

**CD20/8137 – MOUNT PLEASANT BOWLING CLUB REVIEW AND PETITION – LEASE
MT PLEASANT BOWLING CLUB (REC) (ATTACHMENT)**

Ward	:	Central
Category	:	Strategic
Subject Index	:	Mt Pleasant Bowling Club, Recreation
Customer Index	:	Mt Pleasant Bowling Club
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	<ol style="list-style-type: none">1. Item 13.4 Petition – Lease Mount Pleasant Bowling Club 15 and 22 September 2020;2. Item 16.5 Motion with Notice – Mount Pleasant Bowling Club Review – 10 December 2019;3. CD20/8125 Tompkins Park Redevelopment Review - March 2020;4. CD19/8114 Tomkins Park Review – 18 June 2019;5. Item 16.2 Motion with Notice, Review of Redevelopment of Tompkins Park Facility – 21 May 2019;6. P17/3764 Mount Pleasant Bowling Club Site Future Redevelopment – 22 August 2017;7. CD17/8098 Tompkins Park Concept Plan – 20 June 2017;8. P16/3724 Future Use of Mt Pleasant Bowling Club Site – 28 November 2016;9. CD16/8088 Community Sport and Recreation Facilities Fund Annual Forward Planning Grants Round – 18 October 2016;10. CD16/8089 City of Melville Lawn Bowls Strategy – 16 October 2016;11. CD16/8081_City_of_Melville_Lawn_Bowls Strategy June 2016;12. Item 17.2 Motion Without Notice Relocation of Mount Pleasant Bowls Club Other Options – 19 April 2016;13. Item 17.1 Motion Without Notice The Future of Shirley Strickland Reserve – 13 October 2015;14. Item 16.2 Motion Without Notice – Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross, and Redevelopment of the Facilities There – 21 April 2015;15. CD13/8053 Mt Pleasant Bowling Club Self Supporting Loan Condition Amendment – 20 August 2013;16. CD12/8045 Mt Pleasant Bowling Club Self Supporting Loan Request – 17 April 2012;17. D11/8037 Mt Pleasant Bowling Club Self Supporting Loan Request – 19 July 2011;18. C07/8017 Mount Pleasant Bowling Club Self Supporting Loan – 18 December 2007.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Todd Cahoon Manager Healthy Melville

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AUTHORITY / DISCRETION

DEFINITION		
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

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- This report provides a response to the Council 10 December 2019 resolution:

That the Council request the CEO to undertake research into previous Council resolutions relating to:

A the Mt Pleasant Club requests for financial support and requests to changes to financing commitments

B the relocation of the Mt Pleasant Bowls Club and the development of Club site, and

C the noting and endorsing the City of Melville Bowls Strategy Report, and provide a report to the Council on the implications, both financial and nonfinancial, of the Council rescinding previous motions relating to the relocation of the Mt Pleasant Bowls Club, which includes consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club and the noting and endorsing of the City of Melville Bowls Strategy Report.

- The report also provides information relating to:
 - An update on the status of the agreement with the State Government/Department of Lands to redevelop a portion of the site for housing and create the balance, being one third of the site as a public park.
 - Since the December 2019 Council resolution the City understands the Mt Pleasant Bowls Club has been working on a Business Case which includes a local community organisation to hire facilities for the provision of community services to older people, in order to generate income and another commercial rental/ lease proposal that is being pursued by the Club.
 - The current Reserve vesting of the site is for the use/purpose of “Bowling Club Site and Club Premises” and any other sporting, community or commercial uses would not necessarily be permitted under the land use purpose and the process that would need to be followed to amend the current vesting.
- This report also considers a petition signed by 749 residents of the City of Melville and 249 non-residents that was tabled at the September 2020 Ordinary Meeting of the Council meeting.

BACKGROUND

A listing of the previous Council resolutions relating to the Bowls Strategy and the financing arrangements, proposal to relocate the Mt Pleasant Bowls Club and the proposed use of the site are listed below.

In May 2019 a Council Motion regarding the Tompkins Park redevelopment was supported by the Council which contained the following resolutions:

That Council requests the Chief Executive Officer to:

- 1. Put on hold the further implementation of the redevelopment of the Tompkins Park facility pending a review by Council of redevelopment options and community requirements for the Tompkins Park facility.***

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2. ***Facilitate and arrange workshops and/or EMIS meetings for Council to consider the community requirements and redevelopment options including appropriate community consultation for the Tompkins Park facility as an input into the following review of the Tompkins Park facility.***
3. ***Undertake a review of options for the redevelopment of the Tompkins Park facility taking into consideration and addressing:***
 - ***the change in circumstances resulting from the Surf Wave Park Ground Lease should it not proceed;***
 - ***the refusal of the Melville Bowls Club to shift to a new Tompkins Park Bowls facility;***
 - ***the reduction in the numbers of Mt Pleasant Bowls Club members likely to join in a new Tompkins Park Bowls facility;***
 - ***the financial status of the Mt Pleasant Bowls Club;***
 - ***the financial status of the Tompkins Park Community and Recreational Association;***
 - ***the financial sustainability of a re-organised Tompkins Park Community and Recreational Association with and without a Function Centre and/or café business;***
 - ***the requirements for additional public open space and Dunkley Ave storm flood mitigation;***
 - ***any other relevant considerations.***
4. ***Provide a report to Council on the results of the review of the Tompkins Park facility for Council approval before any further work proceeds.***

Following this, in December 2019 a subsequent and related Council Motion was supported by the Council which contained the following resolutions:

That the Council request the CEO to undertake research into previous Council resolutions relating to:

- A ***the Mt Pleasant Club requests for financial support and requests to changes to financing commitments***
- B ***the relocation of the Mt Pleasant Bowls Club and the development of Club site, and***
- C ***the noting and endorsing the City of Melville Bowls Strategy Report,***

and provide a report to the Council on the implications, both financial and non-financial, of the Council rescinding previous motions relating to the relocation of the Mt Pleasant Bowls Club, which includes consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club and the noting and endorsing of the City of Melville Bowls Strategy Report.

