

ITEM 13 POLICY REVIEW - COMMUNITY & SPORTING GROUP RENTALS COUNCIL POLICY

The Community and Sporting Group Rentals Council Policy has been reviewed as part of Council's review schedule of its policies. The Policy has been revised to:

- Ensure all requests for the rental of Community and Sporting Council managed facilities are considered;
- Comply with legislative changes; and
- Update formatting to suit the current Council Policy template.

RECOMMENDATION

Council adopt the revised Community and Sporting Group Rentals Council Policy.

REPORT AUTHORISATIONS

Report of: Lani Richardson, Manager Commercial Operations + Property

Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Community and Sporting Group Rentals Council Policy - Draft

BACKGROUND

The Community and Sporting Group Rentals Council Policy (the Policy) was initially adopted in May 1994, with further revisions in 2015 and 2018. Council manages Community and Sporting facilities throughout the LGA. Council supports community and recreational groups to occupy Council managed facilities at a subsidised rental, and this is controlled by charging appropriate fees for such occupation. The purpose of this Policy is to provide a clear and consistent framework for the management of these Community and Sporting facilities that ensures transparency and adheres to relevant legislation.

Changes to the Policy are listed below:

- Updated Wollongong 2032 Objectives.
- Updated the Policy, removed wording "in these cases a rental of \$1.00 is to be charged by Council". This wording is not required in the Policy as rentals are charged in accordance with Council's adopted fees and charges.
- Updated the legislation to include the *Local Government Act 1993*, *Crown Land Management Act 2016* and *Real Property Act 1900*.
- Updated the reporting to include "to establish the eligibility of an organisation to pay the minimum fee, each organisation shall be requested to submit its annual report and financial statement".
- Updated formatting to comply with current Council Policy template.
- Changes to reflect other Council policies, ensuring consistency and best practice.

PROPOSAL

It is proposed that Council adopt the revised Community and Sporting Group Rentals Council Policy.

CONSULTATION AND COMMUNICATION

Consultation was undertaken with the following internal stakeholders:

- Commercial Operations and Property
- Sport and Recreation

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 4 – *‘We are a connected and engaged community’*.

It specifically delivers on the core business of Property Services, in particular *‘provide high quality of service on all Council property matters.’*

CONCLUSION

The revised Community and Sporting Group Rentals Council Policy provides Council with a clear and consistent framework for determining rental fees for Community and Recreational organisations when occupying Council managed facilities ensuring transparency and adhering to relevant legislation.



COMMUNITY AND SPORTING GROUP RENTALS COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

PURPOSE

Council will charge community and sporting organisations a minimum annual rental fee under lease/licence agreements granted to the organisations for the use of Council-controlled premises and sporting facilities.

POLICY INTENT

This policy has been developed to ensure the responsible occupation of premises under the control of Council by charging appropriate fees for such occupation.

The main objective of this policy is to formally adopt fees and charges to be paid by community and sporting organisations for occupation of premises under the control of Council.

Council recognises that some occupants do not have the ability to pay market-level fees for occupation of its premises and in such circumstances, it is inappropriate to require a market-level fee to be charged to some worthy occupants.

WOLLONGONG 2032 OBJECTIVES

This policy supports our Community Goals outlined in Wollongong 2032, with interconnected objectives being:

1. We value and protect our environment.
2. We have an innovative and sustainable economy.
3. We have a creative, vibrant city.
4. We are a connected and engaged community.
5. We have a healthy community in a liveable city.
6. We have affordable and accessible transport.

This Policy contributes to Goal 4 – “we are a connected and engaged community” specifically, the Core Business of Property Services, in particular “provide high quality of service on all Council property matters”.

POLICY

The minimum rental fee will be determined by Council on an annual basis and included in Council’s fees and charges.

To establish the eligibility of an organisation to pay the minimum fee, each organisation shall be requested to submit its annual report and financial statement.

Where it is clear an organisation has an ability to pay a market rental or fee, the rental fee payable shall be the market rate as determined by Independent Valuer.

Where it has been requested or is intended that rental/fees to be paid by an organisation are to be different from (in excess of or less than) the fees/rentals as outlined in the preceding paragraphs, such matter to be the subject of a report to Council for determination.

This policy is not to be applied in respect of licences for community halls granted under the provisions of Council’s Halls Strategy, nor in respect of management agreements for childcare centres managed on behalf of Council by community committees.

COMMUNITY AND SPORTING GROUP RENTALS

COUNCIL POLICY

LEGISLATIVE REQUIREMENTS

The following instruments of legislation must be considered and are applicable to this policy (as amended from time to time):

- *Local Government Act 1993*
- *Crown Land Management Act 2016*
- *Real Property Act 1900*

REVIEW

This Policy will be reviewed a minimum of once every term of Council, or more frequently as required.

REPORTING

To establish the eligibility of an organisation to pay the minimum fee, each organisation shall be requested to submit its annual report and financial statement.

RELATED STRATEGIES, POLICIES AND PROCEDURES

Leases & Licensing Council Policy

| APPROVAL AND REVIEW | |
|------------------------------|--|
| Responsible Division | Sport & Recreation |
| Date adopted by Council | [To be inserted by Corporate Governance] |
| Date/s of previous adoptions | 19 November 2018, 26 May 2015 (EMC); 23 May 1994 (Council) |
| Date of next review | [Not more than three years from last adoption] |