



COMMUNITY FACILITIES HIRE POLICY

Division	Community, Culture and Leisure Services
Category	Community
Date of Effect	October 2015
Date Next Reviewed	June 2019
Date Adopted by Council	28 th September 2015

1. LEGISLATIVE REQUIREMENTS

Local Government Act 1993.

2. OBJECTIVES

To ensure equitable opportunity for potential hirers to achieve the *Willoughby City Strategy 2013-2029* Goals:

- Diversity and Spirit: To be a cohesive and inclusive community where all people can actively participate in community life
- Services and Facilities: To provide a range of community services and facilities

by providing a system to allocate hire and concessional rates for Council owned facilities.

3. DEFINITIONS

See Appendix A

4. POLICY STATEMENT

The purpose of this policy is to provide a framework for the equitable, efficient and effective management of the hire of Council's community facilities.

The provision of Council venues and sporting fields to the community is a key part of Willoughby City Council's role in meeting the community's need through sport, recreation, health and wellbeing activities. This policy sets out the conditions for hiring community facilities as well as defining the facilities covered by this policy.

4.1 Scope

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

4.2 Permitted uses

A WCC eBookings Community Facilities – Terms and Conditions of Hire are applicable for Council facilities utilising the ebooking system. Alternative Terms and Conditions of Hire are applicable for Council facilities not utilising the ebooking system. These documents provide conditions of use for Council Community Facilities and are available at each venue link at <http://www.willoughby.nsw.gov.au/Community/Facilities/>

Terms and conditions are consistent with development consent, plan of management for community land (if applicable) and operational requirements of the facility.

Occupancy arrangements will reflect the best fit for the facility, the needs of the intended Hirer and those of the wider Willoughby community and include the following types of agreements.



4.2.1 Lease Agreements

Contracts under which a tenant (or lessee) is granted exclusive possession of property for an agreed period in return for rental fees. Leases will be restricted to a relatively small number of venues where single users such as tennis, or bowls clubs have exclusive use or management responsibilities for the entire year.

Refer to WCC's Council Property Leasing Policy.

4.2.2 Licence Agreements

Seasonal Licences are to be offered for a period of 6 months and Annual Licences a period of 12 months. Playing fields and pavilions operated on licences will, where practical, be available for casual use via a Hire Agreement by schools and other organisations.

Priority for allocation of sports grounds is detailed in WCC Sports Ground Allocation Policy.

4.2.3 Fitness Trainer Licence Agreement

A licence agreements will be granted per quarter or for one year and will authorise each trainer to use Community and/or Crown Land for fitness activities on a nonexclusive basis and in accordance with the Policy on the Use of Council Sports Grounds, Parks and reserves by Commercial Fitness groups and Personal Trainers

4.2.3 Hire Agreements

Hire agreements are to be offered for a defined activity/event and are granted on a regular or casual basis. Hire Agreement Terms and Conditions outline appropriate conditions of use.

4.3 Determination of fees and charges

Fees and charges for hire of Council facilities are determined on an annual basis in accordance with the Local Government Act. Fees and charges are set out in Council's Fees and Charges Schedule and apply to Seasonal Licence Agreements and Hire Agreements.

4.4 Costs of Hire

The fees and charges which may be imposed by Council include:

- Fees for hire of the facility
- Security bonds - security bonds are paid at the time of booking. Council may retain the bond for breach of the 'conditions of hire' including any costs associated with cleaning, breaches of security, damage to Council property or loss of keys or security passes. The bond is refundable after the hire, less any charges for cleaning or damage
- Insurance – Council requires hirers to keep in force, during the term of the agreement, a Public Liability insurance policy with a Limit of Indemnity of not less than \$20,000,000. Casual hirers utilising a facility for non-commercial or non-profit making purposes less frequently than twelve times per calendar year are exempt from this requirement
- Charges for hire of equipment e.g. audio/visual equipment
- Miscellaneous Charges e.g. storage costs and venue/attendance staff
- Utilities

Council reserves the right to request higher security bonds if proposed activities are considered to be of high risk to Council property or security.



4.5 Payment of Fees and Charges.

Council provides an online booking process for all hire events at <http://willoughby.nsw.gov.au/Community/Facilities/>. Alternative invoicing procedures are provided by Council facilities not utilising the ebooking system. Fees are payable in advance. Concessions are applied to published Council Fees and Charges for hirers successfully completing this application process.

