

# Hire of Community Facilities Application Form



## Applicant/ Hirer Details

|  |                             |            |
|--|-----------------------------|------------|
| Ms/Mr/Mrs/Other (Please State)   | Family Name                 | Given Name |
| Address  |                             |            |
| Organisation Name ( if applicable)   |                             |            |
| <input type="checkbox"/> Not for Profit Organisation <input type="checkbox"/> Registered Charity <input type="checkbox"/> Seniors <input type="checkbox"/> Business <input type="checkbox"/> Private |                             |            |
| Proof of Not for Profit or Registered Charity to be Provided   |                             |            |
| Mailing Address ( if different from above)   |                             |            |
| Tel 1 (Home/ Work/ Mobile)   | Tel 2 ( Home/ Work/ Mobile) |            |
|  | Email :                     |            |

## Hire Details

|   |  |   |
|---|--|---|
| <input type="checkbox"/> Arncliffe Meeting Room   | <input type="checkbox"/> Arncliffe Senior Citizens Centre              | <input type="checkbox"/> Bexley Community Centre                      |
| <input type="checkbox"/> Brighton Meeting Room  | <input type="checkbox"/> Coronation Hall<br>See Conditions Attached    | <input type="checkbox"/> Kingsgrove/ Bexley North<br>Community Centre |
| <input type="checkbox"/> Rockdale Senior Citizens Centre  | <input type="checkbox"/> Rockdale Town Hall<br>See Conditions Attached | <input type="checkbox"/> Syd Frost Hall                               |
| Dates required ____/ ____/ ____ If multiple dates are required, please attach sheet with dates. |  |   |
| Arrival Time: _____ am/pm   |  | Departure Time: _____ am/pm   |
| Description of Activity or Function:  |  |   |

## Applicant/ Hirer Details

### ROCKDALE TOWN HALL & CORONATION HALL ONLY

|   |   |  |
|---|---|--|
| <b>Alcohol</b>  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No  |
| If Yes  | <input type="checkbox"/> It is being served- Written Permission from Rockdale City Council is required. Council reserves the right to request police notification of the event. | <input type="checkbox"/> It is being sold- On-License liquor permit obtained from the NSW Department of Gaming and Racing and a copy is attached |
| <b>Please fill in further details if <u>Rockdale Town Hall</u> is to be hired:</b>      |   |  |
| <input type="checkbox"/> Special Requirements: Microphone, Other, please specify: _____ |   |  |
| <input type="checkbox"/> Set Up Requirements: Please Attach Plan                        |   |  |

## Please Note

The personal information required on this form may be available for public access under various legislation.

### Rockdale City Council

Office Hours - 8.30am to 4.30pm (Mon-Fri), 9am-1pm (Sat)

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**Declaration**

I have been presented with and have read both the Rockdale City Council Recreation and Community Facilities Management Policy and the terms and conditions of hire attached and agree to abide by them

|                       |                     |
|-----------------------|---------------------|
| Applicant's Signature | Date ____/____/____ |
|-----------------------|---------------------|

| <b>Office Use Only</b>   |                                |                     |
|--------------------------|--------------------------------|---------------------|
| <input type="checkbox"/> | Calculate Fees                 | Date ____/____/____ |
| <input type="checkbox"/> | Bond Paid                      | Date ____/____/____ |
| <input type="checkbox"/> | Deposit Paid                   | Date ____/____/____ |
| <input type="checkbox"/> | Attach Receipts to Application |                     |
| Additional Comments:     |                                |                     |
|                          |                                |                     |
|                          |                                |                     |
| <input type="checkbox"/> | Checked By                     | Date ____/____/____ |

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# Community Facilities and Seniors Citizens Centres Conditions of Use

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All Permit holders are bound by the Rockdale City Council's Recreation and Community facilities Management policy. Council will retain ownership and control of all its recreational and community facilities, as well as any facility or external sports ground infrastructure items constructed or improved through collaborative arrangements to ensure sustainability of these assets. This policy statement applies to all recreational and Community facilities owned or managed by Rockdale City Council. A copy of the Recreation and Community Facilities Management Policy is attached to this document.

First priority for use of Seniors Centres shall be given to non-profit Senior Citizens groups from the Rockdale local area.

1. All use is subject to there being no conflict with existing user groups.
2. For the benefit of all user groups, the Centres must be left in the same condition in which it was found. All user groups are responsible for their own cleaning.
3. Please note it is your responsibility to advise Council if you notice problems requiring repair or maintenance, particularly anything which may impact on the safe use of the building. This can be done by ringing the Council's Customer Service Centre on 9562- 1666.
4. All breakages/ damages to property must be reported immediately to Council.
5. All lights and heaters must be switched off at the end of use.
6. No permanent decorations or fixtures are to be erected without the permission of Council.
7. Authorised groups are responsible for the security of the Centre's key. Keys are not to be issued to other groups or individuals without Council permission.
8. A key deposit of \$50.00 is required at time of booking. This will be refunded upon completion of booking.
9. All doors and windows are to be secured and locked at the end of use.
10. Smoking and consumption of alcohol is prohibited.
11. Nails, pins, screws, drawing pins or adhesive tape must not be used to affix decorations. The erection of flags, bunting, or other decoration or the placing of any other structure in the premises must be carried out with the approval, and under supervision of Council's Caretaker. Balloons must be tied down and not allowed to rise to the ceiling otherwise removal costs may be incurred.
12. Noise emanating from the premises is to be kept to a level that would give no cause for complaints from residents of the area and maintained to conform with the Noise Control Act.

