



Community Facility Access and Allocation Policy DRAFT

Version 1.0, February 2023





Policy governance

Responsible Service/Department:

Property and Assets

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Council Meeting

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Venue Management, Property Operations, Community Access and Inclusion, ELT

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Local Government Act 2020

Associated Strategic Direction #:

Inclusive Port Phillip and Liveable Port Phillip

Associated instruments:

As attached at the end of this document

Supersedes:

Community Facility Access and Allocation Policy 2014

Town Halls Hire Policy 2004-2007

City of Port Phillip Community Facility Access and Allocation Policy



Review History:

Name	Content Manager File Reference	Date	Description of Edits
Community Facility Access and Allocation Policy 2022	#	February 2023	Introduction of a new consolidated policy.



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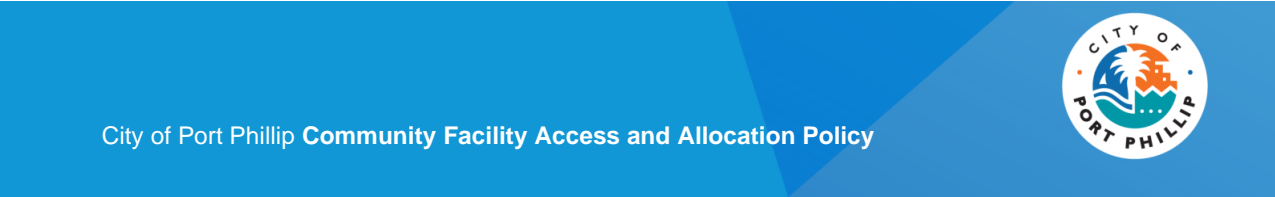
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Purpose

This Policy has been developed to ensure fair, appropriate and equitable allocation of Council owned or managed community **facilities in their capacity as venues for hire**.

Outcomes

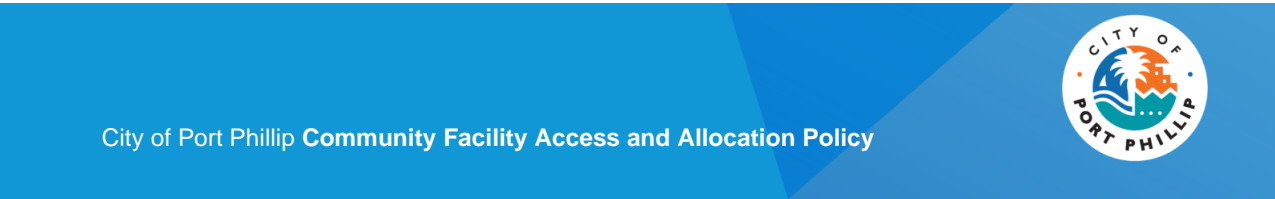
It is expected that this policy will increase community benefit by:

- Providing a responsible, consistent, transparent and equitable process for the **hire of Council's facilities** based on available space.
- Determining criteria for access and allocation of **Council's facilities**, including any support or subsidy for the many community groups that **hire** them.
- Ensuring appropriate and accessible use of space, that is fit for purpose.
- Ensuring user activities/programs meet Council's goals for social inclusion, cohesion and respect for all.
- Providing a policy that is consistent with Council's policies, Local Laws and other relevant legislation.