Unless otherwise formally agreed, no Hirer, regardless of concessions awarded under this policy, is exempt from other fees and charges relating to their hire. Hirers may also bear the cost of security call outs if it is determined that they have not secured a facility properly following their period of hire.

4.6 Changes to Fees and Charges.

Council's Fees and Charges are subject to change as of July 1 each financial year. As Council's Fees and Charges are reviewed annually, Hirers may incur an increase to fees within the hire agreement period. Fee schedules for Council facilities will be available from Customer Services, Council's website and the Facility Manager/Bookings Officer for each facility.

4.7 Outstanding Fees.

Hirers that have failed to pay prior to hire event or with outstanding fees will not be eligible to hire any of Council's facilities. Concession applications from hirers with outstanding fees will not be assessed until the outstanding fees have been paid in full.

5. ROLES AND RESPONSIBILITIES

5.1 Licence Agreements - Applications

All requests for bookings must be made on the relevant Application Form. Requests for seasonal bookings must be made by the due date specified by Council. Bookings are not confirmed until the Club, Association or user group receive a Licence from Council. All applicants must comply with the terms and conditions outlined on the application form/hire agreement.

5.2 Hire Applications and Agreements

The right to use a facility is subject to the Council receiving an application/hire agreement in the required form signed by the proposed hirer undertaking to comply with hire conditions. Hirers wishing to use facilities listed in Appendix B and are eligible to apply for any reduction in hire rates must also complete the Concession section of the application form which will be assessed as per **Appendix C Hire Agreement Assessment Categories and Hirers receiving Special Dispensation.**

The Terms and Conditions of Hire are available with the application form provided to the prospective applicant, and these conditions will be formally acknowledged and signed-off by the applicant as being read and understood.

The conditions of hire will include:

- Booking conditions;
- Use of equipment;
- Liquor and other licences and permits;
- Behavioural rules and Council regulations;
- Emergency procedures;
- Insurance and indemnity conditions;
- Cleaning;
- Supervision and security;
- Responsibility for damages



5.3 Two year Registration of Interest (ROI) Process for Concessional Hire

Council reviews recurring concessional hire agreements for facilities on a biennial basis. It is the responsibility of all Hirers to submit a new online application for assessment for concessional rates each new ROI period. This process assists Council to co-ordinate community access to a mix of welfare, social, cultural, recreational and community functions, activities and services. Organisations can apply for concessional hire of community facilities outside the formal 2 year ROI process. These are called “Out of Term Applications” and are valid until the close of the existing ROI period.

The online application will be assessed by Council officers, **as per Appendix C** and endorsed by Council. If the Hirer’s financial and operational situation remains unchanged, the approved Registration of Interest for Concessional Hire will normally be valid for a 2 year period.

6. ASSESSMENT CATEGORIES & CONCESSIONS – HIRE AGREEMENTS

The categorisation of Hirers allows Council to accommodate a diversity of community needs and interests within Council facilities, and provides a transparent and accountable mechanism for determining the rate at which Hirers are charged.

Council aims to generate an income from the hiring of these facilities for periodic use, but also seeks to facilitate good community access to amenities and services for groups that support people with special needs, groups that deliver a community development or support activity, or those that target disadvantaged people. In particular Council aims to facilitate fledgling groups to move towards establishing themselves as financially independent entities. Facilities affected by concessional rates are listed in Appendix B - Council Facilities to which Community Concessional Rates apply.

Casual Hirers are also eligible to apply for a concessional rate at the facilities listed in Appendix B - the application will be assessed against the same criteria as detailed in this policy. Casual Hirer’s are eligible to apply for a full concession on only two occasions per year.

Preference will be given to concessional hirers booking facilities outside peak times and will be subject to availability of the venue.

There are 4 Hirer Categories:

- a. Category A Commercial – full fee paying
- b. Category B Community Not for Profit organisations/Charities (funded) – 25% discount on hire fees
- c. Category C Not for profit Community organisations/Interest Groups/Charities (limited funding) - 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 or D, the Hirer must be a **‘Not for Profit’ community group or organisation.**

Groups should demonstrate their:

- activity/service meets a broader community need, encourages local community participation and increases community access to activities and services, particularly access by disadvantaged and socially isolated groups.
- activity/service embraces Council’s commitment to access and equity, health & wellbeing and lifelong learning.
- the percentage of service users residing in the Willoughby Local Government Area.

