



DISTRICT COUNCIL OF LOXTON WAIKERIE

Community Facilities Leasing / Licencing Policy

Policy Identification:.	
Policy type:	Council
Summary:	The policy provides a framework for leasing and licencing council-owned properties to community groups at minimum, discounted and commercial rates of rental.
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Responsible officer (s):	Chief Executive Officer
Review officer:	Governance Officer
Consultation required:	Property Officer
Relevant references:	
Delegations:	Chief Executive Officer, as per the policy and delegations register
Legislation	Local Government Act 1999, Retail & Commercial Leases Act, 1995 and Regulations, 2010, Crown Land Management Act 201 & the Development Act, 1993.
Related policies/ documents	LW Future, Rate Rebate Policy
Related procedures	Maintenance Schedule for Lessees

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1. Introduction

Community facilities owned and leased or licenced by Council make an important contribution to the Council's ability to achieve its objectives and service delivery. The facilities referred to in this policy include both land and buildings, it applies to Council facilities occupied by community groups ,sporting bodies and organisations.

This Community Facilities Leasing/Licensing Policy provides a framework for leasing and licensing Council-owned properties to community groups at minimum, discounted and commercial rates of rental. It establishes the requirement for all community group tenants to demonstrate the community benefits arising from their use of a Council property and sets out reporting requirements to ensure accountability to Council and recognition of Council's contribution. The Policy establishes the terms and conditions Council will use as the basis for negotiating leases & licences.

This policy will apply to all new leases and licences, including new leases and licences developed with current tenants at the expiration of the current leases and licences.

2. Background

2.1 Leasing and Licensing in the District Council of Loxton Waikerie

The District Council of Loxton Waikerie leases or licences a substantial number of facilities to clubs and incorporated organisations at subsidised rates for varied purposes, including use as sporting clubrooms, pre-schools and scout halls.

2.2 Legislative Framework

A number of laws and regulations affect Council leases and licences. Of particular relevance are the following South Australian Acts and Regulations

- *Local Government Act 1999*: will determine the need for public consultation
- *Retail & Commercial Leases Act, 1995 and Regulations, 2010*: Controls leases of premises that are used wholly or predominantly for retail provision of goods or services (including by not-for-profit organisations).
- *Crown Land Management Act 2010*; this determines the need for application to be made for the lease of crown land, application fees apply.
- *Development Act, 1993*: may affect the term of the lease or licence, if a lessee requires a lease of more than a 6 year term land division will be required if the lease or licence over community land is for less than the whole of an allotment.

2.3 Community Profile

Changes to the community profile may affect the type of facilities that the community requires. This policy will ensure that access to Council facilities and assets are not unnecessarily restricted and properties can be redeployed over time to meet changing community needs.

3. Aim of Policy

Through implementation of this policy, Council aims to maximise the community benefit arising from the use of community facilities, ensure responsible management of community assets, and establish an equitable methodology for calculating lease and licence values and categorising the types of community lessors.

It is the intent of Council that nominal licence fees will be applied and charged within the policy with the aim (aligned with the aims of LW Future) for the primary focus to be on developing a sound understanding of occupation of community facilities and formalising agreements rather than revenue raising.

Strategic Reference:

Provision and maintenance of infrastructure, assets and facilities

3.3.1 Identify opportunities and partnerships for joint use / multi purpose facilities to increase community use and viability of current and any, new infrastructure.

3.3.2 Examine opportunities to develop, maintain or rationalise Council owned assets and facilities based primarily on strategic objectives, assessment of risk (if any), usage, spread of potential benefit and community well being.

4. Policy Objectives

The objectives of this policy are to:

- Ensure Council-owned facilities are used to meet demonstrated community needs consistent with Council's policies and the Council's Strategic Plan;
- Provide accountability for Council expenditure on rent subsidies, as they constitute indirect grants;
- Ensure a transparent and equitable process of granting new leases or licences and renewals by having clear assessment criteria;
- Ensure tenants pay fair and reasonable rentals based on clear eligibility criteria and calculation methodologies;
- Optimise use of Council's community facilities and equitable access by the District Council of Loxton Waikerie community;
- Increase community access to activities and services, particularly access by disadvantaged and socially isolated groups;
- Enable Council's contribution to be reported to the community;
- Assist not-for-profit and volunteer-based organisations that offer activities and services within the District Council of Loxton Waikerie;
- Assist community groups to understand and support the achievement of Council's policies and plans;

- Facilitate a shared approach between Council and tenant as to the cost of management and maintenance of Council-owned facilities;
- Ensure that Council-owned facilities are appropriately maintained as Council assets;
- Ensure that Council assets are maintained, developed and occupied responsibly, having regard to the interests of local communities;
- Ensure sound financial management and effective administration of community facility leasing and licensing.

