

	Policy Title:	Use of Council Buildings
	Policy Number.	
	Version Number/Date.	Version 1 16 June 2015

Purpose

To provide guidance in the appropriate use of Council owned and/or controlled buildings.

Scope

Central Goldfields Shire Council will not tolerate fraud in any form by Councillors, Managers and employees alike of Central Goldfields Shire Council, and suppliers, contractors or customers.

Policy Statement

Community buildings are in Council ownership and/or control and Council or a Section 86 (of the Local Government Act 1989) Committee of Management manages those buildings on behalf of the community.

This policy specifically addresses the issue of 'community and commercial' use of Council buildings.

Definitions

Council: The term Council refers to Central Goldfields Shire.

Council building: Property which is owned or controlled by or vested in Central Goldfields Shire Council.

Community: The use of Council buildings by organisations or individuals, where all proceeds from such use (either monetary or social) are either returned to the community, or otherwise used for the advancement of the community, and there is no personal gain or return to an individual(s) or single organisation.

Commercial: The use of Council buildings by organisations or individuals where any returns either directly or indirectly are retained by an individual(s) or organisation(s) for their own use.

Not for Profit: An incorporated organisation which exists for charitable reasons (as defined by the Australian Taxation Office) and from which its shareholders or trustees do not benefit financially. Any funds earned and retained must be retained by the organisation and used for its own expenses, operations and progress.

Procedure

Council offers use of Council owned buildings for hire by the general public at;

- Commercial hire rates – market rates for the use of Council buildings for private or business meeting purposes. Some 'not for profit' hires may be classified as Commercial.
- Community hire rates – are subsidised market rates for approved community service organisations that hire all or part of a Council owned community building to provide community based services and activities.

Permitted Uses:

Without the express permission of Council the following uses will not be permitted in Council buildings;

- Retail, hospitality, management of business services, education, or any other function that is in direct competition with similar businesses run from private facilities.

Where such uses are approved Commercial hire rates apply.

Long Term Use (Leased) (defined as single use by organisation)

- Where long term use has been approved for use by a 'commercial' user, full commercial lease conditions shall apply, including, but not limited to rates, rental, outgoings, maintenance, property and public liability etc., and shall be the responsibility of the tenant.
- Where long term use has been approved for use by a community group, that group shall be responsible for all outgoings and maintenance with the exception of Council rates (excluding Fire Services Property Levy and garbage/waste charges) and building insurance. Community hire rates to apply. Public liability insurance shall be the responsibility of the user group.

Review

This document will be reviewed bi-annually.

Legislation and other references

Legislation

- Protected Disclosures Act 2012

Documents

- Central Goldfield Shire Council Code of Professional Conduct
- Central Goldfields Shire Council Protected Disclosures Act 2012 Guidelines

Human Rights Consideration

The implications of this Policy have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Information Privacy

This Policy has been developed in accordance with the Privacy and Data Protection Act 2014 and the Information Privacy Principles within;

- The public has a legal right of access to information.
- Local governments are required to publish information concerning the documents they hold.
- People may request that inaccurate, incomplete, out-of-date or misleading information in their personal records be amended.
- People may appeal against a decision not to give access to the information or not to amend a personal record.

Risk Assessment Reference

This Policy aligns to the core Risk Management Standards as outlined in the Central Goldfields Shire Council Risk Management Strategy and Action Plan.

Control Information

Policy Category:	Corporate and Community Services
Author	Wayne Belcher
Responsible Officer	Executive Management Group
Date adopted by Council:	
Review Date	2017
Revision History	