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13. The hirers are responsible for ensuring their guests are made aware of fire exits and fire fighting facilities within the premises
14. Council reserves the rights to revise fees and charges from time to time as may be found necessary.
15. All hirers must provide evidence to Council of Public Liability Insurance. Any incorporated bodies, Sporting Clubs, Associations and Commercial Groups or Commercial type bookings must have cover to a minimum of \$10 million. Other non- profit Community Groups or individuals must have cover to a
16. minimum of \$5 million. Failure to provide evidence of adequate coverage may result in the cancellation of the booking.
17. The hirer shall indemnify Council against any claim for compensation arising out of any action by the hirer or any person or persons carrying out work on behalf of the hirer.
18. In the event of cancellation, unless 14 days notice is given, no refund will be made.
19. The hirers are responsible for ensuring their guests are made aware of fire exits and fire fighting facilities within the premises
20. Rockdale City Council will Endeavour to process all applications within three working days were possible
21. Rockdale City Council reserves the right to include additional conditions to the permits were deemed necessary by council.
22. Approved users of Council's recreation and Community facilities are not permitted under any circumstances to allocate or sublet facilities that they have been allocated under a permit to other groups and users whether for financial gain or not without written consent from Rockdale City Council.
23. Failure to observe these conditions could lead to suspension or cancellation of booking.

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# Town Hall/ Coronation Hall

## Conditions of Use

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### 1. APPLICATIONS

Rockdale City Council will endeavour to process all applications within three working days were possible. Rockdale City Council reserves the right to include additional conditions in the permits were deemed necessary.

### 2. DEPOSIT BOND

To confirm the booking, the hirer is required to forward payment of the security bond within 14 days of the application, together with the signed agreement form. If such bond is not lodged, the application will not be approved.

Balance of fees is payable at least 21 days prior to the function.

### 3. REFUND OF BOND

If there has been no damage to the venue and no additional cleaning costs are incurred, the bond will be refunded automatically, usually within 21 days. Guests must vacate the hall no later than 15 minutes after nominated time. If the hall has not been vacated by the schedule time, a surcharge on hourly overtime's rate will be deducted from the bond.

### 4. PUBLIC LIABILITY INSURANCE

All hirers must provide evidence to Council of Public Liability Insurance. Any incorporated bodies, Sporting Clubs, Associations and Commercial Groups or Commercial type bookings must have cover to a minimum of \$10 million. Other non-profit Community Groups or individuals must have cover to a minimum of \$5 million. Failure to provide evidence of adequate coverage may result in the cancellation of the booking.

### 5. COMPENSATION

The hirer shall indemnify the Council against any claim for compensation arising out of any action by the hirer or any person or persons carrying out work on behalf of the hirer.

### 6. REVISION OF CHARGES

Council reserves the right to revise fees and charges from time to time as may be found necessary.

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## 7. ATTENDANTS

The promoters of public functions are required to provide one adult attendant per 100 persons attending. The attendant must be capable of maintaining order at the function. Such attendants are to be responsible to and under supervision of Council's Caretaker or Authorised Officer.

## 8. CAPACITY

Town Hall holds 300 people for dinner dance with room for dance floor. Concert style up to 500 people maximum dependant on the nature of the event, Rockdale City Council reserves the right to determine the maximum number of people per event. Coronation Hall holds 200 people for dinner dance.

## 9. CONDUCT

The hirer is responsible for the conduct of each and every person in attendance at the function. Children must be supervised at all times by a responsible adult, and they are not to be left unattended. Children are not allowed outside the hall.

## 10. MUSIC

No music allowed in Coronation Hall on Sundays

## 11. DELIVERY OF GOODS

Before delivery of soft drinks, flowers, etc are made to the premises for any function, prior arrangement must be made to facilitate access to the building between the hours specified.

## 12. ALCOHOLIC BEVERAGES

Under no circumstances will the sales of liquor be permitted without an appropriate license liquor permit being obtained from the Department of Gaming and Racing. The permit must be sighted by Council's Authorised Officer prior to the function and it must be available for inspection. Under no circumstances are kegs or bulk containers allowed in the Hall or the surrounds of the Hall. Contravention of this clause will result in the termination of the hire.

The serving or sale of liquor must cease 30 minutes prior to the nominated closing time. Organisations and sporting clubs with a liquor license and permission from Rockdale City Council to serve alcohol on the premises **cannot** under the NSW Liquor Act give permission to, allocate the license to, or allow groups not named on the license to serve alcohol on Council premises.