5. Eligibility for Leasing and Licensing Community Facilities

5.1 Eligibility Criteria

Schedule 1 to this policy sets out eligibility criteria for leasing and licensing community facilities. Prospective tenants as well as those seeking renewal of leases or licences will be required to provide details of how they meet these criteria. Rent subsidies will have regard to the extent to which organisations meet the essential and desirable criteria (see Section 6.2). There are three categories of criteria:

- **Compulsory organisation criteria:** Includes appropriate organisational structure, financial viability and compliance with relevant legislation and Council policies. Community benefit criteria includes use of the facility to meet community needs, number of participants, access for disadvantaged groups, contribution to community wellbeing, and programs and services that are consistent with Council's objectives and goals as articulated in the Council's Strategic Plan.
- **Compulsory facility management and development criteria:** Includes suitability for use on the site and a preparedness to maximise utilisation.
- **Lease/Licence category criteria:** Involves categorising community groups and organisations as eligible for minimum, discounted or full market rental.

5.2 Reporting against Criteria

All tenants will be required to report against the eligibility criteria on request, and on lease or licence renewal, and advise Council if their organisational status has changed. Tenants will also be required to provide Council with a copy of a certificate of currency with respect to its public liability insurance and any other insurances as required by the terms of the lease each year or as otherwise requested by Council and a copy of any permit or approval. Tenants are also required to provide a copy of their annual report, financial statements, or other supporting documents as required.. A tenant that breaches a lease or a licence condition may be required to relinquish the lease or licence. Where the tenant breaches the lease or licence by subletting without Council consent or receives funding or third party rental, Council may require the tenant to pay full market rent. Council Officers will assist tenants to comply with the reporting requirements by providing simple reporting formats and checklists, timely information and if necessary briefing or training on how to demonstrate their claims against the criteria. Council Officers may also seek additional information where necessary to better understand activities, the extent of community use and opportunities for

facility and service development. Reporting requirements will be based on existing documents, such as annual reports, where possible.

5.3 Expression of Interest in Use of Council Property

Community groups who wish to utilise Council property will be required to contact the relevant Council department and lodge a written expression of interest outlining the proposed use and addressing the eligibility criteria. The expression of interest must be completed in the required form so as to ensure that Council receives all the information it requires and so as to assist Council in reviewing the expression of interest documents it receives. Council will consider expressions of interest on their merits when a property becomes available for use.

Existing tenants will be required to define the proposed use and demonstrate their compliance with the eligibility criteria when seeking renewal of their existing lease and licence arrangements. Tenants with a further term under the lease or licence who therefore seek renewal of the lease are entitled to require that the lease be renewed on the same terms and conditions as the existing agreement (subject to any covenants to the contrary in the lease or licence documentation).

6. Terms and Conditions of Leases and Licences

6.1 Standard Lease and Licences

Council's standard lease and licence agreements for various types of properties will be applied to all new tenancies including the renewal of existing tenancies and will not be varied unless it is essential to the special needs of the property or tenant, as resolved by Council. Tenants with a further term under the agreement who therefore seek renewal of the lease or licence are entitled to require that the lease or licence be renewed on the same terms and conditions as the existing agreement (subject to any covenants to the contrary in the documentation).

Council has a range of agreements approved to facilitate the use of community facilities by third parties on community land or land under the care and control of Council.

- Recreation and Sporting Facilities Lease
- Recreation and Sporting Facilities Licence
- Management Agreement
- Venue Hire Agreement
- Community Facilities User Agreement (ground lease)

6.2 Rent Appraisal and Review

6.2.1 Market Rent Value

The market rental value of each property as determined will be 4% of the current written down value. Council commissions regular valuation of all Council assets as per the requirements of the Local Government Act and this is the basis of determining the value of the each property. The market rental value will be identified and recorded in lease or licence documentation, regardless of whether the rental is subsidised or not.