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Since this time officers presented the Tompkins Park Redevelopment Review report in March 2020 (CD20/8125) where Council resolved the following:

That the Council:

- 1. Does not proceed with the Tompkins Park Redevelopment as detailed in CD17/8098 – Tompkins Park Concept Plan. 8125_Tompkins_Park_Redevelopment**
- 2. Rescinds 3b of the resolution from item 8125_CD16/8089_City_of_Melville_Lawn_Bowls_Strategy being 3b. facilitate the Melville Bowling Club and the Mount Pleasant Bowling Club to amalgamate and relocate to a new facility at the expanded Tompkins Park Hub.**
- 3. Approves the allocation of \$3,060,000 from the Tompkins Park Redevelopment budget to the essential maintenance and improvements to the facilities at Tompkins Park Sporting Hub.**
- 4. Approves the allocation of \$300,000 for fire services or other compliance upgrades if the works are deemed to be required.**
- 5. Allocate the remaining funds approved by item 8125_CD19/8114_Tompkins_Park_Review to continuing the management model review and the revision of the initial Tompkins Park concept plan which will include appropriate community engagement within the next 12 months.**
- 6. Notes the current review and investigation process regarding the Mount Pleasant Bowling Club, as per 8125_Motion_With_Notice_Mount_Pleasant_Bowling_Club_Review.**
- 7. Directs the Chief Executive Officer to commence discussions with Mount Pleasant Bowling Club and Tompkins Park Community and Recreational Association regarding the establishment of payment plans to enable clubs to recommence loan repayments, noting payments will not commence until after the conclusion of the:
o Mount Pleasant Bowling Club Review; and
o Tompkins Park Operational Management Model Review.**

The above items and resolutions have an impact on implementing the direction in the December 2019 Council motion in terms of the potential future options for the Mount Pleasant Bowling Club and site.

In addition to the above items and resolutions a number of other past Council items and decisions are relevant to this report. They include the City of Melville Lawn Bowls Strategy, the Mount Pleasant Bowling Club Site redevelopment (redevelop site into residential lots and provide ~30% parkland) and various items regarding previous self supporting loan matters relating to the Mount Pleasant Bowling Club.

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This report will discuss these matters as per the direction provided in the December 2019 motion.

At the September 2020 Council Meeting a petition was tabled signed by 749 residents of the City of Melville and 249 non-residents that reads as follows:

“We the undersigned, all being electors of the City of Melville, respectfully request that the Council:

1. *Extend and vary the current Lease agreement with the Mount Pleasant Bowling Club (MPBC) to provide an extended lease period of 21 years with a 21 year option; and*
2. *Renovate and extend the Clubhouse to update the facilities including the provision of facilities for the disabled and vary the conditions of use to allow wider community usage; and*
3. *Completely waive any outstanding debts or liabilities owed by the MPBC to the City of Melville.*

This petition is also considered in this report.

DETAIL**December 2019 Council Motion – Implications of rescinding previous motions****1. Relocation of the MPBC**

In CD20/8125 (Tompkins Park Redevelopment review) the following was resolved by Council:

Rescinds 3b of the resolution from item 8125_CD16/8089_City_of_Melville_Lawn_Bowls_Strategy being 3b. facilitate the Melville Bowling Club and the Mount Pleasant Bowling Club to amalgamate and relocate to a new facility at the expanded Tompkins Park Hub.

The context of the term ‘relocation’ was in relation to the previously approved expanded Tompkins Park sporting hub (approx. 300m east of the Melville Bowling Club). The above resolution confirms that the decision to relocate MPBC to the Tompkins Park sporting hub has been rescinded.

It should be noted that the above rescission motion is not however a blanket decision that the Club is not to relocate in the future. There are a number of Council resolutions that remain in place regarding Bowling Clubs and the provision of bowls facilities which will be discussed under “3. City of Melville Lawn Bowls Strategy.”

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Significant work has been carried out since 2016 by the City's Strategic Urban Planning team regarding future use options for the MPBC site.

The following resolutions were made by Council for the item P16/3724 – Future Use Options of MPBC Site 28 November 2016:

That the Council:

- 1. Authorises the Chief Executive Officer to progress the negotiations with the Department of Lands to acquire the site being Lot 2018 (Reserve 27046) at 40 Bedford Road, Ardross or joint venture the development of the site and conduct all necessary due diligence, including necessary community consultation, and planning to ensure completion of the Business Case for approval by the Council prior to submission to the Department of Lands for the purpose of obtaining State Government Cabinet consent;***
- 2. Supports in principle the development of the site including the provision of suitable open space, and urban design and lot size comparable with the surrounding neighbourhood;***
- 3. Endorses the next step of the project to commence engagement with the community with a view to arriving at a suitable concept design for the site which will in turn inform the due diligence/Business Case phase.***

Following this resolution a comprehensive community engagement process was carried out in two stages:

Stage 1 was conducted from 15 February 2017 to 13 March 2017 and sought feedback on the future use of the site on the expectation that the bowling club would be relocated from the site.

Stage 2 was conducted from 18 July 2017 to 9 August 2017 and sought feedback on the three draft concept plans.

