

## PDBA Town Hall- 20th February 2025

**Board members present:** Kurt W, Daniel M, Jason F, Vanessa (apologies JD)

**Time started:** 7:06pm

Opening Statement read by Kurt Watts- President of PDBA.

### Questions from the floor-

\*please note for privacy, members names have been replaced with initials

Name	Notes
J	What would the proposed board representation be?
Kurt	2 basketball, 5 community, 1 PCC. Currently John Thain is the PCC rep to the stadium.
A	Can they come from anywhere in Sydney or do they have to be local?
J	They should be local, based on what the rules were when I was on the stadium board.
K	Isn't that what it was previously but didn't the stadium change that and take basketball out?
Kurt	Approx 3 years ago the stadium did change the constitution remove basketball representation and replaced with all community member board positions.
K	What's to say they won't do that again?
Milo	Nothing. That is what we were trying to negotiate on. Protecting PDBA's representation on a proposed new board.
P	Back when I was the president it was 3:3:1. Back in 2000 there were 3 PDBA representatives on the PVRSC board and 3 community plus John as PCC representative.
T	Was it a \$80K loan? What have PDBA lent them?
Kurt	Yes
T	How much as been repaid?
Kurt	Currently nothing as they asked for and were granted an extension. The extension is till May of this year. We have provided them with a number of loans over the last 5 years as requested by PVRSC.
C	Have they ever paid back loans?
Kurt	Yes, there was parity at the time of the newest loan being requested.
K	Just want to confirm that PDBA have given them money not just loans?
Kurt	Yes, we did pay the emergency levies that weren't a loan.
K	So, the stadium statement saying that we haven't helped with costs isn't true?
Kurt	Over the years we have paid court hire for all our games, made contributions during unforeseen circumstances such as when court 5&6 closed and provided loans.
K	And the \$6000 weekly payment

C	Was that a hire fee or emergency levy that we paid to PVRSC?
Kurt	Emergency levy.
C	What was it invoiced as?
Kurt	As an emergency levy.
A	What is the proposed model?
Milo	The model discussed was the 2 basketball seats on a 7-seat board. With PDBA being dissolved.
Kurt	The two parties have been in discussions on this point.
C	Does the stadium know of BNSW's stance and that they won't be able to form an association recognised by BNSW?
Kurt	They are aware that BNSW is supporting us as the licensed association in the Penrith LGA. The PVRSC's phrasing is that they would run a local basketball competition only.
K	What would basketball like from the merge?
Kurt	We would like clarity over parity on the board, demerger process, ring fencing of funds. And a discussion around what is the protection for basketball moving forward at PVRSC.
K	Ring fencing is in the statement. Boards can change. What do PDBA want? Are you looking for something in writing?
Milo	We asked for a non-binding agreement so we could do due diligence to revise the proposal and make sure that it is in the best interests of our members. That is why we haven't signed the HOA to date as it is legally binding and doesn't allow us the opportunity to conduct due diligence and negotiate on the areas that we have mentioned.
J	To date, have you seen PVRSC financials?
Milo	No, we have asked and were advised by them that we will not get them.
W	What is the likelihood of the 28-day notice?
Milo	Our legal representatives are looking into that
N	Is there facilities around that we could use if we do need to vacate?
Kurt	We have done an assessment of our relationship with local schools, and we think we can maintain a local competition moving forward if we do need to vacate the stadium.
N	What is the likelihood of the new stadium at Caddens being a home for us?
Kurt	The new facility is a long way away. PCC don't own the land. Their earliest prediction is it could be ready in 2029. The community need 16 courts so this stadium will stay, and the new stadium will add to the court capacity of the area. They will put the new facility to tender. They don't have a venue management department so; an external organisation will be appointed.
J	What is the impact on the representative program?
Kurt	The stadium has committed to hosting home games for all of 2025.
J	Do people realise that if people don't play local comp with PDBA, they aren't eligible to play reps?

