

<b>Policy Name:</b>	<b>Hire of Council Owned Facilities</b>
<b>Classification:</b>	<b>Public – Council Policy</b>
<b>Adopted:</b>	<b>23 January 2024</b>
<b>Frequency of Review:</b>	<b>Annually</b>
<b>Last Review:</b>	<b>July 2023</b>
<b>Next Review Due:</b>	<b>July 2024</b>
<b>Responsible Officer(s):</b>	<b>Manager Recreation &amp; Leisure Services Executive Manager Community &amp; Strategy</b>
<b>Policy and Code of Practice Manual File Ref:</b>	<b>CC10/2601</b>
<b>Council File Reference:</b>	<b>CR23/29246</b>
<b>Legislation Authority:</b>	<b>N/A</b>
<b>Related Policies and Codes:</b>	<b>Hire of Gawler Civic Centre Venues</b>
<b>Related Procedures:</b>	<b>N/A</b>

## 1. BACKGROUND

- 1.1 Council owns and maintains a number of venues, facilities 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 and use by local sporting and active recreation organisations.. Council aims to recoup operational costs by hiring these facilities for periodic use, but also seeks to facilitate good community access to amenities and services for all groups. 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 organisations, community groups, sporting and active recreation organisations and individuals.
- 1.2 This policy will provide guidelines for staff and potential hirers to assess the grounds for Council awarding concessional hire to applicants, and establishes common guidelines for the usage of Council facilities (noting that the hire of the Gawler Civic Centre is covered by the Hire of Civic Centre Venues Policy). It takes into account the relationship of the hirer to Council, the local orientation or membership of the hirer, the purpose of the hire, the ability of the hirer to pay and the overall benefit to the entire community of the particular use of Councils Community facilities.

### **2. OBJECTIVES**

- 2.1 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.
- 2.2 To ensure that fees and charges for hire of Council community facilities meet principles of social justice, equity and value for money.
- 2.3 To ensure the application of fees and charges demonstrates Council's commitment to a fair, accountable and transparent process.
- 2.4 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.

### **3. FACILITIES**

- 3.1 This policy will apply to the following Council owned community facilities currently available for periodic hire:

- a. Gawler Sport & Community Centre
- b. Gawler Elderly Centre
- c. Gawler Aquatic Centre
- d. Outdoor Sporting Facilities – Princes Park, Karbeethan Reserve, Eldred Riggs Reserve (South Gawler Oval), Gawler Oval and Elliot Goodger Memorial Park (Willaston Oval).
- e. Parks and Reserves – Apex Park, Clonlea Park, Dead Man's Pass and Pioneer Park.

It does not apply to properties that are leased from Council, and for which contractual lease and/or licence agreements have been established. It also does not apply to the Gawler Civic Centre, with the hire of this facility governed by the 'Hire of Civic Centre Venues Policy'.

- 3.2 Application to Hire

Individuals, groups, organisations and businesses that wish to hire a Council facility must complete a "Facilities Hire Application Form" which requires them to outline the specific purpose(s) for which the facility is requested and to state the proposed frequency of use.

- 3.3 Concession Request

Hirers requesting any reduction in hire rates must complete the "Concession Request" section of the "Facilities Hire Application Form". The application will be assessed by the relevant Assessment Officer (as per Clause 7.1 of this policy), and the decision will be endorsed by the relevant Approval Officer (as per Clause 7.1 of this Policy) and/or Council.

### **4. HIRER CATEGORIES & CONCESSIONS**

- 4.1 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.

- 4.2 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
- 4.3 There are four (4) tier Categories:
- Category A Commercial – full fee paying
  - Category B Community Business – 25% discount on hire fees
  - Category C Community Interest Group - 50% discount on hire fees
  - Category D Full Concession – 90% discount on hire fees
- 4.4 To be eligible to receive a concession, hirers must complete and submit a “Facilities Application Form” including the “Concession Request” section and supply their organisation’s most recent audited financial statements or other appropriate financial documentation.
- 4.5 Organisations which are determined by Council to have reasonable access to funds (e.g. substantial funds in reserve or access to funds through its annual turnover) will not be eligible for a concession. Alternatively these organisations may be awarded a lesser rate reduction than they originally sought.
- 4.6 When an organisation is in receipt of any concession on the full cost of the hire of a Council facility, they are considered by Council to be in receipt of a Council subsidy. An organisation will need to declare this subsidy if they apply to Council for other types of support (e.g. a community grant or community loan).
- 4.7 The provision of concession hire fees should otherwise be deemed Council sponsorship. Such sponsorship shall be appropriately reflected by the organisation in all associated marketing and promotional material with Council’s logo clearly displayed.