## 13. CATERING

Caterers must provide evidence of Worker's Compensation Insurance to Council when bookings are confirmed.

- (a) Barbecuing of food within the building, and its surrounds is not permitted.
- (b) Caterers or other persons using the kitchen must leave it in a thoroughly clean condition.
- (c) Premises must be vacated no later than half an hour after the nominated time of the booking. Should this not be observed, a surcharge will be applicable.

## 14. TABLE COVERING

Hirers requiring Council's tables must provide suitable cloths or other means of covering for all such tables. Such cloth or covering is to be approved by Council's Caretaker or other Authorised Officer. **THE USE OF ADHESIVE TAPE IS STRICTLY PROHIBITED.**

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### **15. OBJECTIONABLE MATERIALS**

The bringing into the premises or use therein of confetti, chewing gum, fireworks, seeds in shells or any articles deemed by Council's Caretaker or Authorised Officer to be objectionable, is expressly prohibited.

### **16. DECORATIONS**

Nails, pins, screws, drawing pins or adhesive tape must not be used to affix decorations. The erection of flags, bunting, or other decoration or the placing of any other structure in the premises must be carried out with the approval, and under supervision of Council's Caretaker. Balloons must be tied down and not allowed to rise to the ceiling otherwise removal costs may be incurred.

### **17. NOISE CONTROL**

Noise emanating from the premises is to be kept to a level that would give no cause for complaint from residents of the area and maintained to conform with the Noise Control Act.

### **18. ELECTRICAL EQUIPMENT**

No interference with the stage lighting and sound system and electricians will be allowed without the approval and supervision of Council's Caretaker or other Authorised Officer. All lighting/ sound and electricians to be left at setting prior to alterations unless requested by Caretaker.

### **19. CLEANING**

The Hall, foyer, toilets, kitchen, dressing room, and stage must be left in a reasonable clean condition. Drink containers, properties or materials brought by the hirer or any persons on his/ her behalf, must be removed. At the completion of the function, all rubbish must be removed from the facility and placed in the Council's bins provided.

### **20. SMOKING**

Smoking within the building is strictly prohibited.

### **21. PARKING**

No parking is allowed on the coloured concrete paving blocks at the rear of the Town Hall and Administration Building or in the Arncliffe Community Centre Premises. **PARKING FOR THE TOWN HALL IS AVAILABLE THROUGH YORK STREET ENTRANCE.**

### **22. REFUSED OR CANCELLED FUNCTIONS**

Council reserves the right to transfer any booking if the facility is required for a public meeting or Council's function. Council expressly reserves the right to refuse to accept a booking, or to cancel any engagement already made, and the Council shall not be liable in any way for any loss or damage or otherwise as a consequence of the exercise of this right. In these circumstances, Council may refund any portion of amounts paid on account of fees if such refund is considered warranted.

### **23. SPECIAL CONDITIONS**

The following special conditions will apply to Theatrical Groups and Teen Dance Parties

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## 24. THEATRICAL GROUPS

Staff/ Guests are not permitted to enter the premises for rehearsals, set up or any other reason prior to the scheduled time, and the hall has to be vacated at the specified time.

## 25. REHEARSALS

Must finish by 10.30pm. Premises must be vacated no later than 11pm.

## 26. TEEN DANCE PARTIES

In the interest of public safety, accessibility and to minimise disruption to residents due to large crowds, Town Hall is the only venue which is approved to host Teen Dance Parties.

### 26.1

To minimize disruptions to the school curriculum and as part of Councils social responsibility, Teen Dance Parties can only be held once a school term, at either the beginning or end of the school holiday period. The allocated time of usage will start at 7 pm ending no later than 11 pm midnight, unless negotiated otherwise through Council.

### 26.2

The Organisers must ensure that:

- Community group's and private organisation are incorporated.
  - They have a 20 million dollar Public liability insurance is required for all dance parties. This is to be seeded To Rockdale City Council.
  - They have previous proven Dance Party or Event Management experience, with contactable referees.
  - They provide a thorough management plan and risk assessment with their application.
  - They arrange adequate security staff (with a minimum of 5 security staff). Council reserves the right to request the operator to increase this number dependent on its evaluation of risk.
  - Security is to be provided by a reputable security firm only.
  - A minimum of 3 St Johns/ Red Cross staff are to be on site during the duration of the party.
  - No (over 18's) are allowed to attend the event.
  - Youth cannot leave and re-enter premises. This is to minimise the risk associated with the potential of Drug and Alcohol consumption during the event.
  - They provide at the point of entry to the event, the bus and train timetable for party goers.
  - To ensure the safety of party goers, it is the responsibility of the organiser to ensure no youth are left stranded at the end of the event. Additionally, the organiser is to ensure all attendees have wrist bands on them, making them easily identifiable.
  - There will be no consumption of Drugs / Alcohol or energy drinks on the premises, and the organiser shall ensure there is an adequate supply of drinking water.
  - No one suspected to be under the influence of drugs and alcohol is permitted to gain entry to the event.
  - They ensure all Staff have valid police and working with children clearances.
- No use of Glow sticks at the venue due to the risks associated with splashes in to eyes when they are broken.

