

Community Use of Council Assets

Policy type	Administration
Function	Infrastructure Services
Policy Owner	Facilities & Leasing
Effective date	28 July 2022

1. Purpose/Objective

Community organisations rely on the use of Council assets to conduct their activities or develop infrastructure and improvements to achieve their objectives or deliver services.

This policy and framework aims to:

- a) Establish a consistent, transparent and equitable framework to deal with requests for the use of Council assets to support a diverse range of community organisations.
- b) Ensure compliance with relevant Acts, Regulations, and other statutory requirements related to property disposals, transactions and engagements.

2. Scope

- Provide a framework for dealing with requests by community organisations for the use, or allocation of Council assets and resources.
- Ensure consistency, fairness and transparency in the manner in which Council deals with such requests.
- Encourage shared use of facilities and land to improve sustainability and utilisation.
- Ensure compliance with relevant Acts and Regulations related to property disposals and transactions.
- Assess risks to ensure land and facilities are fit-for-purpose and able to be used in a sustainable way. Buildings surplus to Council's needs are identified and disposed of as per CCRC's Asset Disposal Policy (FIN004).
- Make Council's policies and requirements for such use readily accessible and understandable to the public.
- Ensure accountability through the life of the contract or relevant tenure arrangement.
- Enable Council to withdraw support subject to changes in circumstances or not meeting CCRC's adopted principles.

3. Definitions

Council Property – is land and buildings that are owned or controlled by Council, it includes freehold land owned by Council, Trust Land for which Council is the trustee, local government controlled roads for which Council is the manager and land which is leased by Council.

Trust Land – is a collective term which applies to reserves and deeds of grant in trust set aside under the provisions of the *Land Act 1994*.

User Agreement – is a license to occupy any land owned or controlled by Council.

Trustee Lease – means a lease granted by Council as the trustee of Trust Land.

Freehold Lease – means a lease granted by Council as the owner of the freehold land.

Fees and Charges – means Councils adopted fees and charges

Hire Form – means the form required to be completed by individuals, groups or organisations for the use of CCRC facilities on a casual basis

Asset Rationalisation Savings – means savings generated from CCRC's asset rationalisation program effective from 1 July 2022.

4. Policy

The type of tenure or level of support from Council will vary depending on the organisations alignment with the below four assessment criteria. This assessment criteria has been developed in-line with the principles adopted by Council (LG0885) See Annexure 1.

4.1 Governance and Compliance

This is a mandatory set of requirements required to be eligible to enter into a tenure arrangement(s) for the use of Council land and buildings, or support for the use of other Council assets.

The requirements include but are limited to:

- the organisations Certificate(s) of insurance
- AGM minutes,
- organisation charter / constitution,
- details of board members and relevant contact information.

Organisations that are not able to provide meet these requirements will not be eligible to enter into any tenure arrangements with Council other than 'Casual Hire' arrangements under CCRC's adopted fees and charges.

4.2 Community and Economic Benefit

This criteria measures the benefit of the services that are being provided by the community group.

Organisations are required to demonstrate how they can improve the economic and social conditions of the community by using local facilities, land or other assets. The greater the community benefit, the greater the support from Council.

4.3 Sustainability

This is designed to assess the organisations long-term sustainability for the use of a proposed facility or asset. Key elements include; how fit for purpose is the facility, provision for shared use / shared resources, ability to raise revenue i.e. fundraisers, memberships, demonstrated ability to meet outgoings and expenses, how long has the organisation been operating.

4.4 Utilisation

Council strives for buildings to be utilised in ways which generate maximum social value for the community. Organisations that share spaces, resources and volunteers can reduce operational expenditure resulting in better investment in their programs and activities being delivered to the community.

Organisations will be scored across these four criteria by using the Community Use of Assets Framework and Policy Guidelines to then determine the type of tenure or level of support from Council.

Related forms, policies and procedures	CCRC Adopted Principles (LG 0885) Community Use of Assets Framework & Guidelines Internal Workflow FIN004 Assets Disposal Policy FIN019 Rating Concessions Policy
Relevant legislation	Local Government Act 2009 Local Government Regulation 2012 Land Titles Act 1994 Planning Act 2016 Native Title Act 1993
Reference and resources	

Policy Number	16040		
Approved by	Council Resolution LG1312	Approval date	28 July 2022
Approved by	Manager Governance	Approval date	5 October 2023
Review date	July 2025		

ANNEXURE 1 - CCRC ADOPTED PRINCIPLES

MINUTES - LOCAL GOVERNMENT MEETING
10/12/2020

Recommendation

"That Council:

1. Adopt the following principles as outlined in the report:

- **Asset utilisation – Council manages fewer assets that are of a higher standard and are provided for shared use, providing greater benefit;**
- **We will support groups that support themselves;**
- **Ratepayers will support groups who can demonstrate community benefit and are sustainable;**
- **Council has a low risk appetite for non-compliance with legislation, regulation and policy. We want to partner with groups that comply;**
- **Groups who receive benefit from Council can demonstrate proper governance and financial management;**
- **We seek to support clubs appropriately and enable new groups to start while limiting the financial risk to ratepayers;**
- **If clubs reduce in size we will support them to move to more sustainable arrangements;**
- **Demonstration of track record, capacity and strategy is required to access greater support from ratepayers;**
- **We require accountability for agreements and deliverables;**
- **Clubs with greater access to finance through income generating activities made possible by ratepayer-owned assets should contribute more;**
- **We will support and incentivise groups to provide assets and services which are not on Council land;**
- **We expect groups to firstly look to fund ongoing costs through external (grant) funding to reduce costs to ratepayers;**
- **New or upgraded assets will only be supported where a sustainable business case demonstrates value, benefit and sustainability;**
- **We expect support and respect from those we support;**
- **For Profit and State and Federal entities will not be provided with ratepayer direct or in-kind support without a Council resolution; and**

2. Develop a policy and framework for the strategic and consistent management of community use of Council assets based on these principles."

Moved Cr K Farinelli

Seconded Cr T Millwood

Resolution Number LG0885

"That the Recommendation be adopted."

FOR: Unanimous

CARRIED

10:32am Mr G Smart left the meeting