Prospective lessees are able to request and initiate a review of the valuation and will be responsible for any cost incurred for the review.

6.2.2 Rent Subsidy

Council may subsidise rent for eligible tenants. There are three categories of rent subsidy based on the extent to which organisations meet the essential and desirable eligibility criteria outlined in Schedule 1. Council will review performance against these criteria and eligibility for rent subsidy annually. The categories are:

- A: Minimum rent
- B: Discounted market rent
- C: Market rent

The eligibility criteria for each category are included in Schedule 1 and summarised in Table 1 below.

Table 1 Rent Subsidy Categories

Category	Annual Rent	Eligibility
A: Minimum rent	\$250.00 (+ GST) annual fee <i>(this fee encompasses administrative costs associated with lease preparation, including application to the Minister for the lease of Crown Land and any fees associated with Public Consultation)</i>	<ul style="list-style-type: none"> ▪ Use approved by Council <u>and</u> ▪ Meets all relevant eligibility criteria <u>and</u> ▪ Provides significant community benefit <u>and</u> Has limited revenue-raising ability (net of cost of service) e.g. preschool, small sporting association with limited membership base.
B: Discounted market rent	Full market rent with a reduction from this rate to be negotiated based on community benefit criteria, level of maintenance responsibility and capital contributions made by tenant.	<ul style="list-style-type: none"> ▪ Use approved by Council <u>and</u> ▪ Meets three out of the five eligibility criteria, <u>or</u> ▪ Has revenue raising capacity or receives external funding assistance, e.g. receives some State Government funded
C: Market Rent	Full market rent	<ul style="list-style-type: none"> ▪ Use approved by Council <u>and</u> ▪ Does not meet eligibility criteria for rent categories A and B, ▪ Provides services that are not targeted to the District Council of Loxton Waikerie community <u>or</u> ▪ Is substantially funded by other agencies or governments, <u>or</u> ▪ Part of operations includes commercial activities.

Council will negotiate discounted market rents with eligible community organisations after consideration of various factors, including but not limited to the following factors:

- Consistency with Council objectives and core business
- Use of volunteers
- Service and program fees
- Access by residents of the District Council of Loxton Waikerie
- Extent of external funding
- Track record as Council tenant

6.2.2.1 Further discounting may apply

Where there is considerable demonstrated effort and / or commitment to maintenance of the facility there be additional consideration given to further discounting of the lease fee and that when a lease is renewed this commitment be reviewed as part of the renewal negotiations.

Lessees are required to make application to Council for consideration of further discounting of a lease fee.

6.2.2.2 Transitional Implementation of Lease Fees

Where fees and charges applicable to clubs and organisations are considerably higher than in past arrangements or agreements the increases will be introduced in a staged manner on a case by case basis depending on the particular circumstances and upon application, however the transitional arrangement is not to exceed the following unless considered by Council:-

- Year 1: 25% of the increase of the annual lease fee (after discounts have been applied)
- Year 2: 50% of the increase of the annual lease fee (after discounts have been applied)
- Year 3: 100% of the increase of the annual lease fee (after discounts have been applied).

6.2.3 Annual Indexation of Rents

Rents will be indexed annually and the amount payable will be increased by the Consumer Price Index (CPI) for all groups each year. Market rent reviews will be scheduled on an annual basis for those groups who make payment based on a discounted market and market rent basis.

6.3 Maintenance

Facility maintenance includes minor day-to-day maintenance able to be performed by a non-tradesperson and more significant programmed and non-programmed asset renewal maintenance requiring the services of a qualified tradesperson or experienced maintenance person. As a general principal, maintenance costs will be the responsibility of the tenant, Council reserves the right to negotiate maintenance responsibilities and costs.

6.3.1 Programmed maintenance

Each tenant is required to provide Council with a written annual report outlining any projected structural works required to the premise. Projections to be made over a 5 year period. Sufficient detail should be provided to Council to enable forward planning and budget provision to be made. Provision of this report does not obligate Council to undertake any or all of the works noted.

The written report is to be provided on an annual basis on the anniversary of the commencement of any lease.

6.3.2 Maintenance Responsibilities

Each tenant is required to maintain the facility in accordance with the maintenance schedule attached to their lease or licence using the services of registered and qualified tradespeople. The maintenance schedule will specify the Council's and the tenant's responsibilities.