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- They are compliant with all NSW party Guidelines apply.
- They notify the police of event prior to permit being issued
- There is to be a maximum of 500 attendee's permitted inside the Town Hall at any given time during the dance party.
- The organiser is to display to emergency contact details on all advertising materials.

## **27. ADDITIONAL CONDITIONS**

Rockdale City Council reserves the right to include additional conditions to the permits were deemed necessary by council.

## **28. FIRE EXITS**

The hirers are responsible for ensuring their guests are made aware of fire exits and fire fighting facilities within the premises.

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|  |  |
|--|--|
| <b>POLICY TITLE:</b><br><br>Recreation and Community Facilities<br>Management Policy |  |
|  |  |
|  |  |
|  |  |

## 1. POLICY STATEMENT

The City of Rockdale has made a commitment to create a City with leisure opportunities that are both accessible and valued by the community. The provision of quality recreation and community facilities is integral to achieving this goal. As such, Council encourages private sector organisations and sporting and community organisations to contribute to the improvement and management of facilities via the entering into a lease, licence or permit agreement where appropriate.

Council will retain ownership and control of all its recreation and community facilities, as well as any facilities or external sportsground infrastructure items constructed or improved through collaborative arrangements to ensure the sustainability of these community assets.

## 2. POLICY INTENT

The purpose of this policy is to establish a framework for the allocation and management of Council's recreation and community facilities to support the efficient and effective usage of facilities thereby ensuring the sustainability of these community assets.

## 3. POLICY OBJECTIVES

- 3.1 Establish the principles that will guide the allocation and management of Council's recreation and community facilities.
- 3.2 Establish a management model that defines the criteria, which must be met to enter into a lease, licence or permit for the use of Council's recreation and community facilities.
- 3.3 Establish responsibilities and accountabilities for the maintenance of buildings and grounds allocated under a lease, licence or permit agreement so as to ensure the provision of quality facilities and the effective management of risk.
- 3.4 Establish the ownership arrangements for existing facilities and any new buildings or upgrades constructed on Council owned or controlled land that has been allocated under a lease, licence or permit agreement.
- 3.5 Establish the protocols for accepting and assessing applications and applying fees to ensure the optimal usage of Council's recreation and community facilities.

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#### 4. POLICY SCOPE

This policy applies to all recreational and community facilities owned by Rockdale City Council or under the control of Council.

#### 5. PRINCIPLES

The principles stated below will guide all practices associated with the allocation and management of Council's recreation and community facilities.

##### ***Principle 1 – Fairness and Impartiality***

"Fairness and Impartiality" is the key principle that will guide ethical behaviour in all dealings with applicants for, and users of, Council's recreation and community facilities. All applicants and users will be treated equally and no preferential treatment will be given to applicants or users.

##### ***Principle 2 – Transparency of Process***

"Transparency of Process" is the core principle that ensures procedural integrity. All processes and procedures established for the allocation and management of Council's recreation and community facilities will be created and implemented in a transparent and open manner.

##### ***Principle 3 - Equitable Usage***

"Equitable Usage" underpins the fair allocation of facilities to recreation and community groups to allow a degree of continuity of usage without permitting one user group to monopolise a ground or facility, unless under an exclusive lease agreement.

##### ***Principle 4 – Co-location and Sharing of Facilities***

"Co-location and Sharing of Facilities" is vital to ensuring optimal usage of Council's recreation and community facilities, so as to prevent the unnecessary duplication of facilities and wastage of community resources.

##### ***Principle 5 – Multi-purpose***

"Multi-purpose" will be a key design consideration when assessing applications /requests from clubs or organisations to upgrade, expand or replace existing recreation and community facilities, thereby ensuring the long term sustainability of facilities.

##### ***Principle 6 – Financial Sustainability***

"Financial Sustainability" is a critical factor in ensuring the maintenance of Council's recreation and community facilities to a high standard and as such, all regular and long term users are required to make ongoing financial contribution towards the upkeep and replacement of facilities and grounds.

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**Principle 7 – Priority of Need**

“Priority of Need” will be a key consideration when assessing applications and allocating recreation and community facilities, particularly in relation to changes in the demographics of an area. Due regard will also be given to ensuring equitability of usage when determining priority of need. Moreover, priority will be given to applicants that principally provide services to residents that live within the City of Rockdale.

**Principle 8 – Best Value Return on Asset**

“Best Value Return on Asset” will be an important criterion when assessing applications for long term usage of facilities, particularly those requests that will result in the entering into a lease or licence agreement.

**Principle 9 - Ownership of Assets**

“Ownership of Assets” is a critical factor in preserving the public and private contributions to the development and construction of public recreation and community facilities. As such, the City of Rockdale will retain ownership and control of all buildings and other infrastructure (include sportsground lighting) constructed on Council owned land, or land under its control.