Kurt	Yes, and we realise that reps makes up about 5% of the member base but that is a factor to consider.
N	Is PCC committed to the merged entity running the new stadium?
Milo	No. We don't have anything in writing on the future use and management of the new stadium.
T	What did the PCC review of the stadium find and who paid for it?
Kurt	It is still in progress and it up to PCC to release that report.
P	Why is the stadium carrying on like this?
Milo and Kurt	<p>We had communicated with PCC that it is hard to continue this negotiation if the stadium is under review.</p> <p>That is why the first town hall didn't get publicised as planned as the review meant that there was uncertainty about what the future of the stadium would be.</p> <p>The review was meant to happen in 2023, and PCC appointed the consultants to do the review in late 2024. It is currently underway, and PCC might have the consultant's report by March this year.</p> <p>PCC paid for the review</p>
A	<p>PDBA have basketball in their best interests.</p> <p>If PVRSC is asking for money, they seem to be in financial distress. The merger sounds like a power play but doesn't sound like a change of business model to make the stadium sustainable.</p> <p>Why is basketball involved?</p> <p>Why can't we get answers?</p> <p>You wouldn't merge without seeing financials. It's like a marriage, you need to know what you are getting into.</p>
Milo	<p>Our financials are public, we have provided it to PVRSC.</p> <p>Ring fenced we would approx. \$500,000, plus, PVRSC would then have no loan repayments to PDBA.</p>
A	Wouldn't we then inherit their debts?
Milo	<p>We can't answer that.</p> <p>The PCC loan requirements would be a matter for them to comment on.</p> <p>It took us 12 months to get PCC to meet with us. This occurred with PVRSC, PCC and us.</p>
J	Doesn't the money the PDBA have belong to members?
Kurt	BNSW have offered to hold the money for members to be reinvested into the Penrith basketball community if needed.
Milo	Initially we asked about how PDBA funds would be spent to clarify the conditions under which it could be used. Versus being free to be used on stadium expenses unrelated to basketball. This is something that would need clarification moving forward.
K	It sounds like we are more financial so why aren't we the controlling partner?
A	Why is PCC only talking with the stadium?
Milo	PCC and the PVRSC have the management agreement. Plus, PVRSC has borrowed money from PCC, so they have a contract in place that governs this.

S	Is PCC reviewing the stadium because they want to change the use or future management of it?
Kurt	The scope of works is that PCC want to conduct an independent review to look at stadium management, fees, marketing etc. Bench marking against other facilities to establish what will be sustainable moving forward. The scope of works outlines that the review is to... let me read it to you: (KURT READ SCOPE OF WORKS)
D	What is the basketball competition that the stadium is proposing? Are all the junior clubs sticking with PDBA? I feel we all are!
H	Don't we exist under Penrith basketball? The clubs don't operate independently, do they?
Kurt	Correct
N	Do PDBA intend to run a winter comp?
Kurt	Yes, we are still negotiating in the hopes of running the comp here but, we do have a plan B to keep running a winter comp if we need to vacate.
C	The rumour is that PVRSC have told PCC that there are 5 out of 7 clubs that will transfer over to a PVRSC competition. I believe that is incorrect. Joeys is staying with PDBA and the others I have spoken to have said they will too.
T	Regentville – we are staying with PDBA
C	Cambridge Park – we are staying with PDBA
	Lots of nods and “we are with PDBA” – couldn't distinguish all voices.
K	I don't understand why it is basketball responsible to keep the stadium afloat. Why is that?
Kurt	We want the stadium to be sustainable. We need it to work for basketball and the stadium.
K	Why aren't the other sports being asked to do the same?
Kurt	We are the major hirer, so they came to us first.
E	Didn't the stadium say in their statement that basketball brings them no money?
Kurt	I can't speak for them. We are two organisations that are trying to work together.
K	What are the benefits of us merging with them?
Kurt	It could cut out double handing. Economies of scale. Make it easier for us to book courts.
Milo	If it was successful, and the merger was positive. We might be in a place to tender for the new stadium.
K	What are their grounds for not hiring to us?
Kurt and Milo	They are a private organisation so they can decide there is a conflict of interest if they want to run their own competition.
T	How do other stadiums run?
Kurt	Sutherland own their stadium, Bankstown own theirs. Hills is a good model – they work with their council. They have expanded the main stadium and taken on two new facilities as well. They are the biggest association in the whole state.

