

Community Facilities Occupancy Policy

Date adopted: << insert Day Month Year >>

Responsible Service Area: Sport & Recreation

Purpose

It is Maroondah City Council’s intention that when it allocates a community facility for use, the allocation will be reasonable, transparent and equitable. This Policy framework contains the rationale and principles that will guide the assessment of requests for use of Council owned or managed land and buildings and the subsequent development of agreements for occupancy.

Background / Context

Maroondah City Council (Council) owns or manages an extensive network of sports fields, pavilions, open space, halls, meeting rooms and other facilities on behalf of the community. Council views the sustainable use of these facilities as integral to the Maroondah community having equitable access to a wide range of leisure, cultural and educational opportunities and to enhancing the sense of community within Maroondah. Council encourages the use of these facilities by supporting and subsidising the many groups that use them.

Scope

The Policy extends to all Council-owned or managed facilities and grounds as detailed below:

- Council Owned and managed Community Halls and Meeting Spaces
- Community Centres
- Kindergartens
- Senior Citizens Centres
- Sporting Pavilions
- Sports Grounds and sporting activity surfaces
- Scout and Guide Halls
- Facilities managed by Council Special Committees of Management
- Karralyka Facilities
- Maroondah Leisure Facilities (Aquahub, The Rings, Maroondah Nets, Croydon Memorial Pool, Aquanation, Dorset Golf and Ringwood Golf)
- Other Community Facilities

Policy Control Schedule

Policy Title: Community Facilities Pricing Policy		Policy type:
Current version approved: 2015	Current version number: 3	Policy review date: March 2023
Parent policy: << Insert text >>	Child policy/policies: << Insert text >>	Policy responsibility: Sport & Recreation

Leases and Licences may relate to land or land and facilities owned by Council, managed by Council on behalf of another government department where Council has been appointed the Committee of Management e.g., VicRoads or Crown Land.

Leases that have a component of commercial activity are also covered by the Policy where the group holding the lease is a registered not for profit community organisation.

Exclusions

This Policy does not include commercial property.

Objectives

The objectives of the Policy are:

1. To establish principles and criteria for the determination of appropriate occupancy arrangements.
2. To enhance opportunities to participate in community life through the planning and distribution of subsidised leased, licensed and seasonal facilities and community meeting space with appropriate concessions that encourage greater participation.
3. To ensure accountability to the community through an equitable and transparent occupancy structure.

Policy Principles

The principles set out below will be used by Council to underpin the development of agreements for occupancy of Council owned or managed land and buildings within the scope of this policy.

1. Appropriate

Occupancy arrangements will reflect the best fit for the needs of the facility, the needs of the intended occupant and those of the wider Maroondah Community.

2. Transparent

The allocation of facilities and associated responsibilities will be documented in a manner that users and the community can understand (e.g., how and why the arrangement was determined.)

3. Fair and Equitable

In the development of occupancy agreements the type of arrangement and tenure of such facilities will be consistent with other users of the same or similar facilities where those users are in similar circumstances.

4. Promote Participation

Occupancy arrangements will reflect Council's commitment to supporting and promoting the participation of population groups that are usually under-represented in civic and community life.

5. Maximise Usage

Occupancy agreements, where possible, will promote shared use of facilities and increased levels of usage.

6. Local Priority

Priority will be given to Maroondah based community organisations and/or organisations that demonstrate direct benefit to Maroondah residents.

Relationship to the Maroondah 2040 Community Vision

List the Maroondah 2040 Community Vision key outcome area that the policy is related to and any key directions that it seeks to address or respond to.

Community Outcome: A safe healthy and active community

- Key Directions:**
- 1. A healthy community**
 - 1.5 - Facilitate the provision of affordable, accessible and responsive services, resources and initiatives that support the physical and mental health and wellbeing of the community
 - 2. A Learning Community**
 - 2.1 Facilitate and encourage places, spaces and programming that provide for a third place of community connection beyond home and work
 - 6. A thriving and well built community**
 - 6.15 Coordinate and advocate for the increased utilisation, longevity and availability of fit-for-purpose public, private and not-for-profit buildings and spaces that can act as key places for neighbourhood connection

Alignment with Council's mission and values

The Policy supports Maroondah City Council's mission to work in partnership with community to foster quality, accessible and sustainable lifestyles for the community by ensuring that usage of Council's community facilities is the best fit for the facility, existing tenants and neighbouring residents.

The Policy articulates to Council employees and the wider community, the assessment framework for determining suitability, type of arrangement and length of tenure to ensure consistency and transparency.

Policy position

The Policy states Council's commitment to ensuring a consistent and transparent approach to the approval of occupancy agreements of community facilities and that consideration is given to the needs of both the intended occupant and the wider Maroondah Community.