**6. DEFINITIONS**

- 6.1 **“Recreation Facilities”** refers to Council owned or controlled buildings, sports fields, and sportsground infrastructure items that are made available for active recreation activities (e.g. amenities buildings, club houses, sports fields, sportsground lighting, parks, reserves, aquatic facilities, indoor facilities, bowling clubs, golf clubs etc.)
- 6.2 **“Community Facilities”** refers to Council owned or controlled buildings that are principally used to support community services, leisure and cultural activities (e.g. town hall, senior citizens centres, community halls, meeting rooms, community centres, child care facilities, pre-schools).
- 6.3 **“Lease”** refers to a legal agreement issued by the City of Rockdale that grants exclusive control/occupancy over all, or part of, a recreation or community facility owned or under the control of Rockdale Council.
- 6.4 **“Licence”** refers to a legal agreement issued by the City of Rockdale that grants non-exclusive occupancy over all, or part of, a recreation or community facility owned or under the control of Rockdale Council.
- 6.5 **“Permit”** refers to a legal agreement issued by the City of Rockdale for non-exclusive, seasonal or casual hire of all, or part of, a recreation or community facility owned or under the control of Rockdale Council.
- 6.6 **“Sporting Association”** refers to an incorporated, principal, regional or state organisation that governs the terms of operation, or conduct of sporting clubs from a particular code of sport (e.g. Soccer Association). Sporting Associations are usually incorporated under the Associations Incorporation Act or the Companies Act.
- 6.7 **“Sporting Club”** refers to an incorporated club that has been established to run a sporting activity/s.

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- 6.8 “**Community Organisation**” refers to an incorporated organisation that has a charitable status and principally provides community services for the aged, disabled, youth, children, families and multi cultural communities.
- 6.9 “**Community Group**” refers to an unincorporated club / group of people engaged in a hobby, and or social and cultural exchange that provides some community benefit.
- 6.10 “**Schools**” refers to pre-primary, primary and secondary educational institutions that are operated by the state government, private sector, or religious organisations.
- 6.11 “**Private Organisation**” refers to incorporated private or commercial organisations that operate on a for profit basis.
- 6.12 “**Government Organisation**” refers to a state or federation government department or authority.
- 6.13 “**Individual**” refers to a person or group of people that are not operating as a community group or any other type of organisation.
- 6.14 “**Poor Public Citizen**” refers to individuals, sporting associations, sporting clubs, community organisation, community groups, schools, private organisations, or any other type of organisation that has been the subject of regular complaints, as a result of their misuse of a Council recreation or community facility.

## 7. POLICY PROVISIONS

### 7.1 Types of Agreements

Council will use three types of agreements namely leases, licences and permits to assign and manage the usage of its recreation and community facilities. It should be noted that leases will only be used in exceptional circumstances. The criteria that must be met to enter into a lease, licence or permit, and the entities eligible to enter into these types of agreements with Council, are documented below:

| Legal Instrument | Types of entities that can apply  | Criteria/Conditions to be met  | Term of Agreement   |
|------------------|---|--|---|
| Lease            | <ul style="list-style-type: none"> <li>• Community Organisations</li> <li>• Sporting Associations</li> <li>• Private Organisations</li> <li>• Government Organisations</li> </ul> | <ul style="list-style-type: none"> <li>• The proposed use of the facility supports the stated principles for this policy and has the potential to address the priority needs of the community.</li> <li>• The lease will return a market rental to Council.</li> <li>• The potential lessee will upgrade the facility at their own expense, where it would have otherwise remained in the same condition.</li> <li>• The potential lessee must be able to undertake the necessary maintenance to ensure the facility and associated grounds are maintained to an agreed standard.</li> </ul> | <b>Min.</b> 1 year<br><b>Max.</b> 5 years<br>with two renewal options |

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|         |  |   |  |
|---------|--|---|--|
|         |  | <ul style="list-style-type: none"> <li>• The potential lessee must be incorporated under the Companies Act and able to demonstrate financial capabilities to meet the financial obligations of the lease.</li> <li>• The potential lessee must submit an acceptable business plan for the operation and development of the facility under consideration.</li> <li>• The proposed use and development of the facility must comply with the relevant plan of management for the reserve, planning controls and policies of Council, as well as the State and Commonwealth governments where the land is publicly owned.</li> <li>• The proposed lessee must not be a reformed legal entity that previously owed monies to Council under its prior legal entity.</li> <li>• The proposed lessee must not have been a “poor public citizen” that was the subject of regular complaints.</li> </ul>  |  |
| Licence | <ul style="list-style-type: none"> <li>• Community Organisations</li> <li>• Sporting Associations</li> <li>• Sporting Clubs</li> <li>• Private Organisations</li> <li>• Government Organisations</li> <li>• Schools</li> </ul> | <ul style="list-style-type: none"> <li>• The proposed use of the facility supports the stated principles for this policy and has the potential to address the priority needs of the community.</li> <li>• The Licence will return market rental to Council.</li> <li>• The potential licensee must be able to undertake necessary maintenance to ensure the facility and associate grounds are maintained to an agreed standard.</li> <li>• The potential licensee must be incorporated under the Companies Act and able to demonstrate financial capabilities to meet the financial obligations of the licence.</li> <li>• The potential licensee must submit an acceptable business plan for the operation and maintenance of the facility under consideration.</li> <li>• The proposed use of the facility must comply with the plan of management for the relevant reserve, planning controls and policies of Council, as well as the State and Commonwealth governments where the land is publicly owned.</li> <li>• The proposed licensee must not be a reformed legal entity that previously owed monies to Council under its prior legal entity.</li> <li>• The proposed licensee must not have been a “poor public citizen” that was the subject of regular complaints.</li> </ul> | <p><b>Min.</b> 1 year<br/><b>Max.</b> 3 years<br/>with<br/>two renewal<br/>options</p> |