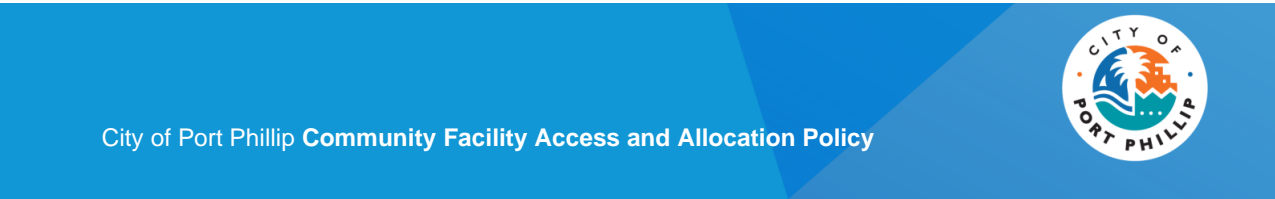
Definitions

Table 1: Definitions of terms

Term	Definition
Allocation	The application process and granting of Council written approval to occupy a specified area within specified times and dates and in accordance with specific conditions. Permission to occupy is not to be construed as tenancy.
Application	A document including the terms and conditions associated with the community facility which is completed by the user to secure use of a community facility.
Casual Hire	Ad hoc or one-off hire of community facility space.
Community Facility	A Council managed community centre, town hall or other community space listed as venue available for hire where community members can gather to participate in various social, recreational, cultural, leisure, health and lifelong learning activities and services, both formal and informal.
Community	Any community based group or organisation whose primary objective is to provide and engage in social, recreational, cultural, learning, leisure and/or health and wellbeing



Term	Definition
	<p>services and activities to the benefit of the Port Phillip community. This includes government, not for profit, charity and community organisations.</p> <p>The proceeds from the activity (if any) cannot be distributed to individual members/organisers.</p> <p>These groups may attract different fees depending on whether they are based within the City of Port Phillip or not.</p>
Commercial	Under this Policy, Commercial Group has the same meaning as Private Group.
Council	City of Port Phillip
Hire	Contract between the Hirer and the Council for the use of a community facility.
Hirer	Person, partnership, organisation or corporation entering into the hire agreement for a Council managed community facility.
Lease	A lease is a right granted by Council (lessor) to a legal entity (lessee) to have exclusive possession of a defined space for a fixed duration and specified terms for a rental payment (annual fee).
Legal Entity	An association, corporation, partnership, proprietorship, trust, organisation or individual that has capacity to legally enter into agreements or contracts, assume obligations, incur and pay debts, and to be held responsible for its actions in the eyes of the law.
Licence	A licence is a right granted by Council (Licensor) to a legal entity (Licensee) to have non-exclusive possession of a defined space for a fixed duration on specified terms and conditions for an annual fee.
Private	Invitation only activities that are not available to the general public or for public benefit e.g private birthdays and functions, body corporate meetings, business activities, political groups and other profit-making activities. For Town Halls, these groups fall under Standard Hire.
Regular Hire	Ongoing and structured hire of community centre space.
Semi-Commercial	An organisation, including incorporated body, co-operative society, partnership or sole trader conducting community



Term	Definition
	activities for the purposes of deriving a profit e.g. charging fees. For Town Halls, these groups fall under Standard Hire.
Significant Fee	A significant fee is determined to be a session fee that is higher than Council’s hourly rate for Community groups Type 1 Based within CoPP as per the current Fees and Charges Schedule.
Terms and Conditions	Terms and Conditions or the Conditions of Hire and Use are the legal agreements made between Council and the Hirer for use of a community facility.
Town Hall(s)	Refers to the spaces available for hire within either the St Kilda Town Hall, South Melbourne Town Hall or Port Melbourne Town Hall.
Users	For the purpose of this policy, user has the same definition as Hirer.

Responsibilities

Table 2: Responsibilities of roles

Role	Responsibility
Executive Leadership Team (facilitated by the General Manager, Customer, Operations and Infrastructure)	<ul style="list-style-type: none"> • Provide oversight and support in the implementation and review of the Community Facility Access and Allocation Policy. • Ensure overall organisational portfolio management and service planning performance.
Executive Manager, Property and Assets	<ul style="list-style-type: none"> • Support the implementation and ongoing management of the Community Facility Access and Allocation Policy including review of the policy. • Ensure the organisation has appropriate venue management capability to deliver on the Community Facility Access and Allocation Policy. • Approve the list of venues available for regular hire through the annual Expression of Interest for regular hire. • Complete a final review of complaints when customer is dissatisfied with the outcome of the complaints handling process.