The tenant will be responsible for keeping the facility clean, in good condition and for performing incidental maintenance not requiring a skilled tradesperson.

As a general principal, in the case of tenants categorised as rental category A, minimum rent, maintenance will be the responsibility of the tenant or lessee.

For tenants categorised as rental category B, discounted rent, the level of responsibility for maintenance may be determined, in part, by the discount applied. The converse may also apply, in that the level of discount applied may be determined by the level of responsibility that the tenant or lessee is prepared to accept.

For tenants categorised as rental category C and required to pay full market rental, maintenance costs by the tenant are subject to any requirements of the Retail and Commercial Leases Act , 1995 and Regulations, 2010 if applicable.

6.3.3 Maintenance Inspection

Council reserves the right to inspect the premises each year or more frequently as required. Council will give appropriate notice to the lessor in accordance with the lease or licence conditions.

6.3.4 Utilities

Payment of utilities is the responsibility of the tenant except where the tenant occupies an area that is part of a larger Council facility and separate metering is impractical. In these cases, Council may negotiate a flat rate contribution towards utilities.

6.4 Term of Lease or Licence

The term of each lease or licence will be negotiated taking into account the particular circumstances of the facility and the tenant, including capital investment and long-term planning, sustainability of the service, the connection between facility use and Council's Strategic Plan and relevant strategies, and the extent to which the facility is used for multi-purpose activities. The length of lease or licence will be guided by the following principles:

- The term of a lease or licence offered should generally be a maximum of 5 years.
- Terms longer than 5 years may be offered where a tenant invests in a facility. *Requirements of the Development Act, 1993* may affect the term of the lease or licence, if a lessee requires a lease of more than a 6 year term the need for land division is triggered if the lease or licence over community land is for less than the whole of an allotment. Any costs associated with this process will be allocated to the lessee.

6.5 Use of Licences Rather Than Leases

Council aims to maximise access and use of community facilities and encourages shared use. Where Council wishes to make a facility available to multiple users, a licence rather than a lease will be the preferred form of agreement. A lease agreement will be used where Council considers that providing exclusive rights to a single tenant is in the best interests of the community or is necessary to recognise financial investment by the tenant or secure the desired use and long-term development of the property.

Community Facilities User Agreement (Ground Lease) - where evidence demonstrates that a facility on Council or community land under the care and control of Council, has been constructed wholly by the tenant, without use of Council funds, consideration will be given for the issue of a Community Facilities User Agreement.

6.6 Use of Premises and Occasional Hire

Leases and licences will only be available to community groups for approved purposes. All leases and licences will include a statement recognising Council's policy of maximising community use and a commitment by the tenant to support shared and multiple use of the facility by community-based organisations. Any such shared use and multiple use will be subject to Council approval.

Tenants should also make facilities available for casual hire where appropriate and where this does not interfere with the primary purpose of the facility or adversely affect the amenity of nearby neighbours. Hiring agreements, including fees and any restrictions on the property, shall be referred to Council for approval. Fees from casual hire are payable to the tenant, not to Council, as an incentive to maximise utilisation. Where the tenant receives fees for hiring out facilities, Council will be entitled to review the rent to take into account the income received.

6.7 Hours of Use

Council may prescribe the hours of use for all premises, dependent on the nature and proposed conduct of activities or programs and any planning permit conditions.

6.8 Sub-leasing

Tenants may only sub-lease or sub licence with Council permission to approved organisations for approved purposes and subject to approved terms and conditions. Generally, Council will use the same criteria to assess the sub-lease or licence as the head lease or licence. The subsidy level of the head tenant may immediately be reviewed when a sub-lease or licence is developed and may be adjusted if the rent is more than cost-recovery. Any financial gain from sub-letting will normally be payable to the tenant, rather than to Council.

6.9 Rates, Taxes and Outgoings

Where the tenant has a lease on an entire property, subject to the level of the minimum lease fee charged, the tenant shall pay for rates (if charged), and any applicable taxes (including GST) or any stamp duty or other taxes payable in relation to the establishment of a lease. Where there is shared use the tenant can be charged outgoings on a proportional basis. This could be applied to a lease or a licence. Service charges applied to the premise will be allocated to the tenant unless otherwise negotiated with Council.