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|        |  |   |   |
|--------|--|---|---|
| Permit | <ul style="list-style-type: none"> <li>• Community Organisations</li> <li>• Sporting Associations</li> <li>• Sporting Clubs Community Groups</li> <br/> <li>• Private Organisations</li> <li>• Government Organisations</li> <li>• Schools</li> <li>• Individuals</li> </ul> | <ul style="list-style-type: none"> <li>• The proposed use of the facility supports the stated principles for this policy and has the potential to address the priority needs of the community.</li> <li>• The Permit will return the stated Council fees for the facility applicable to the relevant user group category.</li> <br/> <li>• The applicant must demonstrate financial capabilities to meet the financial obligations of the permit, when the permit is for a period greater than 6 months.</li> <li>• The proposed use of the facility must comply with the plan of management for the relevant reserve, planning controls and policies of Council, as well as the State and Commonwealth governments where the land is publicly owned.</li> <li>• The applicant must not be a re-formed legal entity that previously owed monies to Council under its prior legal entity.</li> <li>• The applicant must not have been a “poor public citizen” that was the subject of regular complaints.</li> </ul> | <p><b>Min.</b> 2 - 4 hours<br/> <b>Max.</b> 1 year<br/> If booking is for entire year, then must re-apply through annual/seasonal allocations process</p> |
|--------|--|---|---|

## 7.2 Form of Agreement

The standard proforma licence, lease and permit agreements developed from time to time must include as a minimum, clauses relating to ownership of assets, subletting, term (period of time) and area granted within the facility/s, type of activities permitted, authority required to undertake extensions or alteration to the facilities, maintenance responsibilities, dispute resolution mechanism, financial obligations and insurance requirements. The relevant standard proforma agreement document must be used, however, additional clauses can be included to cover specific situations.

## 7.3 Assigning Exclusive Use

Exclusive use of recreation or community facilities owned by Rockdale Council, or under its control, can only be granted if it can be established that the proposed use of the facility will achieve the “Best Value Return on Asset” for both Council and the community. Exclusive use can only be granted under a lease agreement and as such, exclusive use clauses must not be included in licence or permit agreements. The maximum period an exclusive lease agreement can be entered into with an organisation is 5 years with two renewal options. All lease agreements must be reviewed at least every 5 years in conjunction with the plan of management for the facility and Council’s strategy plans.

## 7.4 Subletting of Facilities and Sportsgrounds

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Approved users of Council's recreation and community facilities and sportsgrounds are not permitted to sublet any, or part of, the facility or sportsground they have been assigned under a lease, licence or permit, unless approval to do so has been granted through the inclusion of a relevant clause in their formal agreement with Council.

#### **7.5 Optimal Usage of Facilities and Sportsgrounds**

The maintenance of Council's recreation and community facilities at an acceptable level requires the facilities and sportsgrounds to be made available for maintenance and remedial works. As such, facilities and sportsgrounds will be periodically closed to allow required works to be completed. The optimal level of usage for Council's facilities and sportsgrounds is deemed to be 90%.

#### **7.6 Approval to Extend or Alter a Facility**

No extensions or alterations can be undertaken to recreation and community facilities owned by Rockdale City Council, or under its control, without the prior written approval of Council. All extensions or alternations (includes buildings, grounds, picnic shelters, pergolas, floodlights etc.) must be inline with the stated principles in this policy, or other relevant Council strategic plans, or plans of management. The applicant (the organisation or club) must obtain Owner's Consent from the relevant owners (including Council), which must also be accompanied by a business case justifying the benefits to be achieved from the proposed development together with details on how the club will fund the works.

It is expected that all works be fully funded by clubs/organisations. Applicants without the financial means to undertake the works, can forward the application for improvements to Council for consideration in conjunction with the normal priorities associated with the annual capital works programme. No guarantee can be given that funding will be made available. Requests deemed as not being a priority will not be considered for funding.