Organisations which are determined by Council to have reasonable access to funds (e.g. substantial funds in Reserve or access to funds through their annual operational income streams will not be eligible for a concession).



6.1 Hire Agreement Assessment Categories and those hirers eligible for special Dispensation.

For details see Appendix C Hire Agreement Assessment Categories and Hirers receiving Special Dispensation.

7. VALIDITY OF ROI CONCESSION APPROVALS.

When approval for an ROI Concession is given, that approval is valid until the completion of the existing ROI period, providing the use of the facility remains consistent with the original application and the capacity of the organisation to pay hire fees remains unchanged. **Groups should immediately advise Facility Managers of any changes in circumstances, failure to do so may result in repayment of fees to the value of the concession applied.**

It is important to note that the concessional rate approved applies to the use and facility nominated on the application and does not extend to other Council facilities and uses. Hirers need to make application for each activity as they may fall into different Hirer categories subject to the purpose of the hire. Eligibility for a concession under this Policy does not extend to individual members of a registered group.

Any out-of-term ROI concession approvals will be valid to the close of the current ROI period. Unless authorised by the Community, Culture and Leisure Director, the General Manager or a resolution of Council as appropriate to delegated authority, ROI concessions will not be rolled over into a new ROI period. It is the responsibility of all Hirers to either seek this authorisation or to supply a new application for the new ROI period and each biennial ROI period thereafter.

7.1 Delegation of Council Staff and Council to approve ROI and Concession Applications.

Facility Managers are responsible for:

- Assessing the suitability of applications for concession
- Making recommendations as per the delegated authority levels detailed in Appendix E Council Facilities Assessment and Approval Process – ROI Concessional Hire.
- Ensuring bookings and hire agreements are completed in the booking system

8. COMPLIANCE WITH POLICY

8.1 Requirements of Hirers that receive a concession.

Council requires Hirers that have received any concession on facility hire to:

- Acknowledge Council assistance in any literature and promotional materials.
- State the source of that assistance in any subsequent requests for funding support from Council for fee relief or otherwise (e.g. Community Grants program).
- Comply with the Conditions of the Hire Agreement relevant to the specific facility.
- Immediately advise Facility Managers of any changes in circumstances.

9. REVIEW AND EVALUATION

This Policy will be reviewed biennially. The Director Community, Culture and Leisure will report to Council on the outcome of the review and make recommendations for amendment, alteration or a substitution of a new Policy if considered necessary.

10. RESPONSIBLE DIRECTORATE

Community, Culture and Leisure

11. THIS POLICY HAS BEEN DEVELOPED IN CONSULTATION WITH

Members of the Council staff, Facility Manager, and management.



12. ATTACHMENTS

- Appendix A Policy Definitions
- Appendix B Council Facilities to which Community Concessional Rates apply.
- Appendix C Hire Agreement Assessment Categories and Hirers Receiving Special Dispensation.
- Appendix D Guidelines – Registration of Interest (ROI) – Application to Hire Council Facilities (includes Concession section)
- Appendix E Council Facilities Assessment and Approval Process – Registration of Interest (ROI) and Concessional Hire.

13. REFERENCES

- Willoughby City Strategy*
- Fees and Charges Schedule*
- Delivery Program and Operational Plan*
- Policy on the Use of Council Sports Grounds, Parks and reserves by Commercial Fitness groups and Personal Trainers*
- Sports Ground Allocation Policy*

14. VERSIONS

New Policy

Date	Changes	Published
July 2017	Review prior to biennial ROI Concessional Hire	August 2017