## **5. HIRER INSURANCE**

- 5.1 Hirers will be considered as either a **Regular Hirer** or a **Casual Hirer**. This differentiation affects the type of insurance that a hirer is required to purchase and maintain throughout their Hire Agreement, and enables Council to determine its own level of liability.
- 5.2 **Regular Hirers**
- Regular hirers are defined as those hirers that use any Council facility collectively 10 or more times per financial year.
- 5.3 **Casual Hirers**
- Casual hirers are defined as those hirers that use any Council facility nine or less times per financial year (includes single use hirers)
- 5.4 Regular Hirers are required to have Public Liability Insurance of no less than twenty million dollars (\$20,000,000) and are required to present proof of currency of their policy at the time of application to hire a Council facility.

### **6. OVERVIEW OF HIRER CATEGORIES**

To be eligible for any of the concession categories, hirers must match the criteria below.

#### **6.1 Category A – Commercial, Business, Political & Private Hirers**

Full fees are applied to this category, with hirers not eligible for a concession for facility 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 within this category are: State & Federal Government agencies (excluding primary and secondary schools and agencies who are seeking to hire Council facilities to provide information or services to local/regional communities), registered political parties/groups, private businesses, business owners, corporations.

#### **6.2 Category B – Community Services Organisations - 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 capacity to raise funds and/or apply for ongoing 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 (e.g. ticket sales at concerts), exhibitions, seminars and community service conferences and meetings.

#### **6.3 Category C – Not for Profit 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 ongoing operational State or Federal Government funding (excluding schools and Government agencies who are seeking to hire Council facilities to provide information or services to local/regional communities) but raise funds from other sources including membership, sponsorship, project-focused grant funding and/or Council funding.

Examples of groups included 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).

#### **6.4 Category D – Small Self Help Community Groups – eligible for 90% concession on the full commercial rate.**

This category applies to the activities of small self-help community groups with no opportunity to attract financial support from either the public or private sector, and with an extremely limited capacity to pay for facility hire.

Activities might include self-help/peer support meetings, fund raising for a small charitable activity/event or for an individual/family or community organisation in crisis, or other activities to be determined by Council.

Examples of hirers included in this category are non-funded, incorporated or unincorporated community groups (possibly with gold coin membership), self-help groups or similar types of groups that are undertaking fundraising, community based care groups.

### **6.7 Council Approval**

All applications for Category D (90% concession) require Chief Executive Officer and/or Council approval. Applications for Category D concession with a total concession of less than \$1,000 can be approved by the Chief Executive Officer. All applications for Category D concession with a total concession of \$1,000 or greater require the approval of Council. Casual Hirers seeking 90% concession should apply at least two months ahead of the required date to enable the appropriate authorisation from Council.

## **7. HIRERS RECEIVING SPECIAL DISPENSATION**

### **7.1 Gawler Based Service Clubs - eligible for 80% concession on the full commercial rate.**

The following Gawler Based Service Clubs are eligible for this concession:

- Gawler Apex Club
- Gawler Lions Club
- Gawler Kiwanis
- Gawler Zonta Club
- Rotary Club of Gawler
- Rotary Club of Gawler Light
- Gawler Blue Light

### **7.2 Gawler Based Swim Clubs**

#### **a. Gawler Amateur Swimming Club Incorporated to be eligible for the following concession on the full commercial rate:**

- 100% concession for Exclusive use Hire of the Gawler Aquatic Centre for its annual carnival
- 100% concession for the members of Gawler Amateur Swimming Club to enter the Gawler Aquatic Centre at their training times only (not season or visit passes and excluding parents and spectators of members) 75% concession for Gawler Aquatic Centre Season and Visit passes purchased by members (casual facility entry will receive no concession)
- 50% concession for the hire of other Council facilities governed by this policy (in line with the Category C concession within this policy)

#### **b. STARplex Swim Club to be eligible for the following concession on the full commercial rate:**

- 75% concession for the hire of Gawler Aquatic Centre facilities
- 75% concession for Gawler Aquatic Centre Season and Visit passes purchased by members (casual facility entry will receive no concession)
- 50% concession for the hire of other Council facilities governed by this policy (in line with the Category C concession within this policy)

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### **7.3 Gawler Town Band**

The Gawler Town Band to be eligible for the following concession on the full commercial rate:

- 90% concession for the regular hire of the Gawler Sport and Community Centre's Youth Shak
- The Gawler Town Band will work with Council to negotiate performances free of charge at certain Council events as agreed.