Policy implementation

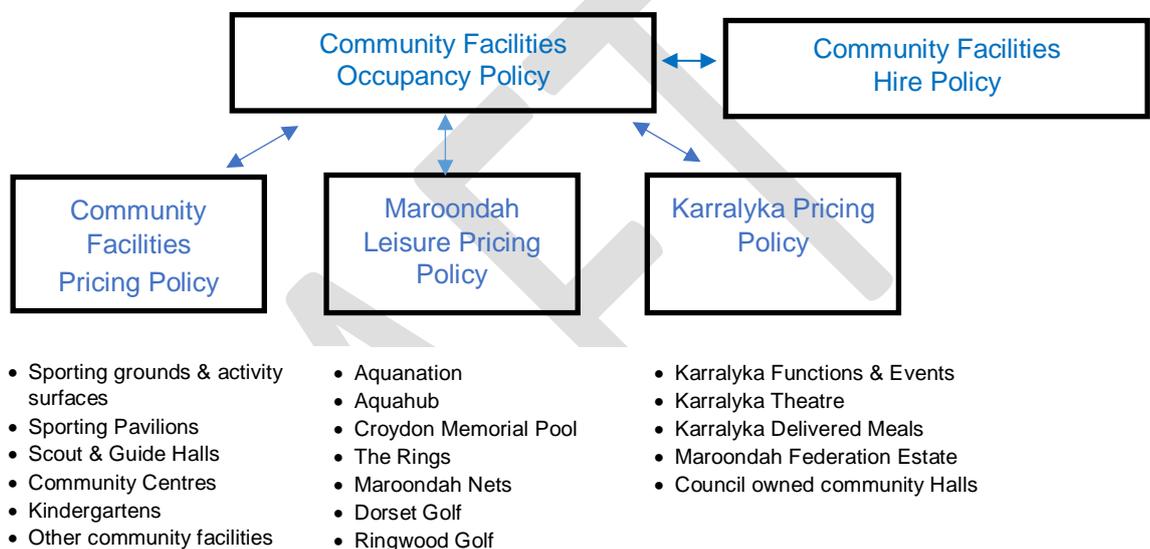
This Policy should be referenced for all utilisation of Council owned and/or managed Community Facilities with the exception of those facilities excluded under the Policy Scope.

Roles and responsibilities

This Policy and its supporting documentation is the responsibility of Sport and Recreation. The documentation will be reviewed every four years in conjunction with the Community Facilities Pricing Policy.

Related policies, strategies, procedures and guidelines

The Policy directly aligns with Council's Community Facilities Pricing Policy and the Community Facilities Hire Policy. All applications for use of a Council owned or managed facility are initially assessed against the Community Facilities Occupancy Policy to determine suitability, type of arrangement and length of tenure. Once this process has been undertaken then applications are referred to the Community Facilities Pricing Policy to determine the rate of rental. The Community Facilities Hire Policy stipulates that all use of Council facilities must be under a lease, seasonal agreement or hire agreement and outlines minimum standards for hire.



Definitions

Terms within the Policy requiring definition or explanation are:

Casual Use

Casual use permits allow persons or organisations to use parkland, buildings, meeting rooms and sporting facilities within the Municipality for casual use, one-off or specific occasions.

Membership

Formal agreement between Council and user for the use of specified Community facilities under specific conditions.

Regular Hire

Any group, individual or organisation that hires a community meeting space on an ongoing basis for a specified minimum number of bookings.

Deed of Delegation

Council's delegation of power and authority to a Committee of Management under the provisions of Section 86 of the Local Government Act 1989. These Special Committees of Management manage Council owned facilities on behalf of Council

Lease

A lease is a contract under which a tenant (or lessee) is granted exclusive possession of property for an agreed period, usually in return for rent.

Licence

A licence is a form of permission to enter and use land or land/facility for an agreed purpose for a stated period. The licensee does not have exclusive use of the land allowing Council to allocate other user groups or allow general public to use the facility at other times.

Season Allocation

Allocation of Council facilities to sporting clubs for either the Summer or Winter playing season each year.

Commercial

An organisation, including incorporated body, co-operative society, partnership or sole trader conducting activities for the purposes of deriving a financial return to the proprietors or shareholders.

Community

A not for profit-organisation that exists exclusively for charitable purposes or as an amateur sporting group, arts, craft or other special interest group established for the benefit of the community of the Maroondah City Council. Primarily voluntary staff and/or committee.

Community Service Not for profit

An organisation which provides services to the Maroondah Community, consisting of primarily paid staff and returns all profits into the operation of the organisation to carry out its purposes.

Supporting documents

Maroondah City Council (2019) Community Facilities Pricing Policy

Community Facilities Pricing Policy Assessment Process

Community Facilities Occupancy Policy Classification Matrix