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Preferred Concept Plan:



Concept Plan 3, which contained 18 x R20 residential lots, 1 x R30 (6 dwellings) Over 55's grouped housing lot and 30% (4,269m²) public open space / parkland was the preferred option from the engagement process and was recommended to Council.

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The financial implications of the realisation of Concept Plan 3 are summarised as follows (extract from Council item):

Revenue	\$15,185,000
Costs	-\$9,836,000
Development Surplus	\$5,349,000
Shirley Strickland Upgrade Contribution	-\$6,264,000
Funding Surplus/Deficit	-\$915,000

The lots would also generate approx. \$60,000 p.a. in rates income.

The following was resolved by Council in P17/3764 on 22 August 2017 – MPBC Site Future Redevelopment:

That the Council:

- 1. Approves Concept Plan 3 as the preferred way to redevelop the site in future.***
- 2. Authorises the Chief Executive Officer to prepare a non-statutory Business Case, based on the preferred Concept Plan 3, and present the Business Case to progress negotiations with the Department of Lands regarding the purchase of the site in freehold from the State Government. This non-statutory Business Case is to be referred to an Elected Members Information Session for discussion, before being forwarded to the Department of Planning, Lands and Heritage.***
- 3. Following a decision from the Department of Lands that is supportive of the sale of the land, notes that a further report will be presented to the Council on a draft statutory Business Plan in accordance with the Local Government Act1995.***
- 4. Requests that the Chief Executive Officer advise all submitters and adjacent landowners in writing of the Council's resolution.***

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To date, all resolutions in both P16/3724 and P17/3764 remain as Council decisions.

The implications of rescinding all motions from P16/3724 and P17/3764 relating to the development of the current MPBC site would essentially result in negotiations with the State Government to acquire the site ceasing. The opportunity to provide diversified housing and have 30% of the site developed into quality public open space which is fully funded by the development would be lost.

Officers are of the view that what ever the future of the site holds, the 30% parkland / public open space is a key development principal that should be maintained in any and all options for the site given the strong community support for access to local and quality public open space.

3. City of Melville Lawn Bowls Strategy

The City of Melville Lawn Bowls Strategy was presented to Council at the June and October 2016 Ordinary Meetings of Council. The Council noted the future direction for the sport of Bowls in June 2016 and the additional supplementary information to the Lawn Bowls Strategy in October 2016.

The March 2020 Council Item discussed the Bowls Strategy in relation to the MPBC and the Melville Bowling Club (MBC). The following is an extract from the report:

Officers remain of the view that one bowling club in the north of the City is required and that Tompkins Park should remain the strategic location as identified and endorsed by Council as part of the Bowls Strategy 2016. Melville Bowling Club is within Tompkins Park and therefore can be seen as the logical northern site for bowls in the City into the future.

Council need to be aware that should both Clubs remain on their existing sites, there is the likely potential for significant capital requests to come forward from both clubs to upgrade their buildings and playing surfaces. Funding these requests would be difficult to justify as it would be at odds with City's funding principles and sets precedence for other specialised sporting venues managed by a single sport. Increased ongoing maintenance costs also need to be considered along with the capacity for Clubs to replace their assets such as synthetic bowling greens.

Noting that two resolutions from previous Lawn Bowls Strategy decisions were rescinded in the Tompkins Park Redevelopment review item (March 2020), the following outstanding resolutions relating to the City of Melville Lawn Bowls Strategy remain in place currently:

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- 1. endorses the model of future Bowls facilities forming part of a sporting hub that provides contemporary bowls facilities and shared amenities with other tenants to accommodate larger numbers of bowlers in fewer facilities throughout the City.***
- 2. endorses as part of future long term strategic planning for Morris Buzacott Reserve, the option of colocation of Kardinya Bowling Club as a tenant of a sporting hub facility with capacity to grow with demand to provide the principle location for Bowls in the South of the City.***
- 3. Endorses Tompkins Park as the central northern site for any future development of lawn bowls in the north of the City of Melville.***
- 4. Directs the Chief Executive Officer to:
conduct planning for future Lawn Bowls facility provision within the City based on the future consolidated model that encourages and supports facility development at two central locations; Tompkins Park in the North and Morris Buzacott Reserve in the South of the City;***

The implications for rescinding the above resolutions can be summarised as follows:

- Not requiring Bowls facilities to form part of a shared use facility, with co-location of a number of clubs in a sporting hub
- Removing the Kardinya Bowling Club as the principle location for Bowls in the South of the City for the longer term
- Removing Tompkins Park as the central northern site for any development of lawn bowls in the north of the City

The above dot points have implications on the provision of bowls facilities in the City as it is likely to result in the same number of facilities being provided as is the case currently. This may have the following effects:

Advantages

- Clubs maintain individual identities and club facilities
- Members continue to play the sport at the club of their choice
- Clubs continue to service their local community for a variety of other uses and activities

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Disadvantages

- Clubs are likely to request the City to provide significant capital investment in ageing facilities. This needs careful consideration in relation to the support provided for other community sporting clubs.
- The City's and ratepayer asset maintenance costs may increase if the City remains responsible for building maintenance and insurance.
- The long term sustainability of Clubs is of concern when needing to replace assets e.g. synthetic greens.
- An opportunity cost by not realising residential development and parkland on the MPBC site (as discussed above).

To reduce the cost to the ratepayer, if Council rescinded the Lawn Bowls Strategy related resolutions, officers would recommend the City enter into 'premises lease' arrangements which reduces the costs for the City to maintain and insure these buildings as the Clubs will become responsible for all costs associated with the land which forms part of the lease.