	We are medium sized. Probably 5 <sup>th</sup> or 6 <sup>th</sup> in NSW. Hornsby are using Barker College to add to their stadium. They are under extremely strict conditions to use Barker College's courts.
W	The stadium is calling the shots is that correct?
Milo	That is for you to interpret.
K	So, if we merge, do we get priority or any protection? It sounds like the better option would be a commercial agreement.
C	They are just after our money.
W	How can they kick us out before the comp ends?
Kurt	We would finish this season and then run our winter comp elsewhere if we cannot reach an agreement with the PVRSC.
M	If we are 2 of 7 board seats, what input would we have? That doesn't sound fair.
Milo and Kurt	That is a concern. We have tried to negotiate on this. The Stadium originally wanted to appoint the basketball board members. We wanted them to be voted by members. That's why we wanted a non-binding agreement so points such as this could be discussed. Unfortunately, we weren't offered a non-binding agreement that would allow us to work through these points.
T	Have you seen the new model. Who will run it?
Milo	We haven't received anything in writing.
Kurt	We haven't received anything firm. Just verbal so we won't share that.
A	If we merge, will they take our computers, money etc and then say, "see you later"?
Milo	That is something that would need to be discussed as part of the formal agreement. There is a lot more that needs to be discussed.
A	With the representative program. What happens if the stadium doesn't let us use the venue for when the rep program begins?
Milo	They have told us that we will be able to run our rep program here all year.
A	How does that make sense? They are saying they won't let us run our local comp here, but they will take our money for rep comp. How does that make sense?
K	So, if you play with the PVRSC comp, will that mean you can't play reps?
Kurt	In order to play in the BNSW representative competition, you need to play in a BNSW aligned local competition with a BNSW registration. The stadium isn't a BNSW licensee. You would need to play in the PDDBA winter comp to be eligible to play reps.
A	Does the stadium have referees, court supervisors etc?
Kurt	We don't know
C	The stadiums statement is creating fear to try and make PDDBA look like the enemy. How are they allowed to do that?
Milo	We are discussing this with our lawyers
H	Would this change the way the clubs run if we merge?
Kurt	The board would change but the clubs would be able to continue as is.

S	Is this a merger or an acquisition? It sounds like a take-over. Why aren't we joining together to create something new?
Kurt	Due to the stadiums loan obligations and lease they have said it isn't possible. We did proposal a new entity originally.
A	How do we move forward from here?
Kurt	We are here for you. So, if the members say they want the current proposal, we will sign the HOA. If the members don't, we won't. We never ceased negotiations. We are still trying to discuss our concerns with PVRSC in the hope of negotiating a sustainable and mutually beneficial arrangement.
K	Is there any legal avenues for us to explore?
Milo	Yes, we are exploring this
C	Do you pay for office space?
Kurt	This has been discussed and offered but no agreement has been made
C	BNSW support. How was that communicated.
Kurt	In writing from Maria Nordstrom
N	Has basketball paid for office space for the last 20 years
Kurt	It has been discussed a number of times over the years. PDBA has made offers but, no agreement has been reached.
P	What is PCC's stance on this?
Kurt	We don't have a response on that from PCC.
K	If we are the number one hirer, how do they think they will survive without us?
Kurt	We can't answer that.
C	If we are playing at multiple venues moving forward. How will that look and what will injury prevention for players look like?
Kurt	We are working on that. We have done it previously and we will make sure everything is safe before winter comp is launched. We have done this successfully before so we know we can put systems in place to make this happen in a safe manner if we need to take that step.
A	Will PVRSC be running a competition that is safe and making sure that WWCC are being adhered to by all those involved?
Kurt	They would have to adhere to legislation if PVRSC are to run a comp without us.
W	Would we make more profit if we didn't operate from here?
Kurt	We are a not for profit so we would operate in a manner that adheres to that ethos. Some external courts charge us more than PVRSC and others charge us less so it will depend on availability and negotiated agreements.
K	Have clubs that have said they won't play here, taken it to their members?
C	We as a club will not support going to play in the PVRSC competition.
A	We operate under PDBA so we can't operate without PDBA approval.
N	Just to be clear you are running a winter competition.
Kurt	Yes
M	What will winter comp look like?

