

**POLICY NO CB07
COMMUNITY FACILITY HIRE POLICY
EXCLUDES INDOOR MULTI-PURPOSE FACILITY**

DEPARTMENT: Community Services

RESPONSIBLE OFFICER: Manager Community Services

LINK TO STRATEGIC PLAN: Build capacity to improve community spirit and enhance a sense of wellbeing

STATUTORY AUTHORITY: N/A

OBJECTIVE:

- To ensure that there is flexibility and an opportunity for all community members as individuals, groups and/or organisations to be able to access Council facilities for a mix of welfare, social, cultural, recreational and community functions, activities and services.
- To ensure that fees and charges for hire of Council community facilities meet principles of social justice, equity and value for money.
- To ensure the application of fees and charges demonstrates Council's commitment to a fair, accountable and transparent process.
- To ensure that there is a clear process and criteria in place for the consideration of applications for fee reduction or fee waiver for the hire of Council facilities.

POLICY INFORMATION: Adopted 16 July 2012 – Minute No 07/12.13.7.190
Amended 23 April 2014 – Minute No 04/14.13.8.101
Amended 17 August, 2015 – Minute No 08/15.13.3.226
Amended 17 January 2022 – Minute No 01/22.15.2.10.
Amended 17 April 2023 – Minute No 04/23.15.3.88

POLICY

1. INTRODUCTION

Council owns and maintains a number of venues, facilities and meeting rooms which are available for hire for commercial, community or private purposes. Some of the uses include (but are not limited to) seminars, meetings, concerts, conferences, product launches, conventions, tuition classes, live theatre and musical presentations. Council needs to generate income from letting these venues for periodic use to cover such costs as cleaning and power, but also seeks to facilitate good community access to amenities and services for groups that support people with special needs. Council achieves this by establishing affordable fees and charges for the use of its assets by specific types of groups such as registered, not for profit groups, charities and individuals; those whose circumstances are severely limited by the disability of their members; groups who have limited capacity to general income; groups that deliver a community development or support activity, or those that target disadvantaged people.

This policy provides guidelines for staff and potential hirers to assess the grounds for Council awarding concessional hire to applicants, and establishes common guidelines for the use of Council facilities. It takes into account the relationship of the hirer to Council, the local orientation or membership of the hirer, the purpose of the hire and the overall benefit to the entire community of the particular use of Council's amenities.

2. FACILITIES

This policy applies to all Council owned community venues currently available for periodic hire. It does not apply to properties that are leased from Council, and for which contractual lease agreements have been established.

3. HIRER CATEGORIES & CONCESSIONS

The categorisation of hirers allows Council to accommodate a diversity of community needs and interests within Council venues, and provides a transparent and accountable mechanism for determining the rate at which hirers are charged. Hirers will be categorised according to:

- The purpose for which the Council facility is being hired, and
- The demonstrated capacity of the hirer to pay

There are four (4) Hirer Categories:

- (a) Category A Commercial – full fee paying;
- (b) Category B Community Business – 25% discount on hire fees;
- (c) Category C Community Interest Group – 50% discount on hire fees;
- (d) Category D Full Concession – 100% discount on hire fees.

To be eligible to receive a concession under Categories **B, C, D or E**, hirers must complete and submit a Concession Application Form and supply their organisation's most recent audited financial statement.

Organisations which are determined by Council to have reasonable access to funds (eg, substantial funds in reserve or access to funds through grants etc) will not be eligible for a concession. Alternatively these organisations may be awarded a lesser rate reduction than they originally sought.

When an organisation is in receipt of any concession (Category B and C) on the full cost of the hire of a Council facility, they are considered by Council to be in receipt of a donation/subsidy. An organisation will need to declare this donation/subsidy if they apply to Council for funding under the Community Grant scheme.

Council has adopted an administration fee which cannot be waived under any circumstances, including the categories and processes identified in this Policy. Neither the administration fee, or other hire charges apply to Memorial Services (eg. Anzac Day Services) – refundable bonds still apply.