A non profit community group seeking a lease or licence on council controlled property who fulfils category 'A' criteria will be granted a rate rebate for the term of the proposed lease or licence.

6.10 Insurance

Tenants must maintain their own public risk insurance with Council's interests indemnified as far as possible. to a value determined by the Council, as detailed in the lease or licence document. Generally, Council will fully insure all Council-owned improvements on leased or licensed premises with the lessee being charged for this insurance, unless otherwise specified. Tenants should insure their own contents, as Council will not cover contents.

6.11 Gaming and Liquor Licences

Council prohibits gaming licences in leased or licenced community facilities, gambling is not supported in Council facilities.

Liquor licence applications require Council approval and must only be applied for after prior Council consent.

6.12 Legal Fees

Council will pay legal costs associated with the establishment of a new lease or licence agreement, provided it conforms to Council's standard document, except for the cost of any independent legal advice and assistance sought by the tenant.

6.13 Keys and Locks and Security Arrangements

Tenants must provide keys to Council to enable Council to carry out essential maintenance and emergency services. Tenants must provide Council with information on any other security arrangements undertaken by the tenant in respect of Council's facility, such as security patrols, keypads and alarms.

6.14 Planning Requirements and Other Permits

All tenants must adhere to the conditions of any Development Applications, issued by Council or other permits issued by other authorities. Tenants must also obtain any permits or licences in order for the tenant to be able to use the premises for its permitted use.

6.15 Removal of Assets

The tenant may remove any assets that have been constructed or installed by them during the term of the lease or licences (unless otherwise part of the agreement), subject to the premises being returned to Council in its original condition. Any improvement not removed at the end of the lease or licence shall remain in Council ownership.

6.16 Capital Improvements

Council will retain ownership of capital improvements that are not removed, unless otherwise specified in the lease or licence Council will consider capital contribution by tenants in assessing rent levels and length of lease or licence.

6.17 Acknowledgment of Council Contribution

Tenants must acknowledge Council contribution in their annual report, brochures and on any signage on the premises. Acknowledgement requirements will be specifically detailed in all leases and licences.

6.18 Nuisance

Council requires that tenants undertake their permitted activities without adversely affecting the amenity of nearby neighbours. Breaches in this regard may lead to forfeiture of tenancy rights.

6.19 Council Access

The tenant shall grant access to Council for facility inspection at any time after Council has given the tenant adequate notice (as defined in the lease or licence agreement).

6.20 Asbestos Hazards

Council will advise tenants if a facility is listed on Council's asbestos register and, where required, ensure that an associated lease or licence clearly states any lessee or licensee's obligations in relation to potential asbestos hazards.

6.21 Cleaning

Cleaning will be the responsibility of the tenant. Where facilities are shared and/or Council arranges cleaning, a flat contribution towards cleaning will be negotiated with the tenant.

6.22 Additional Requirements

The tenant must comply with all legislation governing the activities of the tenant eg Occupational Health and Safety and Council policies. Council reserves the right to require category C (market rent) tenants to pay a security deposit.

7. Implementation of Policy

This policy will apply to all leases and licences developed or renewed following its adoption by Council. In addition all tenants with current leases or licences will be asked to provide annual reports against the eligibility criteria during the term of the current leases or licence, to assist Council in achieving its aim of accountability to ratepayers for the direct and indirect expenditure on lease or licence subsidies.

The implementation of the policy will be on a progressive basis for all new tenants, all existing agreements will be reviewed within the context of this policy framework upon renewal.

8. Delegations

Delegated authority has been granted to the Chief Executive Officer to negotiate and approve agreements using the following templates:

- Recreation and Sporting Facilities Lease
- Recreation and Sporting Facilities Licence
- Management Agreement
- Venue Hire Agreement
- Community Facilities User Agreement

subject to their being no material difference to the generic agreement with a general principal of consistency being applied.