## **8. DELEGATION OF COUNCIL STAFF AND COUNCIL TO APPROVE CONCESSION APPLICATIONS**

### **8.1 Assessment and Approval of Concession Applications.**

Approval process for:

- Gawler Sport & Community Centre
- Gawler Elderly Centre
- Gawler Aquatic Centre
- Outdoor Sporting Facilities – Princess Park, Karbeethan Reserve, Eldred Riggs Reserve (South Gawler Oval), Gawler Oval and Elliot Goodger Memorial Park (Willaston Oval)

<b>Category</b>	<b>Assessment Officer</b>	<b>Approval Officer</b>
B	Team Leader Aquatic & Recreation Services	Executive Manager Community & Strategy
C	Team Leader Aquatic & Recreation Services	Executive Manager Community & Strategy
D	Team Leader Aquatic & Recreation Services	Chief Executive Officer (concession value under \$1000)  Council (concession value greater than \$1000)
Gawler Based Service Club	Team Leader Aquatic & Recreation Services	(Pre-Approved by Council per Clause 6.5)
Gawler Based Swim Club	Team Leader Aquatic & Recreation Services	(Pre-Approved by Council per Clause 6.6)

Approval process for Parks and Reserves:

- Apex Park,
- Clonlea park,
- Dead Man's Pass, and
- Pioneer Park

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Category	Assessment Officer	Approval Officer
B	Senior Visitor Information Centre Officer	Executive Manager Community & Strategy
C	Senior Visitor Information Centre Officer	Executive Manager Community & Strategy
D	Senior Visitor Information Centre Officer	Chief Executive Officer (concession value under \$1000) Council (concession value greater than \$1000)
Gawler Based Service Club	Senior Visitor Information Centre Officer	Pre-Approved by Council per Clause 6.5
Gawler Based Swim Club	Team Leader Aquatic & Recreation Services	Pre-Approved by Council per Policy Clause 6.6

- 8.2 Where an application to hire a Council Facility includes a Concession Request that falls outside the options available within this policy, the request will be submitted to the relevant Approval Officer (as per Clause 7.1 of this Policy). Any request to waive the total hire fee will be submitted to Council for approval and must be endorsed by the Chief Executive Officer.
- 8.3 The relevant Assessment Officer (as per Clause 7.1 of this Policy) is responsible for establishing and maintaining current Hire Agreements for all facilities and for assessing the suitability of applications. They are also responsible for making recommendations to the relevant Approval Officer and/or Council about the categorisation of hirers.
- 8.4 Resolution of Disputes
- If the Assessment Officer experiences irreconcilable problems when allocating facilities to approved hirers (e.g. there is a clash of required times and facilities for two or more hirers) the matter will be referred to the relevant Approval Officer (as per Clause 7.1 of this Policy) for a resolution.

### 9. VALIDITY OF CONCESSION APPROVALS

- 9.1 When approval for a concession is given, that approval is valid until the completion of the current financial year, providing the use of the facility remains consistent with the original application and the capacity of the organisation to pay hire fees remains unchanged.
- 9.2 Any concession approvals will be valid only for the dates indicated within the booking, unless authorised by the Chief Executive Officer or a resolution of Council.
- 9.3 It is important to note that a hirer may fall into different hirer concession categories subject to the purposes for which they hire a Council facility/ies. For example a hirer might be provided with concession rate C for a meeting of their group at one facility but at concession rate B if they charge an entry fee to a seminar at another Council facility.



### **10. GUIDELINES FOR ASSESSING REQUESTS FOR A CONCESSION**

In assessing a request for a concession to the regular hire rate to be provided under Categories B, C or D the following common criteria would apply:

- 10.1 The applicant meets the criteria for Category B, C or D.
- 10.2 The necessary documentation and financial information (e.g. latest Audited Financial Statements, Certificate of Insurance) has been provided and supports the request.
- 10.3 The activity / event / function has a primary focus on the Town of Gawler and/or is aligned with the objectives of the Town of Gawler Community Plan.
- 10.4 The proposal improves community access to an activity or service.
- 10.5 The applicant has demonstrated that they will not profit from usage.
- 10.6 The applicant has demonstrated they are unable to meet the full cost and/or that the costs of usage cannot be recovered from participants.
- 10.7 The application has demonstrated that the function or activity will not be viable without a subsidy.
- 10.8 The event/activity is being held to support a charity organisation, to raise money for a charitable cause or to support an organisation, individual or family in crisis.

### **11. REQUIREMENTS OF HIRERS RECEIVING A CONCESSION**

Council requires hirers receiving any concession on facility hire to:

- 11.1 Acknowledge Council assistance in any literature and promotional materials.
- 11.2 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).
- 11.3 Comply with the Conditions of Hire relevant to the specific facility.