#### **7.7 Ownership of Existing Facilities and any Building or Ground Improvements**

Council will retain ownership of all existing facilities and sportsground infrastructure items, as well as any new buildings, infrastructure items (including flood lighting), and ground and building improvements undertaken on Council owned land, or land under its control, unless otherwise agreed. Approval to divest Council of ownership of any of the abovementioned assets or improvements can only be granted by a resolution of Council.

#### **7.8 Maintenance of Facilities and Sportsgrounds**

All lessee, licensee and permit holders that have been allocated a Council recreation and/or community facility must contribute to the maintenance of the buildings and sportsgrounds allocated under the lease, licence or permit. The minimum maintenance obligations that must be met by lessee, licensee, and permit holders are as follows:

| <b>Legal Instrument</b> | <b>Minimum Building Maintenance Obligations</b>   | <b>Minimum Sportsgrounds Maintenance Obligations</b>   |
|-------------------------|---|--|
| Lease                   | <ul style="list-style-type: none"> <li>• Payment of utilities including water, gas and electricity.</li> <li>• Payment of rates, phone and all insurances.</li> <li>• Undertake all major and minor maintenance of</li> </ul> | <ul style="list-style-type: none"> <li>• All grass areas (includes sports fields and grassed banks) must be mowed.</li> <li>• Fertilise and top dress sports fields in accordance with Council's standards.</li> </ul> |

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|  |   |   |
|--|---|---|
|  | fittings and fixtures includes replacements where necessary. <ul style="list-style-type: none"> <li>• Clean, repair and replace all external guttering as needed.             <ul style="list-style-type: none"> <li>• Clean carpets and floor coverings as necessary.</li> </ul> </li> <li>• Keep buildings in a clean and tidy condition at all times.</li> </ul> | <ul style="list-style-type: none"> <li>• Water grounds.             <ul style="list-style-type: none"> <li>• Replace grass and maintain turf as necessary.</li> </ul> </li> <li>• Remove and implement a program to eradicate weeds.             <ul style="list-style-type: none"> <li>• Mark out playing areas.</li> <li>• Maintain surrounding gardens.</li> </ul> </li> <li>• All sports fields and surrounding areas must be kept in a good playable condition.</li> </ul> |
|--|---|---|

| <b>Legal Instrument</b> | <b>Minimum Building Maintenance Obligations</b>  | <b>Minimum Sportsgrounds Maintenance Obligations</b>   |
|-------------------------|--|--|
| Licence                 | <ul style="list-style-type: none"> <li>• Payment of utilities including water, gas and electricity.</li> <li>• Payment of phone and contents and public liability insurances.</li> <li>• Undertake all minor maintenance of fittings and fixtures.</li> <li>• Clean and repair all external guttering as needed.</li> <li>• Clean carpets and floor coverings as necessary.</li> <li>• Report all major maintenance requirements.</li> <li>• Keep buildings in a clean and tidy condition at all times.</li> </ul> | <ul style="list-style-type: none"> <li>• Fertilise and top dress sports fields in accordance with Council's standards.</li> <li>• Water grounds</li> <li>• Mark out playing areas.</li> <li>• All sports fields and surrounding areas must be kept in a clean and tidy condition at all times.</li> <li>• Placement of rubbish in the bins proved.</li> <li>• Report all defects and risks.</li> </ul> |
| Permit                  | <ul style="list-style-type: none"> <li>• All buildings and surrounding areas must be kept in a clean and tidy condition at all times.</li> <li>• Placement of rubbish in the bins proved.</li> <li>• Report all maintenance requirements.</li> </ul>   | <ul style="list-style-type: none"> <li>• All sports fields and surrounding areas must be kept in a clean and tidy condition at all times.</li> <li>• Placement of rubbish in the bins proved.</li> <li>• Report all defects and risks.</li> </ul>  |

## 7.9 Preservation of Sports Fields and Grounds

The preservation of sports fields and grounds in a good condition is critical to ensuring sporting clubs and schools have access to grounds that are stable and safe to play on. Accordingly, Council will close all sports fields and grounds periodically to allow grounds to recover, undertake maintenance work, and in extreme wet weather or where it is recommended by the weather bureau, or relevant emergency services. All lessees, licensees, and permit holders must observe an instruction from a Council Officer to not use a Council owned, or controlled, sports fields or grounds that have been deemed closed by the Manager Operations or their nominee. Failure to observe this instruction may result in the lease, licence or permit being terminated.

## 7.10 Conditions of Use

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'Conditions of Use' schedules prepared for facilities or sportsgrounds must include as a minimum, clauses pertaining to compliance with health, smoking and alcohol regulations; buildings and grounds maintenance obligations; respecting residents living in neighbouring properties; storage of items; locks and security systems; and signage. All users of Council's recreation and community facilities must comply with the terms and conditions issued for the relevant facility. Moreover, all persons attending an activity held at a Council recreation or community facility must also abide by these terms and conditions and other relevant Council regulations. Failure to observe the relevant "Conditions of Use" or being a "Poor Public Citizen" may result in the lease, licence or permit being terminated.

