit
9	Not for Profit Inc. Association
10	Incorporated not-for-profit organisation

How do you currently utilise your leased facility?

#	Response
1	clubrooms, change/toilet facilities/equipment storage/canteen.
2	we are a licensed shooting range target rifle
3	Both facilities are utilised for the purposes of providing City residents with easily accessible, critical health services
4	our facilities are used Monday to Thursday for training nights and Friday night, Saturday and Sunday for games. During the season the facilities are very busy. We also use the facilities to hold fundraising events, and our end of year functions.
5	Tennis courts
6	available for personal practise to members 7 x days/week ComeNTry sessions (2) every saturday morning during school terms for the public. saturday afternoon competition for members - all year sunday morning competition for members - all year evening competitions (Tuesday and Thursday) from 1 November - 30 April
7	The clubroom is used for meetings, social events, photos, courses, private events, awards presentation.
8	yes
9	Playing and training for Basketball Domestic State Representative (WABL) NBL!
10	Exhibit and sell locally painted art and handmade crafts.

Do you run a canteen, bar, or have any sales from your facility (if yes, please describe)

#	Response
1	Yes, canteen, bar, uniforms/equipment/merchandise
2	No
3	No
4	Yes, We have a bar and canteen. The bar does not operate when junior football is playing, only seniors.
5	No
6	Yes, Cool drinks and water for sale only.
7	Yes, We run a bar and canteen.
8	No
9	Yes
10	No

How do you expect to utilise in the future?

#	Response
1	as above
2	shooting range will run the same but hoping to have a few more competitions throughout the year. we are open 3 days a week for members and visitors.
3	In the same manner as the facilities have been utilised for many years
4	We are waiting on the facilities to be upgraded from funding that was provided at the 2019 Federal Election. Our club is very excited about these upgrades as we have more than outgrown the changerooms, which are no longer adequate to cater for the number of teams and females teams we have. Once the new facilities are in place we hope the WAFC and PFL will enable our club to host more finals series. Unfortunately because the ground isnt fenced and entry fees cannot be taken we cannot host a seniors grand final.
5	Tennis courts
6	Very much as we are at the moment
7	In the future I envisage offering a larger eating and dinning experience to cater for an increased number of player and supporters. Using a larger inside facility for functions and fund raising events.
8	we will continue to run the toy library from the facilities
9	As above expecting continued growth
10	Continue to exhibit and sell locally painted art and handmade crafts.

How does the community benefit from your lease?

#	Response
1	provision of sport and recreation to members of CoK and surrounding districts
2	we offer the opportunity for the community to use the range and have a go at target shooting.
3	Thousands of City residents utilise the CAHS community health services every year with thousands more having utilised the same service over many years. In partnership with local governments throughout WA, CAHS offers an easily accessible, critical health service which ensures better health outcomes for City residents.
4	Our football club provides a opportunity for community members of all ages to participate in AFL.
5	Low cost access to physical activity and social interaction
6	Our club provides a local archery facility (the only one within 20km radius) for members of the community that wish to pursue our sport. Attendees learn safe practises and also learn the art of archery and setting up their gear
7	We are a massive membership club providing the opportunity for many walks of life to come together and play the world game. We keep a community fit, active, socialising and together. We keep people in and around the club facility and its grounds ensuring that people are busy and active.
8	
9	They get to play basketball and engage in sport activities via the delivery of professionally run programs
10	We foster fellowship and family participation amongst members. We promote interest and enjoyment of arts and crafts in the district.

How does the City benefit from your lease?

#	Response
1	Awesome tenants! Respect for facilities, maintain/repair/improvements at club costs, prompt reporting of any issues
2	we are a small sporting group and have regular visitors to the range which in turn use the facilities around the area
3	As above. The partnership with local government ensures a healthier and happier population
4	The Forrestfield FC is a long term tenant and reasonably self-sufficient.
5	Facilities are maintained by volunteers
6	
7	We facilitate social interaction, active playing and we are always trying to improve the facility. The city gets many good people at the facility which helps reduce vandalism and graffiti.
8	
9	We maintain the programs and assist maintain the facility therefore reducing the burden on the city in this regard.
10	The City provides a facility for to showcase and appreciation hand-made arts and crafts in the district.

What is your current and preferred lease term, and why?

#	Response
1	currently coming to the end of the 5-year extension option. Same again - 5 year, plus additional 5-year option. Allows for forward planning
2	5yr lease term freehold land
3	As long as possible to ensure risk to the service is minimised.
4	Our current lease term is 5 years, ending 31 March 2025
5	Current 5 years. Preferred 10 years. It's hard to make long term plans and improvements on a short lease.
6	We would prefer the lease to be as long as possible. My understanding is the maximum that can be granted would be 20 years (10 plus 10) This would provide some ongoing assurance for continuity of the club to members and can then lead to potential improvements by the club into facilities available over the period.
7	Our lease has been long term as far as I know it and long term I believe it should continue. We have invested a lot of money and time and effort to improve the facility and it should be rewarded with a long lease.
8	
9	Current 10 years facilities license agreement Preferred 10 years
10	Current lease is 5 years, due to expire 30/6/2023. Preferred lease term is 5 years.

What is your understanding of maintenance responsibilities under the lease document, what sits with you and what falls under the City's name?