It also needs to be pointed out that Council do not need to rescind the bowls strategy related resolutions for the MPBC to remain at their existing site. The remaining resolutions identify priority areas for future development and investment in the sport if required - at Tompkins Park/MBC (North) and Morris Buzacott Reserve (South).

4. The MPBC requests for financial support and requests to changes to financing commitments (as written in Council motion December 2019)

The history of the MPBC requests for various financial support and changes to financing arrangements can be summarised in the following:

December 2007

- Additional MPBC self supporting loan request for \$140,000 repayable over seven years approved with conditions

July 2011

- MPBC granted approval for a self supporting loan of \$350,000 repayable over ten years with conditions

April 2012

- MPBC \$350,000 loan reduced to \$300,000 repayable over ten years, at the request of the Club.

August 2013

- MPBC commitment to contribute \$30,000 to sinking fund (for green replacement) per annum reduced to \$12,000 per annum at the request of Club.

June 2017

- Council approve the Tompkins Park concept plan, and transfers responsibility for the repayment of the Mount Pleasant Bowling Club self supporting loan to the City (on the condition that the MPBC aligned with the Melville Bowling Club or another bowling club and created a new entity)

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- Council authorises the MPBC to use accumulated sinking funds (sinking fund was specifically for synthetic green replacement) for operational purposes up to the value of \$45,707 during the period of relocation to Tompkins Park.

June 2019

- Council approves funding requests from MPBC for up to \$60,000 for 19/20 to contribute towards green keeping costs.

March 2020

- Council directs the CEO to enter into discussions with the MPBC regarding the establishment of loan payment plans to enable the club to recommence loan repayments, noting that payments will not commence until after the conclusion of the MPBC review (this item).

The City provided the MPBC \$59,069 (Inc. GST) of financial support in the 2019/2020 financial year as per Council approval towards the costs of green keeping services.

The current position of the MPBC's self supporting loan is summarised as follows (a current outstanding loan liability of \$198,769.47):

Mt Pleasant Bowling Club Loan	
At 30 June 2019 the current balance of the loan was shown as	\$32,157.56
At 30 June 2019 the non-current balance of the loan was shown as	\$85,494.74
Total value of Loan outstanding at 30 June 2019	\$118,052.30
Plus Invoices raised but not paid by Mt Pleasant	\$93,654.86
TOTAL Outstanding Loan Liability at 30/6/2019	\$211,707.16
Plus Interest an guarantee fees on loan repayments for 2019/2020	\$5,594.93
Less Stimulus Waiver for Mar 20 to Jun 20 quarter	\$18,532.62
TOTAL Outstanding Loan Liability at 30/6/2020	\$198,769.47

The City's COVID-19 Stimulus package also provided the MPBC with a one off \$12,000 payment for having a specialised sporting surface (bowling greens) along with 2 x \$2,000 (\$4,000 total) grants to assist the Club with utility costs, promotion and rebuilding participation also as part of the City's COVID stimulus package.

The Club, being a self supporting loan holder also received a COVID stimulus waiver of \$18,532 for the period Mar 2020 to June 2020. This figure is included in loan table above.

Therefore the MPBC have been provided approx. \$192,849 in financial support since March 2017.

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Without this direct support it is likely that the Club would have experienced financial hardship and challenges to remain solvent.

The MPBC are of the view that the loan had previously been written off / forgiven by the City in June 2017; however the resolution was conditional on a new bowling club entity forming and commencing which hasn't taken place.

Other items of support and assistance

1.52 tonnes of green underlay (from the decommissioned D Green) was removed and disposed of by the City's waste services team following a storm in February 2019 at a cost to the City of approx. \$600 which was not passed on to the club.

Since the 2014 / 2015 financial year approximately \$152,000 has been spent on the MPBC facility in both operational and capital costs. \$34,700 of this figure is currently committed in the 20/21 capital program.

5. Consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club

The Council motion from December 2019 asked the CEO to investigate the suitability of the Tingara Netball Club (TNC) or other interested sporting clubs to potentially utilise the MPBC as a home base.

The TNC operate during the winter sporting season with all competition games based at the regional facility at the Fremantle Netball Association (FNA) on Frank Gibson Park, Fremantle.

The club currently train Monday – Thursday afternoons/evenings during the winter season across two venues being Brentwood Primary School (Mon – Thurs) and at Gibson Park, Fremantle Netball Association ground (Wed only).

Brentwood Primary School has three floodlit Netball courts which the TNC use four days a week, essentially 12 courts used across the week. In addition, the TNC hire four floodlit courts at FNA on Wednesday evenings for their senior teams to train. Therefore the club essentially require access to 16 floodlit courts across the week (Mon – Thurs).

It is the strong desire and a long term goal of the TNC that all Club based training be located at one venue with basic ancillary facilities available such as toilets, change rooms and a small indoor meeting area. The requirement of 16 floodlit courts across four training days, results in four courts at one location to meet the clubs goal to hold all training sessions at the one venue.

The Club has a large membership of over 400 players, with over thirty five percent of the membership residing in the 6153 postcode. This includes the suburbs of Applecross, Ardross, Mount Pleasant and Brentwood. A non negotiable for the TNC is to remain in the 6153 postcode area to continue to provide for this area into the future.

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Part of the investigation process was to conduct research into the level of Netball provision across the City of Melville, both City controlled/managed courts and those that are on school grounds, noting that the majority of clubs train on school courts.

The provision of Netball across the City is summarised in the following attachment: [8137 Netball Data](#). This data was part of the recent City of Melville Active Reserve Infrastructure Strategy (ARIS) 2020 as appendix K.

Notwithstanding that some of the available locations would simply not be suitable for the TNC due to location and court availability, the analysis shows that there are a significant number of Netball courts in Melville that are unused for club activity / training at present.

