

Service 9: Community Group Leases

1. Purpose

The purpose of this policy is to outline the City's approach to providing long-term leased facilities to community groups within the City to support their activities for the benefit of the Community.

2. Planning

Priority 1: Kalamunda Cares and Interacts

Objective 1.2 - To provide a safe and healthy environment for community to enjoy.

Strategy - 1.2.3 - Provide high quality and accessible recreational and social spaces and facilities.

3. Policy Statement

The City is committed to providing long-term leased facilities to community groups within the City to support their activities for the benefit of the community.

Lease terms should not generally be negotiated for a total term, including options, longer than 10 years. Such leases are available only to associations formed under the Associations Incorporation Act 1987; all other long-term leases will be considered as Commercial Leases.

Leases are on the basis that the community group will be responsible for the consumables they use, minor maintenance and other nominal costs, except those costs separately identified within the CEO instruction to this Policy as being the responsibility of the City. In recognition of the community benefit provided by Associations, the lease fee applicable will be \$1.00 per annum (peppercorn).

Community Groups that are unwilling to sign a Lease Agreement in accordance with this Policy, will be required to hire their facilities in accordance with the City's Casual Facility Hire Agreement at the rate applicable for that facility.

4. Detail

The Policy provides user groups with certainty regarding access to facilities. It also provides user groups with an incentive to maintain the City's assets in good condition. The Policy is predicated on the basis that User Groups will be responsible for the day-to-day costs associated with the buildings and any minor maintenance with each parties' obligations identified in the Lease Agreement.

User Groups enjoy quiet enjoyment and may have exclusive occupancy of the leased area or agree to a shared lease agreement with another user group.

It is the responsibility of the User Group to notify the City where an incident may jeopardise the health, or safety of users or the general public or which may affect the City's building insurance.

Where a User Group seeks to undertake additions or alterations to a building, consent must be requested from the City, with such requests supported by the co-tenants of the building.

Unless previously agreed in writing with the City, all invoices issued by the City are to be paid within 30 days of the invoice date.

5. Community Consultation

Community Consultation regarding any changes to the Community Group Leases Policy will be undertaken with Users.

6. Governance

This Policy will be governed by the Council and administered by the City. The User Group is required to comply with the provisions of all regulations, local laws, by laws, Acts or Amendments affecting the premises.

7. Measures of Success

The Community Group Leases Procedure provides additional clarity outlining the roles and responsibilities of both the City and the User Group. Whilst there are no formal measures of success, the building condition reports completed by Asset Services will give an indication as to whether the User Group is managing their maintenance responsibilities in a satisfactory fashion.

8. Definitions

Nil.

Status	Council Requirement		
Related Local Law	N/A		
Related Council Policies	Governance 11 – Capital Grants – Clubs and Community Groups Policy		
Relevant Delegation	CEO		
Related Internal Procedures	Updated Procedure Pending		
Related Budget Schedule	N/A		
Legislation	<i>Local Government Act 1995</i>		
Notes and Conditions	N/A		
Authority	Council		
Adopted	12 October 2021	Next Review Date	12 October 2023