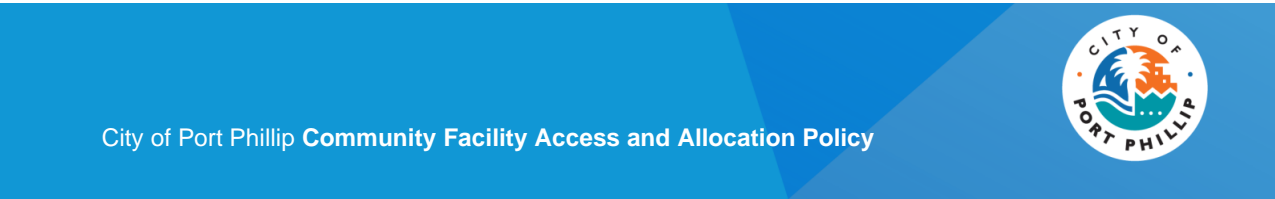
Role	Responsibility
<p>Head of Property and Workplace Operations</p>	<ul style="list-style-type: none"> • Lead the development, monitoring and review of the Community Facility Access and Allocation Policy including any supporting procedures. • Ensure fees and charges are reviewed as part of Councils annual budgeting process. • Escalate complaints to the Executive Manager, Property and Assets should a customer not be satisfied with the outcome of their complaint.
<p>Team Leader, Venue Management</p>	<ul style="list-style-type: none"> • Ensure implementation and ongoing management of the Community Facility Access and Allocation Policy including reporting to management on key allocation statistics and budget requirements • Ensure the Terms and Conditions and associated venue information is kept up to date and is available on Council’s website. • Escalate complaints to the Head of Property and Workplace Operations for review.
<p>Bookings Officers</p>	<ul style="list-style-type: none"> • Assess applications for hire and allocation of community facility spaces in line with the Community Facility Access and Allocation Policy and relevant terms and conditions. • Ensure hirers have the appropriate documentation in place and are adhering to their obligations • Undertake the annual Expression of Interest process seeking applications for regular hire including assessment and allocation in line with the Community Facility Access and Allocation Policy and relevant terms and conditions.

Scope

This policy will apply to all Council managed community facilities available for hire.

This Policy does not relate to property leasing and licencing, seasonal bookings of sports grounds and pavilions or bookings for outdoor areas, major events, commercial recreation and personal training.

Community Facility Access



Council **managed community facilities** provide a space for involving, enabling and engaging community in a holistic model of wellbeing. They support various social, recreational, cultural, leisure and lifelong learning activities and services that benefit and strengthen the local community leading to increased community connection, participation, health and wellbeing.

Priority of Access

Council makes community **facilities** available for hire by members of the general public. As a primary asset of Council however, there may be times where community use is temporarily restricted due to priority Council business e.g. emergency relief, service relocation, **elections, council meetings, staff training** and **facility** upgrades.

After all Council business priorities have been considered, allocation of space will be assessed as follows:

Category	Priority
Community Group Category 1 – Based within Port Phillip municipality	A minimum of 60% of all hirers must be applicable Community Group categories. Where a significant admission, registration or entry fee of any kind is received; semi-commercial rates may apply. Charitable fundraising activities are excluded.
Community Group Category 2 – Broader community	For Town Halls, these groups fall under Community Hire.
Semi-Commercial	40% or less of all hirers will be semi-commercial and private.
Private & Commercial	For Town Halls, these groups fall under Standard Hire.

All activities shall be compatible with the venue and comply with all requirements placed upon them in the terms and conditions of hire.

Community Facility Use

Hours of Operation

The hours of operation for all of Council’s facilities **will be dependent on the Environmental Protection Regulations 2008 (including residential noise complaints requirements)**. **The hours of operation for each venue will be set out within the Terms and Conditions for the venue. The venue must be vacated by the end of the specified booking time.**

Applications for Hire

All users must formally apply for community facility use using the correct application forms with the appropriate supporting documentation as required by Council, as amended from time to time.



Users must have received Council's written approval prior to undertaking formal or organised use of Council managed community facilities.

Applications will only be accepted by persons over 18 years old.

Applications for hire will be subject to a minimum period of hire as per the Terms and Conditions associated with the venue. Set up and pack down times must be included with the booking time.

Council may propose alternative times and venues for bookings of short duration in order to maximise the availability of the centre for other users.

Council reserves the right to refuse use that does not comply with Council's requirements including Council's Code of Conduct, Policies and associated strategies.

Guidelines for refusal of application will include:

- Use that may damage Council's reputation with the local community
- Use that may discriminate against the equal rights and opportunities for people who identify as gay, lesbian, bisexual, transgender and intersex
- Use that discriminates against or promotes the exclusion of cultural diversity within the community.

Gambling activities of any kind are strictly prohibited on Council property. This includes simulated gambling.