The focus should be on improving the quality of existing netball infrastructure to provide greatest value for money for the ratepayer whilst utilising existing assets and facilities more effectively.

The ARIS also identified this and has recommended actions to specifically address netball court provision improvements both at City of Melville managed facilities (a court resurfacing program) and in schools through increased focus on brokering additional shared use agreements with the Department of Education in recognising that Netball clubs in Melville are predominately based at local schools.

It would be difficult for officers to recommend or support the construction of four brand new netball courts with floodlighting anywhere in the City as the data suggests it is not warranted and other options exist to assist the TNC in their aspirations.

Several meetings have taken place between officers and the TNC with the focus being on listening to and understanding the TNC's requirements and aspirations and seeking potential options to meet their needs. A number of options have been identified as potential solutions (without the need to construct four brand new courts). The City is working closely with the TNC to develop an alternate solution that involves a shared use agreement with the Department of Education for the Applecross Senior High School (ASHS) site.

The ASHS has suitable facilities and with minor investment (floodlighting and line marking) would meet all of the TNC's requirements in regards to four floodlit courts, safe access to toilets adjacent to courts, available parking, ability to meet in a club room type space and access to a kitchenette. Importantly, the ASHS is also in an ideal location for the TNC catchment in that over 35% of the Club's membership resides in the 6153 postcode and it is a strong desire for the club to remain in this postcode, a factor in the identification of the MPBC option initially.

Meetings have been held on site with the ASHS Executive and also on site with the TNC. The ASHS are willing to work with the City to progress discussions with the view to develop and enter into a shared use agreement which will likely include access to aquatic facilities (pool) in addition to access to facilities for the TNC.

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Further discussions are required to facilitate the TNC's relocation to the ASHS and if successful will provide significant benefit and opportunities for the TNC in the long term without the need to construct 4 new courts with ratepayer funds. It is also noted that the City's Active Reserve Infrastructure Strategy (ARIS) identified opportunities for increased shared use agreements with schools and included provisional funds for shared capital contributions to infrastructure improvements through these agreements.

6. Other sports

The December 2019 Council motion included the following:

'which includes consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club.'

The City recently completed its Active Reserve Infrastructure Strategy (ARIS), a 20 year strategic plan for investment into infrastructure on Active Reserves. Whilst it is acknowledged that the MPBC site was not part of the ARIS (as it is not an active reserve by definition) the extensive research and data contained within the ARIS can be applied in regards to identified sporting infrastructure needs and provision of the community for the next 20 years.

The ARIS identified that there will be a need over the next 20 years (amongst other recommendations in the ARIS) to increase the provision of soccer pitches and cricket fields.

When considering these needs, the MPBC site has a number of constraints such as:

- Size of available space (assuming the MPBC retain three greens)
- Existing drainage sump which is critical to the area in large rain events
- Proximity to residents – possible noise and traffic impacts
- Fencing requirements depending upon sport

The MPBC is unable to accommodate traditional field sports such as soccer, cricket and Australian Rules football due to significant space constraints.

Sports such as five a side futsal (soccer) for example are able to fit on site however these facilities are usually funded, constructed and operated by private business. Community engagement would be essential if the Council wished to pursue an option such as this.

Noting that whilst it would add a sporting facility and possibly assist the MPBC's, sustainability, officers would not support it on this site due to the impacts on local residents. The land use and planning matters discussed under point 7 below would also need to be resolved under this scenario.

Other uses which may be appropriate include bocce, petanque or croquet, however there hasn't been an identified need for these sports to be developed in the City and the impact they may have on the MPBC's financial sustainability is estimated to be minimal.

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Since the December 2019 Council resolution to investigate with other sporting Clubs if they could operate from the site the Club have been exploring other opportunities to find alternative sources on income.

The two leases/licenses/hire agreements that the Club is considering is for the Bowls Club to sub-lease/rent/hire space to Australia Post so that they can store several electric bikes each evening and allow them to charge overnight. The second was with Melville Cares and in this case they wish to house vehicles overnight in the carpark area and receive rental in addition to utilising the facility for a variety of friendship groups and programs.

Should the Council wish to allow these community and/or commercial activities on the site a separate report should be prepared. Generally any commercial agreements on land that is vested in a Local Government for a particular purpose are directly with the State, with the State receiving the income.

Points to consider

- The current approved land use is “Bowling Club and Club Premises Site,” - [8137 Management Order 27046 1](#)
- Even if investigations into the site to be used for multiple sports were supported the land use would need to be changed from Bowling Club to ‘Recreation’ or some wider classification,
- The Ministers consent to the change of land use to something like “Recreation and Ancillary Storage” could be presented,
- The Department of Lands and the Minister may (or may not) consider that “Ancillary Storage” of no recreation activities may be permitted. Technically the storage should be ancillary to the Bowling or Recreation activity,
- Any proposed uses would need to comply with the planning land use,
- A new lease (as current lease has expired) would need to be developed with the Club, with the new land uses applying,
- The Minister would need to give consent to enter into a lease for up to 21 years,
- Any subsequent users would need a sub-lease and be agreed individually by the Minister for Lands,
- If the purpose is expanded to, and agreed by Minister that “Ancillary Storage” for non bowling or recreational use is permitted, then the Club will be limited to those additional enterprise activities only and would need to be aware of this when considering any other income generating activities.
- Engagement with the surrounding community should be considered and the current Council resolution that is being actioned should be considered.

