



Light
Regional
Council

Management of Community and Recreation Facilities Policy

Reference Number:	Section 9 No. 2
Responsible Department:	Community Development
Related Policies:	Event Management Policy By-Law No.4 – Local Government Land Community Land Management Plans Mobile Food Vendors Policy
Date of Adoption:	17 October 2006
Current Review Date:	23 February 2021
Minute Reference:	IC10.4.2
Version Number:	Amendment No. 3
Applicable Legislation:	Local Government Act 1999 Disability Inclusion Act 2018
Next Review Date:	February 2025
Review Frequency:	every 4 years or as required

1. Purpose

The purpose of this policy is to define appropriate use by the general community and incorporated associations of community, recreation, sporting and cultural facilities.

2. Scope

Council provides an extensive range of built facilities and grounds for use by members of the community, recreational and cultural groups and visitors to the region. In providing these facilities this policy framework addresses the management of these facilities in an equitable, efficient and effective manner.

This policy identifies and communicates Council's intentions relating to the management of community facilities by incorporated associations and the broader community.

3. Legislative Framework

The *Local Government Act, 1999* provides the basis for Council to govern and manage its area at the local level, particularly;

"Section 6 – Principal role of a council

- (b) to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner; and*
- (c) to encourage and develop initiatives within its community for improving the quality of life of the community"*

"Section 7 – Functions of a council

- (b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities);*

- (c) *to provide for the welfare, well-being and interests of individuals and groups within its community;"*

"Section 200—Use of community land for business purposes

- (1) *A person must not use community land for a business purpose unless the use is approved by the council.*
- (2) *The council cannot approve the use of community land for a business purpose contrary to the provisions of a management plan.*
- (3) *The council's approval may be given on conditions the council considers appropriate."*

In addition, the South Australian *Disability Inclusion Act, 2018* was adopted on 1 July 2018. The Act supports the *United Nations Convention on the Rights of Persons with Disabilities* and acknowledges that people living with a disability have the same human rights as other members of the community. And that the state and the community have a responsibility to facilitate the exercise of those rights.

4. Policy Objectives

The objectives of the Policy are:

- 4.1 To strengthen communities through empowerment of incorporated associations to ensure that the provision of management, leasing strategies and practices provides a fair and equitable response to community needs;
- 4.2 To provide the general public with guidelines on expected use of facilities and requirements.
- 4.3 To provide a link between these objectives and the goals of the Light Regional Council Strategic Plan.

5. Principles

The following principles apply to the use, hiring and management of Council land and/or community facilities:

- 5.1 A formal agreement or permit must be in place for all organised or business activities using Council land and/or facilities.
- 5.2 Any formal agreements or permits established should ensure the use of that land and/or community facility aligns with relevant legislative and policy requirements.
- 5.3 Council supports the equitable, responsible use of its land and facilities by members of the community for appropriate purposes and encourages community ownership of those facilities.
- 5.4 Council recognises the need to provide consistency in the way in which community, sporting and recreational facilities are managed including equity between groups.
- 5.5 Council recognises that the community is often best placed to ensure that community facilities and land are used and managed in a way that maximises both their potential as well as their flexibility to meet several areas of community need.

- 5.6 Council, mindful of its obligations to provide sound asset management on behalf of its community, will consider opportunities to transfer responsibilities and empower incorporated associations where circumstances are appropriate to do so.
- 5.6.1 Guidelines shall be provided to Incorporated Associations to ensure the management of funds and activities align with the Policy Objectives and are reflected within the association constitutions for open, transparent, fair and equitable use of public funds and facilities.
- 5.7 Where a group or organisation has regular use of a facility and has entered into a formal agreement they will be required to contribute to the facility's management and maintenance costs.
- 5.8 Appropriate contributions from users of community facilities (i.e. hirers, sub-letting agreements, memberships) will be required to cover the management, operation, maintenance and renewal costs of the facility, and for the development of activities or services associated with the facility.
- 5.9 Permit applications / Hire agreements will be available on Councils website for Council managed facilities.
- 5.10 Fees and Charges where applicable will be included within Council's Fees and Charges Register updated annually in line with adoption of the Annual Business Plan.
- 5.11 Activities permitted on Council land or requiring approval are identified primarily under ByLaw4 found on Council's website or as stipulated on the relevant Community Land Management Plan for the site posted on Councils website.

Policy History

1. Original policy adopted 17 October 2006 see Council Minutes Reference 9.2.1, Page 2006/226.
2. Policy reviewed at Council meeting held 22 April 2014 Minute Reference page 2014/74
3. Policy reviewed at Council meeting held 26 September 2017 Minute Reference page 2017/255
4. Amendment No. 3 adopted by Council on 23 February 2021, Minute Reference IC10.4.3, Page Reference 2021/39