Booking requests that are considered as relating to activities of a political nature (bipartisan or otherwise), or that are submitted by political parties or groups associated with political parties, will be referred to Governance and Organisational Performance for assessment to ensure the request does not provide implications for Council against its Code of Conduct and/or associated policies. Political party events approved to go ahead will be treated as a Private event.

Council can automatically cancel a booking due to nondisclosure or the supply of incorrect or misleading information.

Terms and Conditions

Council's community facilities have detailed Terms and Conditions setting out specific permissible uses of each facility dependent upon whether the type of booking. The terms and conditions for each facility, along with further information on the hire of council's community facilities, will be made available on Council's website.

A submitted application for use is conclusive evidence that the hirer accepts the Terms and Conditions associated with the facility.

Storage



Council is unable to provide storage for casual hire users. Storage allocation may be considered for regular hire at the time of the booking and/or expression of interest application, in line with the assessment criteria outlined in this policy.

Due to limited availability, Council cannot guarantee storage space at community centres for regular hire.

Advertising

The following groups may be eligible to apply to erect a temporary advertising sign:

- City of Port Phillip Non-profit Aged and Disability Groups, Youth Groups, Arts and Cultural Groups and Non-profit community groups which meet Council's strategic directions.
- City of Port Phillip schools and preschools.
- City of Port Phillip Service Clubs.

The following groups/organisations/activities will be ineligible to apply to erect a temporary advertising sign:

- Tobacco, gambling or alcohol promotion or advertising will not be permitted
- Activities that do not meet goals or objectives of the Council Plan
- Signage promoting a single political party.

Council reserves the right to view all advertising material proposed to be used by the hirer for publication including paper based and social media.

No banners, advertising material or signs to be placed on the exterior, interior or surrounds of the hired venue without prior written consent of Council.

Council will not consider approval of any form of signage without having the opportunity to review details of the size, design, location and permanent and/or temporary nature of the signage.

Verbal consent (of any form) will not be considered as sufficient. In the absence of written consent Council reserves the right to have the signage removed immediately.

Council reserves the right to give, withhold or impose conditions on its consent in its absolute discretion. As the facilities are available to multiple hirers Council will not approve any form of permanent signage for hirers.

Fees and Charges

Fees and charges are based on the space utilised, the services required, and hours of support necessary.

Fees and charges for hire are determined on an annual basis in accordance with the Local Government Act and Council's Fees and Charges schedule.

A scale of different charges will apply to commercial, semi-commercial, community and private groups as outlined in the Definitions section of this policy.

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



- (a) Fees for hire of the meeting room(s) or hall(s).
- (b) Annual fees for licenced or leased space.
- (c) Security Deposits and Security Bonds – These are paid at the time of booking. Council may retain the bond for breach of the terms and conditions of hire including any costs associated with cleaning, breaches of security, damage or loss of Council property including keys. The bond is refundable after the hire, less any charges mentioned above.
- (d) **Public Liability** Insurance – Council requires hirers to be covered for public liability insurance as recommended by Council’s insurance broker for a minimum of \$20 million. In the event that an unincorporated organisation or individual is not insured, insurance cover may be available from Council for a fee. In this case, attendance records of participants must be kept by the group receiving coverage.
- (e) Cancellation fees – Notifications of changes to bookings, including cancellations must be made in writing to **Council’s Booking Officer**, **subject to minimum notice requirements as stipulated in the Terms and Conditions of the venue**, otherwise the hirer may be charged according to the original booking time.
- (f) **Ancillary services – higher risk events may attract different services and fees such as security or duty officers. Fees charged to community groups for town hall bookings may be subsidised through the Town Hall Hire Subsidy Scheme with the assessment of the group’s status, amount of subsidy to be provided and number of hires subsidised being carried out through the subsidy application process at Council.**

If any booking is cancelled due to Council functions, or circumstances out of the hirer’s control, bonds, deposits and hire fees paid shall be returned in full and/or alternative accommodation will be supplied.

In accordance with the Electoral Act 2002, no hire fee is payable for the hire of premises by the Victorian Electoral Commission or Australian Electoral Commission.