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MT PLEASANT BOWLING CLUB (REC) (ATTACHMENT)****Site Options**

A number of options exist for the future of the site as summarised in the below:

1. Redevelopment of the site to include Netball facilities as per Council motion. Community consultation and engagement would be required, particularly with nearby effected residents. The Reserve purpose would need to be changed from Bowling Club Site and Club Premises. As reported above (point 5), officers do not support this option.
2. MPBC relocates/dissolves, playing members are financially supported to join other clubs and the City progresses with site acquisition for residential and parkland development. Existing Council resolutions are in place for this option however the MPBC would strongly object to this option.
3. Site acquisition and retirement housing development including Bowls facilities (for MPBC club activities) and approx. 30% site developed into parkland. A new business case including detailed community engagement would be required for this option. One of the disadvantages of this option is that it would likely take a number of years to come to fruition and it would be considered likely that the Club would need to relocate or cease operations whilst the facility is being constructed. Again, the MPBC would likely object to having to shut down operations for a reasonable time period.
4. Long term 'premises lease' / 'management license' arrangement with the MPBC and approx. 30% of site developed into parkland / public open space for the local community. A business case for parkland development would be required and would involve community engagement, noting that there was previous support for this notion during consultation in 2017. To facilitate the parkland 'D' Green (most Southern green that was decommissioned in 2016) and the southern portion of the reserve would need to be ceded from the leased area. The Council may consider whether the reduction of the total leased area has any bearing on self supporting loan liabilities.

There may be the ability for a modest amount of capital funding to be provided to the MPBC under this option for accessibility requirements for example, the provision of a Universal Accessible Toilet (UAT).

Should the Council wish to pursue option 4, the following resolutions or similar would need to be supported and enacted:

1. **That the Council rescinds all previous resolutions regarding the acquisition and redevelopment of the Mt Pleasant Bowling Club site.**
2. **That the Council direct the Chief Executive Officer to notify all relevant stakeholders and agencies of the rescission of previous resolutions.**

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3. That the Council direct the Chief Executive Officer to commence lease discussions with the MPBC with the view to enter into a 10 year plus 10 'premises lease' with 'D' green and the southern portion of the reserve ceded from the leased area to accommodate a new public park.
4. That the Council direct the Chief Executive Officer to expedite investigations, including cost estimates and community engagement that will form a business case, of developing approx. 30% of the Mt Pleasant Bowling Club site (including 'D' Green and the southern portion of the reserve) as parkland / public open space and report back to Council through an Elected Members Information Session in early 2021.
5. That the Council grant the MPBC \$50,000 ex GST towards accessibility improvements.
6. That the Council supports the MPBC to remain on its existing site whilst sustainable without further financial support from the City.

Council is to provide further direction in regards to which option is preferred, noting that past resolutions remain in place and there is the potential for significant capital investment for some of the above options.

Officers recommend an Elected Members Workshop to further discuss options for the MPBC and the site as a whole considering the associated risks and costs.

Petition

The tabled petition requests that the Council

1. *Extend and vary the current Lease agreement with the Mount Pleasant Bowling Club (MPBC) to provide an extended lease period of 21 years with a 21 year option; and*
2. *Renovate and extend the Clubhouse to update the facilities including the provision of facilities for the disabled and vary the conditions of use to allow wider community usage; and*
3. *Completely waive any outstanding debts or liabilities owed by the MPBC to the City of Melville.*

Point 1 is covered in this Report outlining that as the land is Crown Reserve owned by the State Government and the maximum term that can be granted by the City under the Management Order from the Minister of Lands is 21 years in total.

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Point 2 is highlighted in the Report with consideration of an option to improve disability access to the current facility. Any other capital upgrades would need to be justified through a business case and existing/future demand. At the time of writing this report, officers were unaware of the MPBC's business plan contents so it is difficult to comment on what 'renovation and extending the clubhouse' entails. It should be noted that in close proximity will be the newly redeveloped Shirley Strickland Reserve with facilities available for community use.

Likewise at Canning Bridge availability of spaces that the community can utilise will increase as approved developments occur, and also community facilities available for usage at Tompkins Park facility. This Report also comments on the option of wider community use. The Club currently can on hire to a range of community groups as does other Club/Associations as a means of fully utilising facilities and raising income.

Point 3 is also highlighted in the Report as an Option if the Club remains at the current site with a reduced area and on a premise lease where all maintenance and replacement costs is funded by the Club.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Significant stakeholder and community engagement has occurred over many years in regards to all of the elements presented and discussed in this item. The previous items section (page 1) highlights all previous Council reports that contain stakeholder engagement information for each specific item.

In regards to the Council resolved future use of the MPBC site as residential housing and 30% parkland, extensive community engagement occurred in two phases prior to Council adopting the preferred concept plan and directing the CEO to enter into negotiations to acquire the site.

Significant engagement also occurred in regards to the Bowls Strategy and Tompkins Park Concept plan as detailed in the associated Council items.

Following the December 2019 Council motion (what this item responds to) letters were sent to local residents living in close proximity to the MPBC advising them of the motion and directing them to the project webpage: www.melvillecity.com.au/mpbcreview. This webpage contains a historical timeline, all previous council reports/decisions and frequently asked questions (FAQ's).

Regular meetings have been held with the Mount Pleasant Bowling Club and these meetings have discussed this review process along with reviewing the MPBC's monthly financial statements in order to approve (or not approve) green keeper reimbursement payments in the 19/20 financial year.

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A number of meetings have also taken place with the Tingara Netball Club and the Applecross Senior High School as discussed above in regards to firstly clearly understanding what the TNC's aspirations and essential facility requirements are and then to assess and investigate the possible options available to the club.

Further engagement planning and implementation may be required depending upon what the Council decide as the preferred option.

