

WYNDHAM CITY LEASE & LICENCE POLICY

COMMUNITY ENGAGEMENT REPORT



PROJECT BACKGROUND:

Council has a significant property portfolio and therefore a role as a landlord. It recognises it performs this function on behalf of its community. Council's portfolio is an important public asset. Therefore, it is critical that it is managed to maximise social, environmental and economic benefits to the community now and in the future.

The Policy will:

- Provide benefit to the public through leasing and licensing
- Ensure consistency and transparency in leasing and licencing, as well as providing certainty regarding tenant and landlord responsibilities
- Seek to manage Council owned or managed property in an ecologically sustainable manner
- Allow internal stakeholders to effectively negotiate lease or licence agreements with current and/or prospective tenants
- Ensure all prospective and current tenants have a legally binding agreement in place; and
- Provide a fair and reasonable rental calculation.

The Policy will be an external facing document that will apply to all lease and licence agreements, except for; Casual room hire; Seasonal Licence agreements that are covered by the Sporting Facility User Guide; Telecommunications agreements; Management Service Agreements; and those where Council is the tenant.

Purpose of the Engagement:

The purpose of the engagement was to give Council's affected stakeholders, being the community tenants who either currently have no agreement in place/or pay any rent the opportunity to have a meeting with Council officers to ask questions or raise concerns they may have with the Policy and how it will affect their tenancy.

Other affected stakeholders were informed of the Policy and were sent the link to 'The Loop', they were also invited to have a meeting to discuss the Policy if they so wished.

Engagement with Council's affected stakeholders ran from 3 September 2021 to 1 October 2021.

Community engagement to the broader community via 'The Loop' ran from 22 December 2021 to 31 January 2022.

Commercial and Residential tenants were not directly engaged with as the pricing structure in the Policy will not affect them given they pay market rental rates.

Legislative Requirements:

Council has statutory obligations under the Local Government Act 2020 in regard to leasing it needs to adhere to as well as the Crown Land (Reserves) Act 1978.

METHODOLOGY:

The below table outlines the various methods and techniques used to engage with the community.

Community engagement activities / tools	
Method / technique	Stakeholders engaged
Project page on 'The Loop' 22 December 2021 to 31 January 2022	175 total visitors to the page 236 page views
Online survey	4 surveys completed
Direct communications from community groups 3 September 2021 to 1 October 2021	Letters were sent to 12 of Council's directly impacted tenants (being those who pay no rent and/or have no agreement in place, covering 19 tenancies) providing a copy of the draft Policy and offering the opportunity to meet with officers to discuss how the Policy may affect their tenancy. Of the 12 tenants, meetings were held with 7 of Council's directly impacted Community tenants.
Email and letter 22 December 2021	Following the meetings, letters were sent to the 12 of Council's directly impacted Community tenants thanking them for providing feedback and: <ul style="list-style-type: none"> • providing an update on the draft Policy; • broadly outlining the feedback provided from all groups; • the amendments that were made to the draft Policy following receipt of their feedback; • a link to Council's community engagement platform 'The Loop' so they could provide any further feedback on the Policy; and • next steps towards having the Policy adopted.
Email	Emails were sent to 22 of Council's Community tenants (those with agreements and pay rent), to notify them of the draft Policy, provide link to 'The Loop' and to give the opportunity to provide feedback. They were also offered the opportunity to meet with officers to discuss how the Policy may affect their tenancy. Follow up emails were also sent prior to the feedback period closing.

Communications / marketing activities

Method / technique	Stakeholders engaged
Online promotion (Facebook, 1 post)	Wyndham residents
Other promotion	Number of emails sent to stakeholders: 34 Number of follow up emails sent to stakeholders: 46 Number of follow up phone calls made: 9 Number of meetings held: 7



SUMMARY OF FEEDBACK:

The feedback received between 22 December 2021 to 31 January 2022 is summarised in *Table* below.

We Asked About	You Said	We did
Rent	<ul style="list-style-type: none"> One (1) community tenant stated they thought the proposed rent was reasonable. One (1) community tenant expressed they will not be paying rent. One (1) resident thought it may be difficult for some community groups to raise funds to pay rent. 	<p>Full Community Use has now been amended to remove Administrative Rent and reflect Peppercorn Rent at \$1 per annum (payable on demand).</p> <p>Mixed-Use Rent was changed by substituting Administrative Rent to Peppercorn Rent, plus the calculation method as indicated in section 8.4 of the Policy.</p> <p>Mixed-Use High Surplus Rent remains unchanged.</p>
Having an occupancy agreement with Council	One (1) community tenant appreciated the clearly defined rights and responsibilities and another stated that the draft Policy considered community use fairly.	No changes required

Other comments	When asked the question “How much do you think the Draft Lease and Licence Policy accommodates the needs of tenants in Council managed buildings?” two (2) responses were received from community tenants who both provided a positive scoring, (5 out of 5 and 4 out of 5).	No changes required
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NEXT STEPS:

The findings from the public exhibition period and final Wyndham City Lease and Licence Policy will be presented to the Council meeting in March 2022 for adoption. Pending adoption, community members will be sent an email reply to their feedback.

If you wish to discuss further please contact Jaci Wagner, Property Projects Officer via email property.management@wyndham.vic.gov.au or phone on 03 9742 0777.
