

COUNCIL POLICY



Community Facility Access and Allocation Policy	TRIM folder:	20/03/33
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Authorising Officer:	General Manager Community Development	

1. PURPOSE

The *Community Facility Access and Allocation Policy* (this policy) has been developed to ensure fair, appropriate and equitable allocation of Council owned or managed community centres for activities of community benefit by;

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

2. POLICY CONTEXT

The *Local Government Act* (1989), Local Government Charter recognises Council's role in:

- Improving the overall quality of life of people in the local community
- Ensuring transparency and accountability in Council decision making
- Fostering community cohesion
- Encouraging active participation in civic life and;
- Ensuring that services and facilities provided by the Council are accessible and equitable

This policy actions the above and aligns with the *City of Port Phillip Council Plan* (2013-17), *Social Justice Charter* (2011), and the *Municipal Public Health and Wellbeing Plan* (2013-17).

3. SCOPE

This policy will apply to the following community centres and spaces:

- 147 Liardet Street Office Space
- Alma Road Neighbourhood House
- Betty Day Community Centre
- Cora Graves Community Centre
- Elwood St Kilda Neighbourhood Learning Centre
- Ferrars Street Education and Community Facility
- Fishermans Bend Community Centre
- Liardet Community Centre
- Mary Kehoe Community Centre
- Middle Park Community Centre
- Port Melbourne Community Centre and Trugo Club
- Port Melbourne Community Room
- St Kilda Library Community Room
- Sandridge Community Centre and Trugo Club
- Sol Green Community Centre
- South Melbourne Community Centre
- South Melbourne Town Hall Community Hub

In addition, site specific or service specific occupancy agreements i.e. terms and conditions of hire, leases, licences and expression of interest processes will be in place for each centre or service. These documents will align with this Policy.

NB: Where any building listed above is no longer operating as a community centre or available for community hire (see Definitions), the scope of this policy does not apply.

This policy also applies to any Council owned facility which may in future be used by community groups.

4. DEFINITIONS

- 4.1 Allocation** – The application process and granting of a Council; permit or; licence or; 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.
- 4.2 Casual Hire** – Ad hoc or one-off hire of community centre space.
- 4.3 Community Centre** – A public place where all community members can gather to participate in various social, recreational, cultural, leisure, health and lifelong learning activities and services, both formal and informal.
- 4.4 Hire Fee Classification Table for Community Centres:**

Centre user category	Definition	Weighting
HACC eligible	Providers of eligible Home and Community Care (HACC) social support and respite programs.	A minimum of 60% of all hirers, licences and leases must be HACC eligible or applicable Community Group categories.
Community Group Category 1 – Based within Port Phillip municipality	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 services and activities to the benefit of the Port Phillip community. This includes government, not for profit, charity and community organisations.	
Community Group Category 2 – Broader community	The proceeds from the activity (if any) cannot be distributed to individual members/organisers. Where a significant admission, registration or entry fee ¹ of any kind is received; semi-commercial rates may apply. Charitable fundraising activities are excluded.	
Semi-Commercial	An organisation, including incorporated body, co-operative society, partnership or sole trader conducting community activities for the purposes of deriving a profit e.g. charging fees.	40% or less of all hirers, licences and leases will be semi-commercial or private.
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 and business activities.	

For more information please refer to the Fees and Charges section of this policy.

- 4.5 Lease** – A lease is a right granted by Council (lessor) to a community group (lessee) to have exclusive possession of a defined centre for a fixed duration and specified terms for a rental payment (annual fee). Council may grant a lease where the premises will be occupied

¹ A significant fee is determined to be that which is over the half-day HACC Planned Activity Group charge. This is set annually and subject to change over the life of the policy. Hirers will be notified of the amount at the time of booking.

exclusively by the one user and Council considers that granting a lease is in the best interests of the community.

- 4.6 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.
- 4.7 Licence** – A licence permits a legal entity (licensee) to occupy designated community centre space (or part thereof) on particular conditions.
- 4.8 Regular Hire** – Ongoing and structured hire of community centre space.

5. COUNCIL POLICY

Council community centres 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.

Council makes community centres available for use and 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 and community centre upgrades.

5.1 Centre Use

The hours of operation for all of Council's community centres are between 9am to 10pm seven days a week, in line with Environmental Protection Regulations 2008 (for residential noise complaints).

All legal entities (refer to section 4.6) must apply for and have received Council's written approval prior to undertaking formal or organised use of Council owned or managed community centres.

Council's community centres have hire terms and conditions setting out specific permissible uses of each centre dependent upon whether bookings are casual or regular. Information on hire of centres is available on Council's website and through Council's Assist service.