At a meeting with Club representatives held 1 September 2020 the Club advised that they had completed a Business Plan in relation to the Clubs activities and financing strategies going forward. It was indicated that the Business Plan may include activities other than Bowls activities and this included a component of hire and sublease arrangements with other community groups and commercial entities. The City and Council should review this Business Plan prior to making a decision on the future land use in order to see if the proposed activities can be accommodated in any new lease or request to the Department of lands and/or the Minister for Lands to change the purpose of the reserve from the limitation of only Bowling club activities.

From that meeting the Club has been given a copy of the [8137 Building Audit Report](#) dated May 2020.

At the meeting on 1 September 2020 it was agreed that a follow up meeting was to take place to discuss the MPBC's business plan which would have assisted in the information provided to the Council in this item. The MPBC executive subsequently decided not to meet again with officers and a follow up meeting didn't take place.

At the time of writing this report, officers were unaware of the MPBC's business plan contents.

The City recently received a request from the MPBC on the 5 September 2020 for the 'renewal, extension and variation of deed of lease.' The Club have requested a 21 year lease with a 21 year option period and various conditions such as the City funding clubhouse renovations and extensions for conference rooms / office space and compliance upgrades e.g. Accessible toilets, ramps, the specific details of which are unknown.

The club Executive have been previously advised that officers are unable to enter into lease discussions as existing Council resolutions remain in place regarding the future use of the site.

It is important to point out that the land is Crown Reserve owned by the State Government and the maximum lease term that can be granted by the City under the Management Order from the Minister of Lands is 21 years in total. The Minister of Lands can not grant an option for a further term beyond 21 years from commencement date of the lease term.

II. OTHER AGENCIES / CONSULTANTS

The City met with the Fremantle Netball Association and Netball WA regarding the City's Active Reserve Infrastructure Strategy (ARIS) and the specific recommendations regarding the provision of Netball facilities across the City.

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The City met with Applecross Senior High School representatives regarding a possible shared use agreement permitting netball to be played on the school site.

STATUTORY AND LEGAL IMPLICATIONS

The management order (vesting of the crown site to the City of Melville) includes powers to lease for any term not exceeding of 21 years and is subject to consent from the Minister of Lands. This is an important consideration should the option of a premises lease be supported by Council.

FINANCIAL IMPLICATIONSSelf Supporting Loan

The status of the MPBC's loan has been discussed above including a council resolution for the MPBC to enter into a payment plan following this review to enable payments to recommence.

It is considered almost certain that the MPBC will request the Council to forgive / extinguish their self supporting loan (\$198,769), especially as the club are of the view that the loan was previously forgiven by Council.

Whilst Council have the ability to agree to this request it is important to consider the impacts and flow on effect a decision such as this may have on other self supporting loan holders.

Currently the balance of all self supporting loans the City has totals \$2.7m across 10 community sporting clubs and associations. Council would need to provide clear reasons for the loan forgiveness should this decision be made and consider whether other clubs would request similar treatment and if so, the upward pressure this may place on rates.

Opportunity cost – MPBC site redevelopment

There is a potential opportunity cost as described on page 6 and 7 above. Whilst the acquisition and subsequent development of the MPBC site is not finalised, council resolutions remain in place to continue in this direction. Should the council rescind the relevant resolutions, the negotiations of acquisition of the site from the Sate will cease.

Potential capital requests to upgrade current MPBC and site

It is likely that the MPBC will request capital funding for facility improvements that may include a new synthetic green (to replace C Green which is approaching end of life), building upgrades and improvements. Without the specific detail from the Club, it is difficult to estimate possible costs.

It should be noted that it is not the City's usual practice to provide funding for specialised sporting surfaces (whether new surfaces or replacement surfaces) such as bowling greens, hockey turf, tennis courts or turf cricket wickets.

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Netball court development

Whilst officers don't recommend the development of netball courts at the MPBC site, the likely costs of constructing four full size acrylic surfaced netball courts with LED floodlighting, fences and hoops/posts is in the vicinity of \$700,000.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Risk of significant costs to the City and ratepayer through potential capital requests from the MPBC	Major consequences which are possible, resulting in a High level of risk	Support existing Council resolutions, Or Should Council support the MPBC to remain on site, enter into a 'Premises Lease' where all costs are borne by the Club, and Do not support capital requests or further self supporting loan requests.
Risk of significant opportunity costs should Council rescind previous resolutions relating to the future use of the MPBC site.	Major consequences which are possible resulting in a High level of risk	Support existing Council resolutions in place.
Risk of declining sustainability of the MPBC given the need to replace infrastructure e.g. synthetic greens leading to possible future insolvency.	Major consequences which are possible, resulting in a High level of risk	Support existing Council resolutions, Or Support the MPBC in increasing community access and use of facility, and/or Provide ongoing funding (not supported by Officers)

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Risk of over provision of Netball courts in the City by constructing 4 new courts with floodlights at MPBC at rate payer expense.	Moderate consequences which are likely, resulting in a High level of risk	Do not support and proceed with Netball court development at the MPBC site, and Continue to investigate and progress alternate options such as the ASHS.
Risk of potential community outrage over future use of site depending upon Council resolutions made	Moderate consequences which are possible resulting in a Medium level of risk	Ensure detailed engagement planning is conducted and local community are informed of Council decisions.
Risk that the MPBC will be unable to repay the self supporting loan based on current loan payment terms	Major consequences which are likely resulting in a High level of risk	As per Council resolution in March 2020, formulate a reasonable repayment plan with the MPBC to enable payments to recommence.

POLICY IMPLICATIONS

Reference is given to several Council Policies that guide the decision making by Council in consideration to this report and include the following Council Policies:

CP-028 Physical Activity Policy highlights the increased opportunities for physical activity; leading to the improved health and wellbeing of the community.

