

Policy C6 – Leasing Freehold and Reserve Land to Community Groups, Sporting Clubs and Other Non Profit Organisations

1. Policy Intention

- 1.1 To assist community groups in improving facilities and increasing capacity within the Shire of Murray that results in community strengthening and helps to build vibrant, inclusive and healthy communities.
- 1.2 To set a standard lease term and fee structure for the lease of freehold land and Reserves vested in the Shire of Murray to bodies exempt from the requirements of Section 3.58 of the Act by Regulation 30 (2) (b) of the *Local Government (Functions and General) Regulations 1996* (Charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature bodies, whose members are not entitled or permitted to receive any pecuniary profit from the bodies' transactions).

2. Policy

- 2.1 Subject to Council and the Minister for Lands consent being obtained, the Chief Executive Officer be authorised to negotiate and renew lease agreements where an option period is being exercised with groups defined as exempt bodies in Regulation 30 (2) (b) of the Local Government (Functions and General) Regulation 1996.
- 2.2 The standard lease term for exempt bodies leasing land vested in, or owned by the Shire of Murray is up to a maximum of ten years with a further option period of up to ten years.
- 2.3 The minimum annual fee for all lease agreements (excluding GST) and all other outgoings, including but not limited to power, water, gas or rubbish charges for:
 - (a) Exempt groups/bodies without a liquor licence – is \$50.00 per annum.
 - (b) Exempt groups/bodies with a permanent liquor licence – is \$500.00 per annum, plus the cost of preparing, executing or renewing a lease agreement.
- 2.4 An annual administration fee may also be levied on lease agreements.
- 2.5 When an option to renew a lease is exercised under clause 2.1 the Chief Executive Officer may determine an increase in the lease fees specified in 2 (a) and (b) in line with the CPI changes, until the expiry of the agreement.
- 2.6 When a property or facility leased to an exempt body expires or is cancelled expressions of interest are to be publicly invited from exempt bodies in the district to lease the facility or property. When more than one expression of interest is received the decision to approve a new lease agreement shall be determined by Council.

Previous Policy Reference	CC14	
Related Legislation	<i>Local Government (Functions and General) Regulation 1996, Land Administration Act 1997, Local Government Act 1995</i>	
Related Policies	N/A	
Related Documents	N/A	
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