Proposed hire must be for a minimum period of 1 hour.

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

Storage allocation must be determined 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.

The terms and conditions within Lease and Licence agreements set out permissible uses of a centre consistent with planning consent, property policy, management plans and operational requirements of the centre (where applicable).

Council reserves the right to refuse centre use that does not comply with Council's requirements. Council can automatically cancel a booking or terminate a lease/licence due to nondisclosure or the supply of incorrect or misleading information.

5.2 Regular Hirer Agreements

Council reviews hire arrangements on an annual basis through a reapplication process. Regular hirers must apply to Council for new or continued use each year, in line with Council policy for equity of access for all.

Council will call for reapplications during the last quarter of each year for the following calendar year.

Council will notify applicants of outcomes of all applications and the cost of the proposed hire before the end of the year.

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

5.3 Lease and Licence Agreements

Lease and Licence Agreements will be set for a specific period of time. Once this time has expired, applicants may need to re-apply through an expression of interest process for community space in line with Council policy for equity of access for all.

Council cannot guarantee that existing/current agreements will be approved in future years due to changes in organisational priorities, consideration of other applicants and in line with community need.

Allocations will be based on fulfilment of previous years' financial obligations; utilisation of previous bookings; adherence to agreements and terms and conditions of use; adherence to all regulations and by-laws that govern the booking; and benefit of program/activity/service to community (refer to Section 5.5 Criteria for Assessment).

NB: As part of a license agreement with Council, broader use of a facility, in addition to the licensed area may be required for specific agreed purposes. These will be outlined under the "special conditions" of a licence agreement and will then inform hire agreements of a facility and/or space. These conditions will only apply for the term of the licence.

5.4 Fees and Charges

Fees and charges for regular or casual hire of community centres 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 semi-commercial, community and private users as outlined in the Definitions section of this policy – Hire Fee Classification Table for Community Centres.

Lease and licence fees are determined according to Council's Property Policy and will be determined on a case by case basis in line with Council's Criteria for Assessment and the occupied space.

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 bonds – Security bonds 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) Insurance – Council requires hirers to be covered for public liability insurance as recommended by Council’s insurance broker for a minimum of \$10 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 the Community Facilities Officer, with a minimum of 48 hours’ notice; otherwise the hirer may be charged according to the original booking time.

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.

5.5 Criteria for Assessment

In determining centre use, Council will:

- (a) Ensure all applications and expressions of interest for community centres 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 centres are accessible by multiple users and not dominated by individual groups to the detriment of others.
- (e) Ensure centre 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.

The two step process for assessment below aligns with the objectives and principles of the:

- Council Plan 2013-17
- Social Justice Charter 2011
- Contracts and Procurement Policy 2014

Step 1: (Filtering stage)

All applications are assessed by Council 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.

Step 2: (Evaluation of recommended criteria with a weighting)

Applications will be assessed against each recommended criteria 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.

Step 1:

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 (e.g. licence/hire fees and utilities) in accordance with the hire fee classification table (refer to section 4.4) and licence/lease fees as outlined in expression of interest processes.</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
Occupancy record	<p>Council recognises the importance of having mutually supportive relationships with community centre users, the Not-For-Profit sector and the local community.</p> <p>Council will assess the pattern, number and severity of breaches of lease/licence and hire terms and conditions and/or any upheld complaints (where applicable) when assessing applications. This will include previous tenancy arrangements. If previous complaints are deemed to be founded, the applicant will not be considered for allocation.</p>	Pass or Fail

Step 2:

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

5.6 Other considerations

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

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

Council is committed to reducing our greenhouse gas emissions through the *Toward Zero Strategy*. It is expected that all centre hirers, leasers and licensees comply with building operating procedures to 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.

6. RELATED POLICIES

The City of Port Phillip *Community Facility Access and Allocation Policy* is informed by and supports the following strategic documents:

- Access Plan 2013 – 2018
- Ageing Well in Port Phillip Strategy 2006 – 2016
- Charter of Human Rights and Responsibilities Act 2006
- Community Plan 2007 – 2017
- Contracts and Procurement Policy 2014
- Council Plan 2013 – 2017
- Multicultural Strategic Framework 2006 (under review)
- Municipal Public Health and Wellbeing Plan 2013-17
- Open Space Strategy 2009
- Property Policy 2009
- Reconciliation Action Plan 2012
- Social Justice Charter and Action Plan 2011
- Statement of Commitment to Lifelong Learning 2012
- Toward Zero Strategy 2007
- Town Hall Hire Policy 2004
- Youth Development Strategy 2008 (under review)

7. ATTACHMENTS

NIL