4. OVERVIEW OF HIRER CATEGORIES & HIRERS RECEIVING SPECIAL DISPENSATION

To be eligible for any of the concession categories, hirers must match the criteria below and provide supporting documentation (for example, audited financial statements).

If you are possibly eligible for an exemption under Category **B, C, D and E** you will need to apply through the Community Grant Scheme. Council runs a 2 tier Community Grant Scheme.

- Tier 1 Continued funding for small infrastructure projects and programs; and
- Tier 2 Provides potential funding for facility fee waivers – up to a maximum of 50%.

There will be two rounds of funding per annum. Please check Council's website and Newsletters produced on a monthly basis for news of when these grants are open.

a) Category A – Commercial, Business, Political & Private Hirers

Full fees are applicable to this category. Commercial, political groups and private hirers are not able to apply for a concession for venue hire.

Types of Use – Private and family functions, trade fairs, product launches, meetings of registered political groups/parties, conventions and all income generating activities for personal or corporate profit.

Examples of hirers likely to be located within this category are: State and Federal Government agencies (excluding primary and secondary schools), registered political parties/groups, private businesses, business owners and corporations.

A registered political party/group can apply for an exemption in line with Category B or Category C.

b) Category B – Community Services & Small Businesses – eligible for a 25% concession on the full commercial rate

This category applies to the activities of healthy lifestyle and community education organisations or businesses, and community service/welfare agencies that have the capacity to raise funds and/or apply for operational funding from one or a combination of Local, State or Federal government grants programs.

This includes community service providers (funded), other local government agencies, incorporated community groups (funded) education/leisure/lifestyle organisations (that charge fees), revenue raising activities (eg. ticket sales at concerts), exhibitions, seminars and community service conferences and meetings eg. karate, yoga, dancing classes

c) Category C – Community Interest Groups – eligible for a 50% concession on the full commercial rate

This category applies to; the activities of groups/organisations that do not receive State or Federal funding but raise funds from other sources including membership, sponsorship, project-focused grant funding and/or Council funding.

Examples of groups that might be located within this category are: not for profit playgroups and child-focused early intervention groups, religious/spiritual groups or church-based/place of worship organisations, schools, registered charities, clubs/leisure/education/amateur sporting/lifestyle activities (run by volunteers or with volunteer labour), incorporated organisations, not for profit community groups (limited funding), and Council operated services and activities.

d) Category D – Full Concession – eligible for 100% concession on the full commercial rate (ie. free venue hire)

This category applies to groups/organisations that fall outside categories B and C. Any group/organisation applying for Category D must provide evidence of their exceptional circumstances. Fundraising events for fire and flood events are examples of Category D.

All applications for full concession require Council approval.

e) Category E – Full Concession – eligible for 100% concession on full rate (ie. free venue hire) – 3 Month Trial Period

This category applies to groups/organisations/start up small businesses/start up social enterprises that fall outside categories A, B, C and D. Any group applying for Category E must provide copies of recent bank statements showing their financial position. Any materials that are used during the three month trial of a venue hire MUST be removed from the venue after each use.

Guidelines for assessing requests for a concession

Each concession request will be assessed individually following common criteria:

- a) The applicant meets the criteria for Category B and C
- b) The necessary documentation and financial information (e.g. latest Audited Financial Statement, Certificate of Insurance) has been provided and supports the request
- c) The activity/event/function has a primary focus on the Break O'Day Municipality
- d) The proposal improves community access to an activity or service
- e) The applicant has demonstrated that they will not profit from usage
- f) The applicant has demonstrated they are unable to meet the full cost and/or that the costs of usage cannot be recovered from participants
- g) The application has demonstrated that the function or activity will not be viable without a subsidy
- h) The event/activity is being held to support a charity organisation, to raise money for a charitable cause or to support an individual or family in crisis.

5. MONITORING AND REVIEW

This Policy will be reviewed every three (3) years in line with the Council's Policy Framework or earlier in the event of major changes to legislation or related policies, procedures or if deemed necessary by the General Manager.