APPENDIX A

POLICY DEFINITIONS

Facility	A facility includes community halls, meeting rooms, sports venues and grounds.
Facility Managers/Bookings Officers	The appointed person with the responsibility of hiring the facility on behalf of Council.
Hirer	The organisation or individual specified in the application/Hire Agreement Form.
Lease Agreements	Occupancy of a specified Council facility for a set period of time that grants exclusive use.
Licence Agreements	Occupancy of a specified Council facility for a set period of time (e.g. seasonal or annual) that is not intended to grant exclusive use.
Hire Agreements	Issued for the use of a Council facility for a defined activity or event, over a defined timeframe – can be regular, casual or one off bookings.
Casual Hirers	Casual hire means use of a facility (subject to specific conditions outlined in WCC Hire Agreements) for up to 11 bookings per calendar year.
Regular Hire	Regular hire means multiple uses, 12 or more bookings, of a facility during a period not exceeding 12 months. N.B. See definitions for seasonal and association bookings.
Special Event	A one-off activity or gathering which requires exclusive access to a Council facility for purposes other than casual or regular hire.
Seasonal Agreement	Occupancy of a specified Council facility by sporting clubs for a set period of time (e.g. seasonal or annual) that is not intended to grant exclusive use.
Association Hire	Occupancy of a specified Council facility for a set period of time by sporting associations (e.g. seasonal or annual) that is not intended to grant exclusive use.
Fitness Trainer Licence Agreement	Licence agreements authorising trainers to use Community and/or Crown Land for fitness activities on a nonexclusive basis.
Application to Hire	The form completed by the Hirer requesting hire of the facility.
Two year ROI Process	The process Council uses to review regular hire arrangements for use of Council buildings on a biennial basis.
Out of Term Applications	Organisations can apply to hire community facilities outside the formal two year ROI process. These are called “Out of Term Applications”.
Concession Application	The form a Hirer completes requesting a reduction in hire rates.



APPENDIX B

COUNCIL FACILITIES TO WHICH COMMUNITY CONCESSIONAL RATES APPLY. Applies to Regular and Casual Hire Agreements only.

Artarmon Kids Cottage – 18 Broughton Rd, Artarmon
Artarmon Church Hall – 139 Artarmon Rd Artarmon
Bales Park Centre – Sydney St, Chatswood
Beauchamp Pavilion – Nicholson St, Chatswood
Castle Cove Community Room – 8B Deepwater Rd, Castle Cove
Chatswood Library Meeting Rooms - Lower ground Floor 409 Victoria Ave, Chatswood
Chatswood Youth Centre – 64 Albert Ave (Corner of Victor Street)
Chatswood West Community Room – 565 Mowbray Rd, Chatswood West
Dougherty Community Centre - 7 Victor St, Chatswood
Gore Hill Park Centre - Corner Pacific Highway and Reserve Road, St Leonards
Jack Donnelly Room - Chatswood Oval
Joe Ciantar Music Rehearsal Studio - 8 McIntosh St, Chatswood
MOSAIC Multicultural Centre – Brown St, Chatswood
Naremburn Community Centre - 7-8 Central St, Naremburn
Northbridge Community Room – 258 Sailors Bay Rd. Northbridge
Northbridge Bowling Club - The Outpost Warners Park, Northbridge
Warners Park Centre – The Outpost Warners Park, Northbridge
Willoughby Park Art and Recreation Centre – Cnr of McClelland St & Warrane Rd, Willoughby
Zenith Theatre and Convention Centre – Corner of Railway & McIntosh St, Chatswood
Open Space Sports Grounds - casual bookings



APPENDIX C

HIRE AGREEMENT ASSESSMENT CATEGORIES AND HIRERS RECEIVING SPECIAL DISPENSATION - Applies to Regular and Casual Hire Agreements only.

Category A – Commercial, Business, Political & Private Hirers.
<p>Full fees are applied to this category. Commercial, Political Groups and Private Hirers are not able to apply for a concession for venue hire.</p> <p>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.</p>
Category B – Community not for profit organisations and charities (funded) - eligible for a 25% concession on the full commercial rate.
<p>Types of Use - This category applies to the activities of healthy lifestyle and community education organisations and community service/welfare agencies that have the capacity to raise funds.</p>
Category C – Not for profit community organisations, interest groups and charities (limited funding) - eligible for a 50% concession on the full commercial rate.
<p>Types of Use - This category applies to the activities of groups/organisations that do not receive Local, State or Federal funding but raise funds from other sources e.g. token membership fees. Activities might include not for profit playgroups and child-focused early intervention groups, clubs/leisure/education/amateur sporting/lifestyle activities (run by volunteers or with volunteer labour), non profit community groups (limited funding) and Council operated services and activities.</p> <p>Note: If Hirers in this category deliver a program for which program fees are charged, the hirer will be eligible to receive a 25% discount for that hire period as per Category B.</p>
Category D – Full Concession – eligible for 100% concession on the full commercial rate
<p>Types of Use - This category applies to the activities of non funded, unincorporated small self-help community groups with no opportunity to attract financial support from either the public or private sector, and have an extremely limited capacity to pay for venue hire (possibly with gold coin membership). Activities might include self-help/peer support meetings, fund raising for a charity or for an individual/family in crisis, or other activities to be determined by Council. In particular through Category D support, Council aims to facilitate fledgling groups to move towards establishing themselves as financially independent entities.</p>
The application falls outside the options of this policy.
<p>If the officer assessing the application believes a Hirer Concession application to have significant community benefit and the application falls outside the options of this policy, the application will be reviewed by the</p>