(Templates adopted for use, and delegation granted at the general meeting of Council of 20 April 2012) (18.13.1) with further delegation noted at the Council meeting of 18 December 2015)

9. Document history and version control

Date	Version	Authorisation: Council/ Committee/ Senior Management Team	Amendment details
20/11/2015	1.0	Council at the meeting of 20 November 2015	First version
17/11/2017	2.0	Council meeting of 17 November 2017	<p>Addition of document and version control protocols and extended the review period as per the Policy and Procedure Development and Review Procedure</p> <p>Non profit community based groups seeking lease or licence over council controlled property who fulfil category 'A' criteria of this policy will be granted rate rebate for the term of their proposed lease or licence. Council meeting 15 September 2017 (Item 11.1)</p>

1.1 SCHEDULE 1: Eligibility Criteria for Community Facility Leases/Licences

Introduction

Eligibility criteria are listed below. The final three columns show which criteria is Essential (E) and which is Desirable (D) for the three categories of tenant to meet. Category A tenants must also operate a service or facility of the type listed in Schedule 2 as varied by Council from time to time.

“E” in the column under the tenant category indicates that this is an essential criterion for that category of tenant to meet.

“D” under the tenant category indicates that it is a desirable criterion for that category of tenant to meet.

"n/a" under the tenant category indicates that it is not applicable for that category of tenant.

Compulsory Organisational Criteria

The following criteria are compulsory for any group wishing to lease or obtain a licence for a District Council of Loxton Waikerie community facility:

Criteria		Tenant Category		
		A	B	C
Compulsory Organisation Criteria				
1	The organisation must be an organisation, which applies any surpluses towards its purposes, prohibits any dividends or profits from being paid to its members and is exempt from paying income tax.	E	E	E
2	The organisation is a legal entity incorporated under appropriate legislation, such as the Associations Incorporations Act, 1985	E	E	E
3	The organisation is financially viable and able to demonstrate good financial management and record-keeping practices.	E	E	E
4	The organisation complies with relevant legislation governing its activities and holds any licences or registration certificates required for it to operate.	E	E	E
5	The organisation has a committee of management and appropriate governance arrangements, with established accountability and reporting methods to members of the organisation and / or to the community, including the capacity to maintain appropriate financial records for audit purposes.	E	E	E
6	The organisation adheres to all relevant District Council of Loxton Waikerie policies and has complied with the terms of any previous lease or licence and/or grant from the Council.	E	E	E
7	Demand can be demonstrated for the service or activity to be provided through the facility.	E	E	E
8	Facility use is consistent with Council's objectives and current Strategic Plan.	E	E	E

9	Use of the facility will increase social engagement and promote health and wellbeing of the District Council of Loxton Waikerie community.	E	E	E
10	The service or activity is non-discriminatory. It will be open to all residents who meet clearly stated criteria for participation that are directly related to the nature of the service or activity or geographic catchment area.	E	E	E
11	Disadvantaged groups can access the service or activity and strategies are in place to review and remove any barriers to participation.	E	E	E
Compulsory Facility Management and Development Criteria				
1	Proposed use of the facility is suitable for the nature of the site and the neighbourhood.	E	E	E
2	The organisation is prepared to maximise utilisation of facility as requested by Council.	E	E	E
3	The organisation agrees to provide Council with requested information including current and projected opening hours and participant and/or membership numbers.	E	E	E

Schedule 2: Rental and other payment criteria

Council will then use the following criteria to determine whether the group is categorised as either:

- A. Minimum: Rent \$250 per annum.
- B. Discounted market rent: where category B, discounted lease fees apply any discount will be applied on the basis of 15% for each essential organisational criteria and 5% for each desirable organisational criteria attained. The lease fee will not be less than the minimum lease fee payable of \$250.00 per annum.
- C. Full market rent: 4% of the current written down value, based upon the valuation commissioned by Council.

Criteria		Tenant Category		
		A	B	C
Eligible Organisation Criteria		A	B	C
1	The organisation meets an identified community need	E	E	D
2	The organisation provides equitable access to services primarily to the District Council of Loxton Waikerie community	E	E	D
3	The organisation's activities complement Council services	E	E	D
4	The organisation offers programs otherwise unavailable to District Council of Loxton Waikerie residents	E	E	D
5	There is a long standing community expectation that Council accommodates organisation	E	E	D
6	The organisation is not part of a larger organisation with alternative accommodation options	E	D	D
7	The organisation is accessible to a broad resident base	E	D	D
8	The organisation has participation by volunteers	E	D	D
9	The organisation has limited capacity to generate revenue net of operating costs	D	D	D
10	The organisation does not receive recurrent funds from the State or Commonwealth Government	D	D	D

- 1.1 NB. To qualify for Category B - Discounted Market Rent, organisations must meet at least three of the five eligibility criteria above.