### **12. PROCEDURES – CONCESSION APPLICATIONS**

- 12.1 Procedures for Regular Hirers
  - a. Council will call for requests to hire Council facilities on an annual basis, in line with the financial year.
  - b. Prior to submitting a Facilities Hire Application Form, including concession request (where applicable), hirers are encouraged to;
    - i. access an up-to-date list of facilities and the types of events or activities that are suitable.
    - ii. discuss their specific facility and hire needs with the staff to determine the most appropriate facility.
  - c. For assessment purposes, the relevant Assessment Officer (as per Clause 7.1 of this Policy) may need to clarify information directly with the applicant.
  - d. Assessment Officer recommendations for Category D concessions will be reported to the Chief Executive Officer (\$1,000 or less) and/or Council (greater than \$1,000) for the purpose of securing approval or Council endorsement.



- e. Following approval (or refusal) of a Facility Hire Application and Concession Request, staff will formally notify the applicant in writing and will confirm the terms of the Hire Agreement/s.
- f. The hirer is supplied with all Council documentation (e.g. Hire Agreement including Hire Terms and Conditions) for review and signature.
- g. Prior to commencement of the hire, the hirer is required to undertake an induction and/or orientation of the facility and given a safety and security brief. They will be provided with Council contact details, including an out of hours contact point (where required).
- h. The hirer is responsible for supplying the following;
  - i. Signed facility-specific Facility Hire Agreement & Declarations
  - ii. Public Liability Insurance or Certificate of Currency (with a copy of the updated certificate of currency to be provided as required)
  - iii. Payment of all deposits, bonds and other fees (as relevant)

### **12.2 Procedures – Casual Hirers**

- a. Casual Hirers may be eligible for a concession and are assessed on the same criteria as Regular Hirers.
- b. Casual Hirers seeking a concession of more than 50% must apply at least two months in advance of their event date to allow adequate time for the approval process.
- c. Acceptance of a casual booking is at the discretion of the Assessment Officer.
- d. Casual Hirers have the same responsibilities as Regular Hirers to fulfil the terms of both this policy and the facility specific Hire Agreement.
- e. Prior to the commencement of the hire, the hirer will be provided with the following;
  - i. A copy of the Hire Agreement
  - ii. Written confirmation of the booking (including any additional requirements)
  - iii. Confirmation of payment of all relevant deposits, bonds and other fees (to be paid prior to the commencement of the facility hire) and
  - iv. Safety and security orientation/induction (as required)

## **13. PAYMENT OF FEES & CHARGES**

- 13.1 Hirers are to pay the hire fee as set out in Council's Fees and Charges Register and included in the signed Hire Agreement. In most cases Council will require a hirer to make a full payment before facility hire. will determine the terms under which invoices are issued.
- 13.2 Unless otherwise formally agreed, no hirer, regardless of concessions awarded under this policy, is exempt from other fees and charges relating to their hire eg. kitchen facilities etc.
- 13.3 Fees and charges include (but are not limited to); equipment use, allocation and/or replacement of keys/swipes, additional services (e.g. catering, staffing, special cleaning), administration fees, cancellation fees, damage(s) and/or storage of the groups' equipment.

### **13.4 Changes to Fees and Charges**

Council's fees and charges are reviewed and subject to change as part of the annual budget process. Fee schedules for Council facilities are available from Customer Service locations and, Council's website.

### **13.5 Overdue Accounts**

Hirers that have overdue fees (in excess of 30 days from date of invoice) will have their concession status revoked and all facility hire will be charged at the full commercial rate until all overdue fees are paid in full.

### **13.6 Outstanding Fees**

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

### **13.7 Council will waive any annual hire fee of less than \$100 for Council facilities.**

## **14. REVIEW AND EVALUATION**

The effectiveness of this Policy will be reviewed annually.

The Chief Executive Office will report to council on the outcome of the evaluation and if relevant make recommendations for amendments, alteration or substitution of a new Policy.

The Policy will not be altered or substituted so as to affect a process already commenced.

## **15. FURTHER INFORMATION**

Further information about this Policy can be obtained by:

Telephone: 8522 9211

Email: [council@gawler.sa.gov.au](mailto:council@gawler.sa.gov.au)

Appointment: Town of Gawler Administration Centre, 43 High Street, Gawler East.

Letter: PO Box 130, Gawler SA 5118

## **16. AVAILABILITY OF POLICY**

The Policy is available to be downloaded, free of charge, from Council's website at [www.gawler.sa.gov.au](http://www.gawler.sa.gov.au).

A printed copy may be purchased on request from the Council's Administration Centre.