

POLICY:	USE OF LAND AND FACILITIES IN HOBSONS BAY
DATE ADOPTED BY COUNCIL:	10 DECEMBER 1996
DIRECTORATE	BUSINESS AND FINANCE
DEPARTMENT:	PROPERTY
RESPONSIBLE OFFICER:	MANAGER PROPERTY

That Council receive and note the report of the Administrative Services Manager and adopt the Policy and Procedure relating to the Use of Land and Facilities in Hobsons Bay City Council as follows:

POLICY

Council's policy is to encourage and promote the use and enjoyment of Council land, buildings and other land and buildings under Council's control in Hobsons Bay, by organisational bodies for sporting, cultural and recreational community and commercial purposes, subject to appropriate leasing, licensing and service agreements which clearly stipulate the responsibilities and accountabilities of the partnership between Council and the organisational body (the Body).

PROCEDURE

The Council will administer the policy by:

- 1. Reviewing current licences, leases and agreements with organisational bodies and any requests for an arrangement with Council.***
- 2. The organisational body wanting or requiring an arrangement with Council should where applicable be an incorporated body and have in place insurance cover to Council's satisfaction protecting Council's interest against potential damages.***
- 3. The arrangement may be a licence, lease, service agreement or any other Agreement subject to the special requirement of the body and after consultation and investigation to be determined solely at the discretion of Council management and endorsed by Council.***
- 4. The terms and conditions of the arrangement will be at the discretion of the Council and recommended by Council management and will take into account:***
 - 4.1 The term of occupancy which will be in accordance with the requirements of the body and Council needs to maintain land and buildings in a serviceable and adequate standard. Terms of 5 years or multiples thereof are preferable. The rental at each 5 year option will be determined in accordance with the prevailing Council policy. During the term of the lease there will be annual reviews and the rental adjusted by changes to the Consumer Price Index, but in any event the rent will not be less than the previous year.***

Where the Council leases buildings it will take account in the rental the lessees involvement and contribution in any capital improvements to the leased premise, and ongoing maintenance provided by the lessee.

4.2 A market rate will be fixed but discounted to cultural, recreational sporting and community groups other than those involved in a commercial activity. Rental on buildings will in the first instance be based on market value, and where not applicable it will be based on the annual depreciation of a gross replacement cost. Ground rentals will be based on 7-8% of the valuation of the land and discounted for the above groups.

- 5. Where a cultural, recreational, sporting or community group can demonstrate and justify special circumstances which would warrant a deviation from the policy and the approval of special leasing terms, conditions and rental arrangements, such consideration and approval be at the discretion of Council.**

(Part 5 rescinded by Council resolution 8/8/2000)