CP-103 Improving Public Spaces Policy provides clear strategic direction and informs future decision-making on the best ways to improve public spaces in the City of Melville.

CP-037 Neighbourhood Development – Community Hub Policy highlights that gaining the greatest community benefit can be achieved through the provision of facilities consolidated into community hubs.

CP-031 Asset Management Policy highlights that assets must be reviewed on a regular basis to ensure they remain relevant, have a demonstrated community need and are achieving optimal levels of service in a cost effective manner over the asset lifecycle.

CP-010 Self Supporting Loans Policy provides guidelines by which financial assistance by way of self-supporting loans to non profit clubs or organisations for capital improvement works on/to land or buildings owned or vested in the City of Melville will be considered

CP-005 Land and Property Retention, Disposal and Acquisition Policy provides a framework through which the City can consider its freehold and vested reserve land and property assets and make decisions, using a systematic informed approach, with respect to the retention, disposal or acquisition of such assets or a combination thereof.

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MT PLEASANT BOWLING CLUB (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Options as per outlined in detail section – Council may wish to proceed with or further investigate any of these options should the Council rescind previous resolutions made regarding the redevelopment of the MPBC site.

CONCLUSION

The Councillor motion in December 2019, which this report responds to, takes into account many previous Council items and resolutions from 2007 – 2020.

A number of resolutions remain in place regarding the future of the MPBC site and the sport of lawn bowls across the City.

Following investigations and engagement, officers do not support the construction of four new netball courts with floodlighting at the MPBC site.

Officers are continuing to work with the Tingara Netball Club to find a long term solution that meets their needs.

There are a number of implications of rescinding previous resolutions as discussed above.

Council are to decide whether or not to rescind previous resolutions and if so, what option/s the Council wish to support for the future of the MPBC site, noting the existing land use restrictions as discussed.

Various stakeholders and agencies will need to be advised depending on the outcome.

Officers recommend an Elected Members Workshop to discuss options for the MPBC and the site as a whole considering the associated risks and costs due to the complexity of matters identified in this Report.

**CD20/8137 – MOUNT PLEASANT BOWLING CLUB REVIEW AND PETITION – LEASE
MT PLEASANT BOWLING CLUB (REC) (ATTACHMENT)****OFFICER RECOMMENDATION (8137)****APPROVAL OR REFUSAL**

At 9:21pm Cr Sandford moved, seconded Cr Robins –

That the Council

- 1 **Note the Officer Report, in dealing with the Council resolution 10 December 2019 in item 16.5 Mt Pleasant Bowling Club Review, on;**
 - **the Mt Pleasant Club requests for financial support and requests to changes to financing commitments**
 - **the relocation of the Mt Pleasant Bowls Club and the development of Club site,**
 - **the noting and endorsing the City of Melville Bowls Strategy Report,**
 - **the implications, both financial and non-financial, of the Council rescinding previous motions relating to the relocation of the Mt Pleasant Bowls Club,**
 - **consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club and**
- 2 **Directs the CEO to schedule a workshop with Elected Members, to be held as soon as practicable to consider options for the Mount Pleasant Bowling Club and the site as a whole and to consider the officers comments in this report.**
- 3 **Write to the lead petitioner of the outcome of any motions resolved by Council.**

Amendment**COUNCIL RESOLUTION**

At 9:23pm Cr Mair moved, seconded Cr Wheatland –

That point 2 be amended to read:

Directs the CEO to conduct a workshop with Elected Members by end of November 2020 to consider options for the Mount Pleasant Bowling Club and the site as a whole and to consider the officers comments in this report and present a further report to the 8 December 2020 Ordinary Meeting of Council.

At 9:27pm the Mayor declared the motion

CARRIED UNANIMOUSLY (13/0)

Reasons for the Amendment as provided by Cr Mair

1. It is important to put in a time frame for the workshop on the Mt Pleasant Bowling Club and bring a Motion with Notice to the December OMC. The concern is that this issue will continue on for several months if we don't state a time line to work to.
2. The Club also needs to apply for funding grants to upgrade facilities and enter into arrangements with other site users to increase revenue and foot traffic to the club and can't progress any plans without a long term signed lease.

**CD20/8137 – MOUNT PLEASANT BOWLING CLUB REVIEW AND PETITION – LEASE
MT PLEASANT BOWLING CLUB (REC) (ATTACHMENT)****Substantive motion as Amended****COUNCIL RESOLUTION**

At 9:27pm Cr Sandford moved, seconded Cr Robins –

That the Council

1. **Note the Officer Report, in dealing with the Council resolution 10 December 2019 in item 16.5 Mt Pleasant Bowling Club Review, on;**
 - **the Mt Pleasant Club requests for financial support and requests to changes to financing commitments**
 - **the relocation of the Mt Pleasant Bowls Club and the development of Club site,**
 - **the noting and endorsing the City of Melville Bowls Strategy Report,**
 - **the implications, both financial and non-financial, of the Council rescinding previous motions relating to the relocation of the Mt Pleasant Bowls Club,**
 - **consideration and investigation of a home base for Tingara Netball Club or other interested sporting clubs at Mount Pleasant Bowls Club and**
2. **Directs the CEO to conduct a workshop with Elected Members by end of November 2020 to consider options for the Mount Pleasant Bowling Club and the site as a whole and to consider the officers comments in this report and present a further report to the 8 December 2020 Ordinary Meeting of Council.**
3. **Write to the lead petitioner of the outcome of any motions resolved by Council.**

At 9:27pm the Mayor declared the motion

CARRIED UNANIMOUSLY (13/0)