Council will conduct regular compliance inspections to assess whether approved users are observing the required "Conditions of Use" or the terms and conditions of the relevant lease, licence or permit agreement.

#### **7.11 Signage, Storage of Equipment, Locks and Security Systems**

All users of Council's recreation and community facilities are not permitted to erect signage on the exterior of any buildings or grounds without the approval of Council. No items are permitted to be stored within a facility or on a sportsgrounds unless this has been agreed to via the inclusion of a relevant clause in the user's formal agreement with Council. Items stored within a facility or on a sportsground without the approval of Council will be removed. Moreover, users are not permitted to change locks or security systems (includes pin access codes) without the expressed approval of Council.

#### **7.12 Damage to Council Recreation and Community Facilities**

All users of Council's recreation and community facilities are financially liable for any additional cleaning required or damages sustained to Council property or sports fields whether through their own action, or the actions of their contractors, participants and visitors attending any activity they have organised. Damage of a significant nature will result in all future bookings held by the offending organisation being cancelled.

Any damage that can be directly attributed to third party vandalism shall be the responsibility of Council, subject to the verification of evidence to support the claim.

#### **7.13 Fees**

All users of Council recreation or community facilities must pay the stated fees, for the relevant usage, as published in Council's annual fees and charges schedule. Failure to pay the required fees by the due date will result in casual bookings being cancelled, and seasonal bookings being suspended until the outstanding fees are cleared. Failure to meet lease or licence payments by the due date will result in the lease or licence agreement being terminated, unless an approved repayment schedule is implemented within 21 days from the date the payment was due.

#### **7.14 Granting of Discounts and Waiving of Fees**

All subsidies or waiving of fees must be granted in accordance with Council's Rental Subsidy Policy. Any variation of the hire fees for an event by way of discounts, concessions, or sponsorships must be applied for and approved prior to the event by the Council Officer granted the delegated authority.

#### **7.15 Submission of Applications to Hire Council Recreation and Community Facilities**

All applications to enter into a lease, licence or permit agreement for the use of a Council recreation or community facility must be submitted to Council on the required application form together with a copy of their insurance currency certificate and any additional documentation requested. Advertisements inviting

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applications for annual and seasonal usage of facilities and sportsgrounds are placed in the local newspaper periodically.

**7.16 Refusal of Applications to Hire Council Recreation and Community Facilities**

Council reserves the right to refuse any application to hire a Council recreation or community facility, if the proposed usage is judged to be inappropriate for the relevant venue, or exceeds the approved capacity for the venue, or conflicts with Council's mission, goals or values, or may bring Council's reputation into disrepute.

**7.17 Cancellation of Bookings Without Notice**

Council may cancel a confirmed booking, or relocate a confirmed booking to an alternative facility without notice, if extraordinary or unusual circumstances warrant such action. The relevant hire fees will be reimbursed in such instances where the booking is cancelled.

**7.18 Change in Use of Facility or Extension of Use**

All organisations or groups that have entered into a lease, licence or permit for the use of a Council recreation or community facility must only use the facility for the agreed activity, at the assigned times, as stated in the agreement document. All requests for change in usage, or additional time allocation, must be submitted to Council on the relevant application form, together with a business plan or case justifying the change in usage or additional time requested. All additional usage will be charged in accordance with Council's fees and charges schedule. Council reserves the right to decline requests for changes in usage of a facility or additional usage.

**7.19 Access to Facilities and Sportsgrounds**

Council reserves the right to enter a Council owned, or controlled, facility or sportsground without the approval of the lessee, licensee, or permit holder. Council will where possible advise the lessee and licensee of its intention to enter the facility, and give a reasonable period of notice. Visiting a facility or sportsground when the approved user is present is exempt from this clause.

**7.20 Compliance with Council Policies, Laws and Procedures**

All users of Council owned or managed recreation and community facilities must comply with the relevant Council policies, bylaws and legislation that Council is obligated to observe, as well as all instructions from a Council Officer. Failure to comply with Council policies etc. or an instruction from a Council Officer could result in the user's lease, licence or permit being terminated.

**8. BREACHES OF THE POLICY**

**8.1 Reporting of Breaches**

All breaches of this policy should be reported to the Unit Manager that is responsible for managing the lease, licence or permit for the particular facility.

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## 8.2 Penalty for Breaches

Penalties for breaches of any clause in this policy will be implemented as stated in the relevant clause. Breaches of a serious nature that result in significant damage to a Council facility or sports field, or the conduct of illegal activities, or an activity that brings the Council's reputation into disrepute, will result in the immediate cancellation of the relevant organisation's booking, together with any future bookings held by that organisation.

All breaches will be recorded against the relevant user's file. Applications for use of a Council recreation or community facility from applicants that have three prior breaches recorded against their record will be declined.

## 9. EXCLUSIONS TO THE POLICY

Licensed clubs.

Council commercial properties, including cafes and restaurants.

## RELATED POLICIES, PLANS OF MANAGEMENT AND GUIDELINES

Policies

Management Plans

Guidelines

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