Community, Culture & Leisure Director and if considered of merit and will be recommended to Council's Cultural and Environmental Committee for endorsement.

Progress Associations

As per Council Resolution No 97/121 "Progress Associations in Willoughby City (including the Federation of Progress Associations) which currently use a Council facility (are to) be given the meeting facility without charge for their regular meetings." This Resolution does not apply to sub-groups or working groups of the Progress Associations.



APPENDIX D

GUIDELINES – REGISTRATION OF INTEREST FOR CONCESSIONAL HIRE (ROI) –Applies to Regular and Casual Hire Agreements only.

1. Willoughby City Council will call for a Registration of Interest for Concessional Hire (ROI) for the community facilities on a biennial basis. It is the responsibility of all existing Hirers requesting a concession to supply a new application for each new ROI period.
2. ROI will be advertised in local newspapers and/or through mail outs to existing Hirers, community groups and community networks.
3. Organisations can apply for concessional hire of community facilities outside the formal 2 year ROI process. These are called “Out of Term Applications” are assessed using the same criteria and are valid until the close of the existing ROI period.
4. Prior to submitting ROI applications, Hirers are encouraged to;
 - View online list of venues and the types of events or activities that are suitable for each from Council’s website.
 - discuss their specific facility and hire needs with the Facility Manager/ Booking Officers to determine the most appropriate venue
 - Provide two additional venue options to be allocated if the first choice is not available
5. Individuals, groups, organisations and businesses that submit an ROI application must complete the online application form which requires hirers to outline the specific purpose(s) for which the facility is requested and to state the proposed frequency of use.
6. Out of Term hirers seeking a concession must apply at least 2 months in advance of their start date to allow adequate time for the approval process.
7. Casual Hirers may be eligible for a concession and are assessed on the same criteria as Regular Hirers. Casual Hirers seeking a concession must apply at least 2 months in advance of their event date to allow adequate time for the approval process.
8. Hirers are to submit separate ROI forms for each activity and Council facility the group wishes to hire.
9. Applications for different Council facilities will be assessed independently of each other by the Officer responsible for each facility. For assessment purposes, Officers may need to clarify information directly with the applicant before forwarding recommendations to delegated Council Officers for review.
10. Applications will be assessed as per Appendix 5 Guidelines – Council Facilities Assessment and Approval Process – Registration of Interest Concessional Hire.
 - Biennial ROI applications will be assessed by Council officers, and endorsed by Council. If the Hirer’s financial and operational situation remains unchanged, the approved Registration of Interest will normally be valid for a 2 year period.



- Out of Term ROI applications will be assessed by Council officers as per the delegations outlined in the guidelines and are valid until the close of the existing ROI period.

11. If two or more groups have applied for identical times and facility/ies, negotiations will take place to meet the needs of each group. The Facility Manager/Booking Officer may suggest alternative venues. If the negotiations fail and a clash in bookings remains, the applications will be referred to the Community, Culture and Leisure Director for a final decision. Applicants will be advised in writing of the outcome.

12. Following approval (or refusal) of an ROI Concession application, the Booking Officer/Facility Manager will formally notify the applicant.

13. Prior to the commencement of the hire, the Hirer will be provided with the following;
- A copy of the Terms and Conditions of Hire
 - Confirmation of all relevant fees e.g. deposits, bonds and other fees
 - Safety and security orientation



APPENDIX E

COUNCIL FACILITIES ASSESSMENT AND APPROVAL PROCESS – REGISTRATION OF INTEREST (ROI) CONCESSIONAL HIRE - Applies to Regular and Casual Hire Agreements only.

