

Annexure C

Memorandum of Understanding

Annexure to Lease
Portion of Leederville Oval

MEMORANDUM OF UNDERSTANDING

USE OF LEEDERVILLE OVAL BY THE EAST PERTH & SUBIACO FOOTBALL CLUBS

Amended on 15 August 2003

1. INTRODUCTION

The East Perth (EP) and Subiaco (S) Football Clubs have entered into a ground share partnership at Leederville Oval. The shared facility is part of a redevelopment of Leederville Oval/Loftus precinct that will see a football "centre of excellence" established.

A Lease will be offered to each Club.

In agreeing to share the oval both clubs are to have equal use the facility and the Town of Vincent has undertaken to provide both clubs with an alternative training venue. This Memorandum of Understanding provides clear guidelines for the management of the facility, in particular the use of the oval itself and change room facilities for both training and playing games.

2. CONSIDERATIONS

- Leederville Oval has a first class surface and responsible management will ensure the surface is protected from overuse.
- The surface is to be maintained to highest level in keeping with the "centre of excellence" standards. This will include the provision of 5th and 6th post holders at both ends of the ground to prevent the "goal squares" from being over used.
- It is understood that in order to maintain the surface in prime condition the training load on the oval should be restricted to a sustainable level. Generally it is felt that four (4) training nights per week, plus the flexibility of an additional session for teams that play on Sunday or Monday, and no more than two games (senior and/or junior) should be the maximum utilisation each week. Even this workload is likely to show a fair degree of wear and tear and therefore advice from a turf consultant should be sought.
- It is essential that the minimum requirements of both clubs be serviced in terms of training needs.
- Both clubs will optimise commercial opportunities from this location provided that they do not impinge on football needs.
- Equal use of the facility is an absolute given for both clubs. However it is recognised that both clubs are likely to prefer to have Tuesday and Thursday as their first preference for training nights. If this is the case the Ground Management Committee (GMC) will need to consider the options available and make a decision that is responsible and acceptable to both clubs.
- The parties comprising this tripartite agreement are the Town of Vincent and the two football clubs.
- Both clubs will have equal representation on Ground Management Committee (GMC) and the Town of Vincent (TOV) shall chair this committee.
- It is also an absolute given that the TOV shall provide an alternative training venue for both clubs that is of a suitable standard.
- East Perth and Subiaco shall have priority use on training nights of the change room facility at their respective alternative venues.

- ~~East Perth and Subiaco shall have exclusive use of the change room facility at their respective alternative venues.~~

- Lighting of alternative venue shall be of a suitable standard.

3. USE OF CHANGEROOMS AT LEEDERVILLE OVAL

- Both clubs are to have ~~exclusive first priority~~ use of their change room facilities at Leederville Oval. (other than when these are required to be used for an event approved by the Management Committee).
- It is understood that each club (EP & S) has an obligation to make their change rooms available when visiting WAFL clubs are playing either EP or S. In such instances the minimum WAFL standards will be complied with by providing a change and warm-up area, three rub down and injury treatment tables and showers.
- No other use of the change rooms is allowed without prior approval of the respective clubs, including State games and WAFL finals. All requests to use East Perth or Subiaco's change rooms are to be submitted to the respective clubs in the first instance.
- The respective clubs have the right to deny requests and such decisions shall be reported to the GMC.
- However, it is acknowledged that the Clubs will not unreasonably withhold any approval in these cases.
- Any club or organisation that causes damage to the change rooms shall be required to pay costs for necessary repairs.

4. OVAL USE OTHER THAN ALLOCATED TRAINING NIGHTS AND SATURDAY AFTERNOON / NIGHT GAMES

- Games may also be scheduled for Friday nights, Sundays and Mondays (Easter & Foundation Day weekend).
- 16S Development Squad games may be played on the oval in the April school holidays.
- It is possible that requests will be received from the WAFL to play Colts games (on Friday nights) involving clubs other than East Perth and Subiaco.
- It is anticipated that the venue will be used for State games.
- The WAFL has indicated that it would like to schedule semi final and preliminary final games at Leederville.
- It is anticipated that requests will be received to use the venue for Country Football "Wesfarmers" Championship games in July each year.
- It is anticipated that requests will be received to use the venue for school games and Amateur Football League finals.
- Both East Perth and Subiaco should promote the use of the ground for junior football grand finals within their respective metropolitan districts.
- Both East Perth and Subiaco should promote the use of the ground to conduct country junior development squad days for their respective country zones.
- Both East Perth and Subiaco should promote the use of the ground to conduct metropolitan holiday coaching clinic and similar clinics during daytime hours.