Milo	We have done research, but we wanted to see what members thought at tonight's meeting before we pushed the button to make it happen. Now that we are hearing that you want us to explore options, we will explore options in more detail.
A	It will be tricky in the short term being in a number of venues, but we need to think of the long term. If they take our money, we could be in trouble in the future. Soccer and football play over a number of venues. It works for them.
N	We are playing over a number of venues now so what will change?
N	There are so many dedicated people here. We need to demonstrate that we will stand together. We aren't saying no but, we want to make sure that we are heard, and that basketball is protected moving forward.
Milo	We will be working hard to keep discussions going.
K	Are you still are trying to make it work as board members?
Kurt	Yes
N	Yes, we need to stay as an association, but we can't merge if the terms aren't right.
R	How are you going to convince parents to stick with PDBA when the stadium is so central and convenient if you have more than one child. The kids want to play with their mates.
Kurt	We are fortunate that we have had this venue to date. We would like to stay here if the terms are correct. But, if we don't have that option, we will continue to give the children somewhere to play.
B	As a single mum of 4 kids, you take your kids anywhere. PDBA will always put kids' safety first.
Kurt	Our aim for tonight was to bring you all the information, answer your questions and hear your concerns. We want to find a sustainable solution moving forward.
A	Can we sub lease the stadium? Could that give us a say, give them financial stability, and give us dedicated court access?
Milo	Our first legal advice was to enter a commercial arrangement. We still need to do due diligence to ensure that any agreement entered into is in the best interest of our members.
A	Isn't there other options?
Milo	Unfortunately, PVRSC were reluctant to look at other options previously.
K	PVRSC wanted you to sign the HOA before tonight. Could you have signed it?
Kurt	Our intention was to have tonight's meeting and have PVRSC, PCC and us at the town hall. We wanted to show what was on the table. If members were positive, we would have pursued the offer on the table. We wouldn't have been in a position to sign anything binding without a vote from members.
K	So will we see the HOA
Milo	No, we have been told via lawyers today that the offer has been rescinded and they are open to talking to us further.
S	Could we see it?

Kurt	We have been told that the HOA is no longer on the table, as of today.
Milo	To give you the recent timeline - Thursday we met with John Thain, and he wanted us to sign the HOA. We said we won't without a vote. We said we would go to the town hall with the content of the HOA. The next day they withdrew from the process. So, the current HOA has been withdrawn.
W	So, the HOA is now not current, do we still need to leave?
Kurt and Milo	So, we have to the end of this season, and we are looking for options still.
A	If we are out at the end of this competition, will we be able to run junior competitions?
Kurt	Yes
A	So, there is options for juniors to continue until we get a situation that is sustainable?
N	That was my point.
K	So, what is the point of the vote?
Kurt	The point of the original town hall was to talk about the proposal, then 21 days later, vote on what the members would like to do.
A	Will we have a new town hall if we reach a new proposal with more negotiation?
S	So, we now have the opportunity to provide input?
K	Isn't that a good outcome
N	Don't we won't some protection?
Kurt	Yes, we understand the current model is broken. We can see a future together so we would like to continue working on a solution that has parity. We don't want to take on their liability as that too would be passed on to members. We will continue to negotiate, do our due diligence and yes, there would be a new town hall if a new proposal is agreed too.
A	So how do we help the board move forward with this?
Kurt	I will be meeting with the junior clubs regularly to get your feedback.
K	Is that an open invitation to get access to information moving forward?
W	Do we want a merger or a commercial agreement?
Kurt	We would like a commercial agreement while we work on the viability of a merger.
C	Would we still exist under a merge?
Kurt	We would need to dissolve
C	Does BNSW support that?
Milo	They will support what the members want.
C	Will this situation change when the new stadium opens?
Kurt	We don't know.
T	Why will they not give us more than 2 spots on the board?
Kurt	PVRSC have said that PCC will not allow more. PCC staff have indicated this is not the case. Our original proposal was 3 basketball, 3 stadium and 1 council. The council would be an independent.