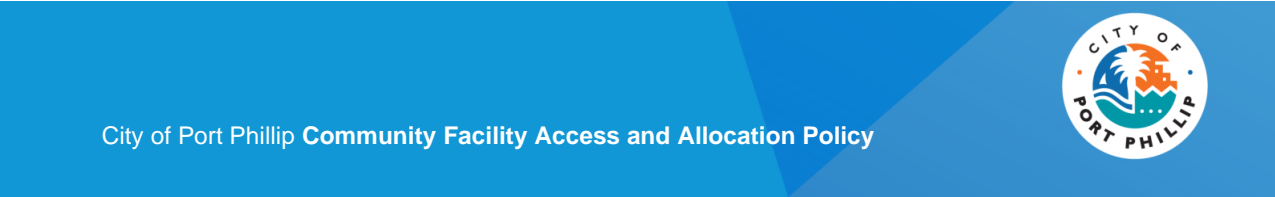
Regular Hire Agreements

Council will undertake an annual Expressions of Interest process seeking applications for the regular hire of community facilities. The spaces available for hire through this process will be at Councils discretion based on current municipal service needs and be advised at the commencement of the process.

Regular hirers must apply **through the Expression of Interest process** for new or continued use each year, in line with council policy for equity of access for all.

No bookings for regular hire will be taken for the coming year until applications have officially opened.

Council will call for reapplications during the last quarter of each financial year for the following financial year. Council will notify applicants of the outcome of all applications and the cost of the proposed hire before the end of the year.



Outside of the annual **regular hire** process groups can apply for hire of space as it becomes available. Short-term casual hire is also considered year-round.

Criteria for Assessment – Regular Hire

When assessing applications for **regular hire**, Council will:

- a) Ensure all applications for **regular hire** comply with Council's process e.g. are submitted on correct forms with the appropriate supporting documentation. Applications for Expressions of Interest received after the due date may not be assessed.
- b) Ensure that the proposed use is permissible and compatible with other centre users (where relevant).
- c) Allocate space on a priority basis to activities and services of highest benefit to the Port Phillip community in accordance with Council's social, health, recreational, cultural and lifelong learning and participation objectives.
- d) Ensure that facilities are accessible by multiple users and not dominated by individual groups to the detriment of others.
- e) Ensure community hirers provide services and programs that are non-restrictive, inclusive, allow equity of access to services, value diversity, connect the community and provide a respectful and non-discriminating environment for all.

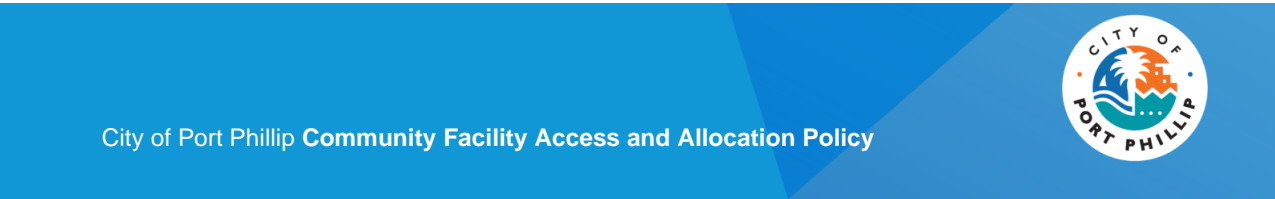
Council will undertake the following two-step process for assessment which aligns with the objectives and principles of the Council Plan 2021-2031 and Social Justice Charter 2013.

Step 1: Filtering Stage

All applications are assessed by Council Booking Officers to determine whether or not they meet mandatory criteria. Any application failing Step 1 will not proceed to Step 2 of the assessment process.

The mandatory criteria for Step 1 has been included in the table below.

Mandatory Criteria	Guiding Principles	Filter
Financial status	<p>Council will assess whether groups, organisations, businesses or individuals are able to contribute financially to their operational costs in accordance with the groups definition ie community group, semi-commercial or private hire</p> <p>Groups, organisations, businesses or individuals who have outstanding debts to Council and who do not have a Council approved repayment plan in place will not be considered for allocation.</p>	Pass or Fail



Mandatory Criteria	Guiding Principles	Filter
Occupancy record	<p>Council recognises the importance of having mutually supportive relationships with community facility users, the Not-For-Profit sector and the local community.</p> <p>Council will assess the pattern, number and severity of breaches of hire terms and conditions and/or any upheld complaints (where applicable) when assessing applications. This will include previous hire arrangements. If previous complaints are deemed to be founded, the applicant will not be considered for allocation.</p>	Pass or Fail

Step 2: Evaluation of recommended criteria

Applications will be assessed against each recommended criteria **detailed in the table below** and scored out of ten.