- Other sports may request to use the oval off-season. These will be considered by the Management Committee. Prior to any approval being granted, consideration of the playing surface will be taken into consideration.
- The facility may be available for off-season use by other sports. It is essential that such arrangements have the backing of both clubs and provide a commercial return, except in the cases of community based organisations and not-for-profit organisations, when the fee will be minimal and based on the costs (incurred by the Town /Clubs) in making the premises available for the conduct of the event(eg staff, cleaning, security, lighting, insurance, utility costs etc)

5. GUIDELINES FOR PRIORITISING USE

5.1 In Season (March 1 to September 30)

- In a normal week both clubs (EP & S) will not use the oval more than four (4) days/nights per week in period Monday to Thursday for training purposes. The exception to this will be when a club is playing on a Sunday or Monday, in which case an additional session on a Friday or Saturday will be allocated as follows:
 - A club can train on a Friday when that club is to play a Sunday home game and provided there is no Friday night home game.
 - Saturday or Sunday training is only allowed when one of the clubs is to play a Monday home game and provided there is no Saturday or Sunday home game. The club playing Monday can only train either Saturday or Sunday nor both.
- When both clubs play on Saturday (home or away) it is likely that both clubs will conduct their normal rehabilitation session on a Sunday morning. Under no circumstances is a rehabilitation session to be conducted on the oval itself. Alternative training venues are to be used for this purpose.
- Colts training on the oval for both clubs is to be restricted to once each week and must be on one of the club's allocated nights.
- Clubs must obtain approval of the GMC for any use other than their allocated days each week.
- East Perth and Subiaco's requirements are the first priority and override any other requests.
- Requests from the WAFL to be submitted to GMC prior to the commencement of the season.

5.2 Off Season (October 1 to February 28)

- The oval is for the sole use of the two football clubs during this period.
- The oval should not be used for senior training during the month of October. During this month it is envisaged that major maintenance will be carried out, such as "vertico" mowing.
- Each club (EP & S) is to have a minimum of two (2) allocated days per week in period Monday to Thursday for training purposes. A degree of flexibility will be needed through this period and Clubs are expected to request either an alternative or additional session each week. If the clubs are unable to come to agreement over these requests then the GMC will adjudicate.
- Each club (EP & S) to have one weekend day allocated per week for training purposes.
- Each club's Colts team is to be restricted to training once each week on the oval and it must be on one of the club's allocated nights.
- Clubs must obtain approval of the GMC for use other than the allocated days each week.
- In the event of requests being received for use by parties other than the clubs (EP & S), it is the club requirements that are the first priority.

5.3 Ground Management Committee (GMC)

- The GMC is to meet at least monthly and is to be chaired by the CEO - TOV.
- There shall be equal representation by each club on the GMC.
- Club representation on the GMC shall consist of the General Manager ~~and the Football Manager~~ or their nominee. Club Football Managers, a representative of the Department of Sport and Recreation and the West Australian Football League may be invited to attend in an observer capacity only.
- Each of the clubs (EP & S) is to submit a schedule of requirements prior to the commencement each year (1 Nov) for approval by GMC. This of course will be reviewed when fixtures are finalised.
- Swapping of approved allocated days can be done at short notice provided both clubs agree and TOV is advised
- All requests from the WAFL to be submitted to GMC prior to the commencement of the season.

6. OPTIONS FOR EQUAL USE

Section 5.1 provides guidelines for off-season use of the oval by the two clubs. Arrangements for in-season are to commence on 1 March of each year.

6.1. OPTION 1 - SET TRAINING NIGHTS FOR THE ENTIRE YEAR

Club A Monday & Wednesday or Wednesday & Friday

Club B Tuesday & Thursday

Allocation of the above will be decided by the toss of a coin for year 1 and will be alternated each year thereafter, and reviewed after two years of operation.

6.2. OPTION 2 - FLEXIBLE TRAINING NIGHTS – ACCORDING TO FIXTURES

In-Season - 1 March to 30 September

(a) Home team that week trains Tuesday and Thursday

(b) Away team that week trains Monday & Wednesday or Wednesday & Friday (if no game on Friday)

Note – training on other days is subject to guidelines.

Off-Season - 1 November to 28 February

Club A Monday & Wednesday or Wednesday & Friday

Club B Tuesday & Thursday

6.3. OPTION 3 - SET TRAINING WEEKS – ACCORDING TO FIXTURES

1 March to 30 September

(a) Home team that week trains Monday through to Thursday at Leederville Oval. Home team has access to the oval on four occasions during the week and training on other days is subject to guidelines.

(b) Away team that week trains at alternative venue

1 October to 28 February

Club A Monday & Wednesday or Wednesday & Friday

Club B Tuesday & Thursday

6.4. OPTION 4 - SHARED TRAINING NIGHTS – ACCORDING TO FIXTURES

1 March to 30 September

Club A Monday (5 - 6.30pm), Wednesday & Friday

Club B Monday (6.30 - 8pm), Tuesday & Thursday

Provides the opportunity for Club A to have a short (20-30 minutes) training session on a Friday and in principle allows both clubs to have 3 sessions per week at Leederville.

7. SUMMARY

The clubs (EP & S) have reached mutual agreement to endorse the contents of this “Memorandum of Understanding” regarding the use of Leederville Oval and the change rooms.

In doing so we believe that the Town of Vincent should obtain advice from a turf consultant on the sustainable use of the oval to ensure the ground surface is maintained to an optimum condition.

The clubs also agree the structure of the Ground Management Committee and this committee should be formed as soon as possible to consider the options for ground use outlined in this paper.

This “Memorandum of Understanding” is to become an attachment to the formal lease agreement.

Signed by:

Alex Wilson

General Manager

East Perth Football Club

Kim Williamson

General Manager

Subiaco Football Club