S	Did council say why they wouldn't give the lease to anyone else
Kurt	No
A	Is the building for sale?
Kurt	Not that we know of
Jason	From a member protection point of view, I am going to ask that everyone please be respectful of stadium staff moving forward. We all need to work together and be respectful of the situation that we are all finding ourselves in.
K & J	That extends to social media as well
Kurt	Yes, we want to be respectful, the PDBA does not condone any abuse directed at anyone via social media posts or comments.
C	Will moving off site cost more or less?
Kurt	In some cases, more and others less
C	Did you offer more money for office hire?
Milo	The discussion of a commercial agreement was shut down straight away and we never got further with the discussion unfortunately.
Kurt	And we paid \$6k per week as an emergency levy
C	Have we supported them at other times?
N	We have helped them at other times to pay for repairs, scissor lifts etc
T	Is the sticking point the board positions and money?
Kurt and Milo	It is that and the enshrinement of basketball in a formalised document. This would ensure that we remained partners.
N	How much of this relies on PCC not calling in their loans and making the situation untenable?
Milo	We do think this is a three-way partnership. PCC do have a role. Questions on the loans that PCC have given to PVRSC is a question for PCC.
B	Wouldn't it be in PDBA best interest to leave? Can't we rent another venue?
Kurt	Unfortunately, there are no other stadiums of this size in Penrith LGA.
C	Is there the possibility of partnering with schools moving forward?
Milo	We need to look at what is sustainable moving forward
A	You would have a contract with the schools
Kurt	Yes, there would be contracts, and we would look at that moving forward.
K	Thanks to the Board for their efforts.
Kurt	We are happy to keep answering questions that you might have I am also conscious of the time.
I	So, is the message that we will power on? The staff are happy in the short term?
Milo	Yes, they might have a new office space, but we do have a plan B so, if need be, we will have that to keep basketball going.
R	As they now want to know what we want, can they extend the eviction?
Kurt	We hope to keep negotiations going and maybe a commercial agreement could help extend our use of the courts.
R	What model will work?

Milo	We need to do due diligence to help understand this. We need to see the numbers to feel comfortable in a new model being sustainable.
C	Have all parties seen the questions?
Kurt	I've been sharing the questions on a regular basis. They received them from the get-go.
C	Why is PCC not here tonight?
Kurt	I reached out to them on Tuesday to confirm their attendance and they responded in writing that as the merger was not proceeding, they would not be attending.
S	Did the other partners respond to their questions, and can we see their responses?
Kurt	We haven't received responses to the questions from PCC or PVRSC.
A	Can we ask the other partners to respond their questions?
Milo	We can ask them.
C	If they don't answer, will you let us know.
Milo	If the answers are blank, you know they declined
S	Will we receive the PDBA answers?
Kurt	We have answered them in our statement that will be in the minutes
A	PDBA have to answer to us as our members, but PVRSC is not obligated to answer us as a private entity.
A	If they want our money, shouldn't they have to answer our questions?
Kurt	We are following due diligence, and we will provide any responses that are given to us.
H	If we move, are we keeping junior and senior comps on the same nights as they are currently playing in winter?
Milo	We have only had a few days to look into this so we will work on communicating what the draw is once we have more clarity.
K	Have we got legal advice on being refused service. Will that get us an extension?
Kurt	We are engaging with legal to ask those questions as we have a booking for winter comp.
K	Will John Thain be at the meeting with PCC?
Kurt	We will meet with officers that look after PCC facilities and their operations. Thank you everyone. We appreciate your time

Close: approx. 915pm