

COMMUNITY TENURES POLICY FOR COUNCIL OWNED AND/OR CONTROLLED FACILITIES

APPROVALS

POLICY NUMBER	PECS-POL-128	DOC.ID	4822548
CATEGORY	Community		
POLICY OWNER	Manager Community Facilities		
APPROVAL DATE	29 September 2021	RESOLUTION NUMBER	7517

OBJECTIVE

The aim of this policy is to provide clear guidance for the management of tenures to not-for-profit community groups over Council owned and/or controlled land.

SCOPE

This policy shall apply to all Council owned and/or controlled facilities within its local government area and the community organisations that wish to and do enter into tenure agreements with Council.

DEFINITIONS

TERM / ACRONYM	MEANING
Community Group or Community Organisation	The not-for-profit, eligible organisation wishing to apply for tenure or who holds tenure.
Facility or Facilities	Include land, buildings and specialised grounds, with the term 'facilities' use throughout this policy to describe all these elements.
Tenure, tenure agreements and/or tenure arrangements	These terms are defined as leases or licenses between Council and not-for-profit community groups over Freehold Land or Trust Land.

POLICY STATEMENT

The intent is to maximise the community benefit arising from facility use while ensuring responsible management of community assets, and accountability to ratepayers for the direct and indirect expenditure on lease subsidies by:

- Ensuring fair and consistent tenure conditions between tenant organisations and equitable access to Council facilities;
- Enhancing community participation, health and well-being through provision of appropriate and accessible community facilities;
- Ensuring Council-owned facilities are used to meet demonstrated community needs consistent with Council's Vision, Community Plan, Operational Plan and Corporate Plan;
- Optimising use by the Isaac community of Council facilities;
- Increasing community access to activities and services, particularly access by disadvantaged and socially isolated groups;
- Assisting not-for-profit and volunteer-based organisations that offer activities and services in the Isaac region;
- Developing a partnership approach, where appropriate, to facility management and maintenance in which tenants share the responsibility and cost;

- Ensuring that Council's contribution is publicised to the community;
- Providing accountability for Council expenditure on leasing subsidies, as they constitute indirect grants;
- Ensuring that Council-owned facilities are appropriately maintained, developed and occupied responsibly having regard to the interests of local communities and the care of the assets; and
- Ensuring sound financial management and effective administration of Council community tenures.
- Ensuring that tenures not already in place are done so in a prompt and efficient manner.

ELIGIBILITY AND EXPRESSION OF INTEREST

For a lease or license to be considered on Council owned and/or controlled land, the proposed purpose for which the land is to be used must fall within one of the following categories;

- Sport
- Recreation
- Community

Council will only consider an application from a club/association that is incorporated under the *Associations Incorporation Act 1981* and *Amended Regulations 1999*, or other appropriate legislation to the satisfaction of the Council.

AUTHORITIES AND ACCOUNTABILITIES

This policy applies to all registered not-for-profit organisations who are seeking land tenure, or those who currently hold land tenure within the Isaac region.

LEGISLATIONS AND RELATED GUIDELINES

- *Associations Incorporation Act 1981 and Amended Regulation 1999*
- *Land Act 1994*
- *Land Regulation 2020*
- *Local Government Act 2009*
- *Local Government Regulations 2012*
- *Property Law Act 1974*

REFERENCES

ID	NAME
CORP-GDS-006	Frequently Asked Questions for Tenures
CORP-GDS-007	Standard Terms Document Overview
CORP-GDS-028	Base Building Inclusions/Exclusions

CORP-GDS-043	Fixed Food Premise Facility Guide for Non-Profit Organisations
CORP-GDS-044	General Guide for Food Premise Facility Fitouts
CORP-FRM-054	Expression of Interest for Community Tenure
CORP-CLT-006	Checklist for Signing Tenure Documents
CORP-FRM-048	Acceptance of Draft Tenure Form
	Standard Terms Document – Trustee Lease
	Standard Terms Document – Freehold Lease