#	Response
1	as per lease document; CoK flow chart (c 2015) provides a handy go-to guide. Generally anything under \$1000 or caused by our members/guests is our responsibility to repair/replace. Structural or major works, safety, malicious damage comes under CoK.
2	we are to maintain and repairs
3	Historically, given the City's reluctance to enter into any binding agreements, maintenance responsibilities have been fluid. Moving forward, CAHS is happy to pay its proportionate share of reactive and preventative maintenance, but like most other local governments, expects the City be responsible for any structural maintenance and upgrades.
4	As outlined in the lease agreement - section 10
5	All minor maintenance within the leased area, cleaning, and most utilities are the lessee responsibility. Major maintenance, water rates, sewerage Lessor responsibility.
6	general maintenance costs under \$1,000 are club responsibility; building and structural maintenance is city responsibility.
7	The city will maintain the big items like walls, roofs and water collection and the club will maintain the smaller items like doors, windows, locks.
8	
9	there is an extensive agreement and lists of responsibilities in place

#	Response
10	Under the City of Kalamunda's Building Maintenance Register, the group is responsible for minor maintenance, and the group maintains a register of all minor maintenance carried out.

Do you feel your building is fit for purpose?

#	Response
1	No
2	Yes
3	No
4	No
5	No
6	No
7	Yes
8	Yes
9	Yes
10	Yes

What is working well in your leased area?

#	Response
1	generally good. Change/toilet facilities inadequate (currently being addressed in new construction scheduled for Aug 2023-2024). Storage an issue
2	all is working well
3	CAHS works in many different buildings throughout WA, CAHS makes all leased areas work as well as possible to ensure the service to the community can be provided.
4	We have held our lease for many years. In general the communication and relationship with the CoK staff is sound.
5	Outside areas
6	access and availability to the grounds for the whole year 24/7 is perfect as it enables the members to come and do personal practise at a time that suits them (eg before work/after work. etc)
7	We are very proud of our facility and it has served it well over many years, we do feel an increase to its size is the way of the future.
8	
9	We do.
10	Everything is working well

What would you change and why?

#	Response
1	What would you change, and why?
2	see above. Storage plans - but that's out of our control
3	fencing of range more secure would be good
4	Some LGAs are now seeing the benefit of dedicated health precincts/spaces and are planning community infrastructure to deliver these services. Longer term, these fit for purpose facilities would be of great benefit to organisations like CAHS.
5	apart for the previously mentioned need for upgraded change rooms which there is already funding allocated since 2019, as a football club we have outgrown the oval space. There is no room for expansion, and I am not sure this is some the CoK is able to assist with. There are so many user groups within Hartfield park.
6	Clubhouse and toilet facilities are outdated and inadequate
7	The archery clubhouse building needs a lot of attention... We have been advised it needs replaced and not to invest any money on potential improvements.
8	We would like to increase the size of the clubroom and its bar and kitchen area to accommodate the growing membership, allow for bigger social and fundraising events, meeting areas and provide a better eating and member experience.
9	
10	We need more courts urgently. Streamline the process of cleaning & maintenance potentially bringing this under the lessee's portion of the lease.

What other ideas or suggestions do you have around leases in the City of Kalamunda?

#	Response
1	<p>ease of transparency/reading - being aware that most tenants are not-for-profit, volunteers who do not necessarily have business background to understand responsibilities.</p> <p>New lease will need to incorporate (a) modifications to original lease document, (b) flexibility for changes to leased area (eg, new construction/extension/periodic lease option).</p> <p>Awareness by CoK staff (and contractors) that we are leasees and entitled to the same courtesies with regard notification for access. Biggest issues have been with maintenance (more the issue with contractors rather than CoK staff) and Public Health (definitely CoK staff).</p>
2	none
3	<p>CAHS are happy to negotiate with the City, and have been for many years. However, the City has been unable to do so on the understanding there is no endorsed policy position or asset management plan in place. CAHS acknowledges we are not a sporting club or community group but because our services are delivered at no cost to the rate payer, and for the sole benefit of the local community, we would really like to work with the City to ensure service provision can continue for years to come. CAHS are happy to negotiate an agreement that the elected group are happy with, outside the policy if that's what it takes to secure the service.</p>
4	<p>Look to streamline the process for upgrades to premises. When user groups are paying for alterations etc, the City requiring 3 quotes etc and then taking time to review could be streamlined. I am not sure if there are guidelines in place for this process, but it would be handy to share them, or create them. Users are happy to follow process, but the process needs to be as efficient as possible for volunteers to work within.</p>
5	Our situation is unique, so the lease agreement needs to be more flexible and site specific.
6	We would have no objection to a nominal lease fee being included in the lease - some nominal contribution to the City cutting the grass and enabling the club to use the facilities.
7	<p>With the recreation centre closing down in coming years, the football club would like to access the centre to run futsal competitions and use the extra space to increase our clubroom, meeting areas and kitchen. We have run two very successful outdoor summer competitions and we feel we could add futsal to the landscape as there is no local option close for our junior and youth players.</p>
8	
9	Offer the lessees opportunity to self manage the facilities - und CoK Guidance
10	Nil

Are there any opportunities for your club to collaborate with other clubs?

#	Response
1	already do - have a co-lease with KUFC
2	we have competitions with other clubs
3	CAHS has documented benefits from collaborating with other tenants in shared community infrastructure (family centres, kindys, playgroups etc). CAHS does needs its own dedicated exclusively used space though.
4	Our club is very proactive with connecting with other clubs within Hartfield Park including, Cricket, Bowls and Rugby. This goes as far as players crossing over playing other sports in the off season, and supporting other clubs social events.
5	Not really
6	No.
7	We would look at other clubs using the indoor facilities that could help increase bar and kitchen turnover that way increased revenue could be put back into the football departments ensuring fees are kept low.
8	
9	We already collaborate well with KDNA
10	Not really. The wagon provides a small but specialised and relevant space for exhibiting and selling small items of art and craft.

Would you consider allowing your leased facility to be hired out by the City when it is being used by you with appropriate levels of revenue being generated?

#	Response
1	Yes
2	Yes
3	No
4	No
5	No
6	No
7	Yes
8	No
9	No
10	No