These criteria are weighted to ensure Council objectives and priorities are being met (e.g. applications that show demonstrated benefit to the community will receive an overall higher weighted score in comparison to applications for private or personal use). The weighting percentage is outlined in the table below.

Recommended Criteria	Guiding Principles	Weighting
Demonstrated benefit to the Port Phillip community	<p>Applications must outline how they meet City of Port Phillip Council Plan objectives and/or Social Justice Charter principles.</p> <p>Council will also give preference to Port Phillip based groups, organisations, businesses or individuals.</p>	50%
Maximised functionality of community centres	<p>Council will give additional consideration to applicants' willingness to:</p> <ul style="list-style-type: none"> • Share space • Be flexible and adapt to changing use and tenants • Participate in operational management issues. <p>Where relevant Council will also ensure that proposed use is permissible and compatible with other users and the space being applied for.</p>	30%



Recommended Criteria	Guiding Principles	Weighting
Under-represented group participation	Council will give additional consideration to under-represented and emerging groups that meet identified community need.	10%
Historical use of space	To encourage stability and in recognition of programs that are meeting community need, the length of a past tenure will be considered when assessing an application.	10%

Other considerations

When appropriate, and particularly when demand exceeds supply of available space, there will be consultation with users to ensure the best possible outcome for all users and maximise available centre space.

Council reserves the right to propose alternative arrangements to existing users which are more appropriate to the management of the facility and Council's requirements.

Council is committed to reducing our greenhouse gas emissions through the *Act and Adapt, Sustainable Environment Strategy*. It is expected that all hirers comply with building operating procedures to help reduce energy consumption and wastage in all its forms. Council also encourages use of on-line application processes to reduce paper consumption.

This policy is administered in an objective, transparent manner and ensures a balance of services and programs that respond to community need.

Compliance with Legislation

All users must, in respect of hiring a community facility or town hall comply with all Acts, Statutory Rules, Provisions and Regulations of the Commonwealth of Australia or the State of Victoria as they apply to the use of the facility, including the Health Act, Local Government Act and any Local Laws, Parking regulations, By-laws or Regulations, Liquor Control Act and any statutory amendments, modifications made thereto.

All users will conduct their functions so as to ensure that any escape of noise from the premises does not disturb the peace and quiet of the neighbourhood and will comply with the requirements of the State Environment Protection Legislation 1989 referred to as SEPP N2 as this applies to escape of noise from public premises.

Child Safe Standards



The City of Port Phillip has zero tolerance for child abuse and are a committed Child Safe organisation. Our commitment is to ensure that a culture of child safety is embedded across our community to safeguard every child and young person accessing City of Port Phillip.

All applications that work directly with children and young people are required to comply with legislation and regulations relating to child safety including but not limited to the Working with Children Act 2005 and the Working with Children Regulations 2016 and the Victorian Child Safe Standards (CSS) Duty of care and supervision of children are the responsibility of the Hirer.

Customer Charter

Our Customer Charter is a promise to the overall experience our customers have when they interact with us, providing the foundation for delivering a customer experience that meets and ideally exceeds our customer expectations.

Our vision is to deliver consistently exceptional customer experiences by delivering on our charter promises every day in every interaction. If we haven't met the standards we set for ourselves, customers can let us know by using Council's complaints handling process. Complaints will be handled in line with Council's Complaints Handling Process.

Relevant policy, regulations or legislation

This policy is informed by and supports the following strategic documents:

- Access and Inclusion Plan
- Council Plan 2021-2031
- Property Policy 2019
- Reconciliation Action Plan 2017
- Social Justice Charter 2013
- Statement of Commitment to LGBTIQ+ Community
- Act and Adapt, Sustainable Environment Strategy 2018-2028
- Child Safe Policy
- Community Funding Policy
- Sustainable Events Guidelines
- Sport and Recreation Strategy 2015- 2024

City of Port Phillip Community Facility Access and Allocation Policy



Attachments

Nil