

HIRE OF FACILITIES AND PUBLIC OPEN SPACE

Previous policy number: 1.6.2

Policy Statement

The Town of Mosman Park owns or manages reserves, public open space and facilities on behalf of the Mosman Park Community. The Town is committed to maximising the public benefit of these reserves, public open space and facilities and recognises that this can be achieved in some instances by providing this public open space and facilities for clubs, groups, organisations and persons. In doing so the collective social needs and wishes of the Mosman Park community are met. The Town can do this by providing short term exclusive, single or periodic hire of reserves, public open space and/or facilities to a club, group, organisation or person.

Policy Details

Objective

This Policy is designed to address arrangements between the Town and anyone that requires the hire of facilities or public open space in a way that:

- Aligns with the Town's long term plan for the future and Sport and Recreation Plan and Policy;
- Provides equity and consistency across the many sporting and community organisations in the Town;
- Fulfils the Town's fiduciary responsibility; and
- Promotes sustainability.

Policy Principles

General Principles

In supporting clubs, groups, organisations and persons the Town is aiming to provide the highest community benefit for the use of a space and in doing so meet the following principles:

- Fairness, equity and transparency;
- Appropriate sites and times;
- Town support priorities;
- Fee for hire;
- Conditions for responsible hire;
- Ethically responsible hire; and
- Lawful, safe and administratively efficient.

Fairness, Equity and Transparency

A hire system will be implemented to ensure that hirers and potential hirers are dealt with fairly, equitably and transparently.

This policy is adopted by Council to ensure that the opportunities for hire of Town facilities are understood and available to all.

Sites and Times

Hire of a reserve, public open space or facility will be limited to appropriate sites and times that minimise the impact on residents and include the following principles:

- Areas with inadequate parking availability will not be hired out;
- Appropriate times for hire will be allowed; and
- Maximum numbers will be set for each location.

Town Support Priorities

The Town will prioritise its financial support and booking availabilities for hirers that align with its sport and recreation and community development objectives.

Town support will be preferentially given to clubs, groups, organisations and persons which best meet the following criteria:

- Mosman Park residents;
- Seniors and/or juniors and/or persons with a disability (non-commercial groups only);
- Non-commercial, not for profit, clubs, groups, organisations or persons;
- Commercial clubs, groups, organisations or persons running a charity event;
- Clubs, groups or organisations based in Mosman Park (commercial and noncommercial);

Priority for use of an oval shall be given to sporting organisations playing their principal sport within the appropriate season.

Fees for Hire

Hire will reflect a user pays principle, on the basis that in doing so:

- the hirer is granted exclusive access to a space otherwise available to all; and
- there are capital and operational costs that the Town must meet to provide the site and administer the hire arrangements.

Fees will therefore be applied for hire of all reserves, public open spaces and facilities.

The Town's preferences will be reflected by hirers receiving discounting of fees and first preference to a reserves, public open space or facility, where there is demand conflict, to those who align most with the Town's priorities.

Due to competing demand with Mosman Park residents a weekend hire premium will apply to public open space bookings. All bookings may be subject to further approvals and fees including;

- Additional bin hire;
- Statutory Health approvals for eg. sale of food or erection of a structure
- Park gate access fee; and
- Bonds.

Hire of facilities and public open spaces will incur fees as agreed by Council in the annual budget.

Conditions for Responsible Hire

A hire system will impose conditions on the hirer, so that the facility or public open space is looked after and the impacts on residents is minimised.

The Town will set both general and location specific conditions of hire for its various reserves, public open spaces and facilities.

Ethically Responsible Hire

Hire of the Town's reserves, public open spaces and facilities will reflect the values and ethics of the Town and will exclude hirers that don't meet these values and ethics. The Town supports high standards of animal welfare. The Town therefore will not hire its reserves, public open spaces and facilities to circuses which use nondomesticated (exotic) animals, such as lions and non-human primates (monkeys).

Lawful, Safe and Administratively Efficient Hire

A hire system will be implemented to ensure that the Town allocates space in a manner that is lawful, safe and administratively efficient.

This policy meets the lawful requirements of the Local Government Act 1995 and its subsidiary legislation. The Town does not anticipate making a profit from its collective hire activities and as such this does not meet the definition of a land transaction or a trading undertaking under section 3.59 of the the Local Government Act 1995.

An administrative system will be implemented for hire activities in order to ensure that:

- Risk and safety, for the hirer, the community and the Town are appropriately dealt with; and
- The operations of the local government are efficient and well managed.
- Where a facility is designated as an emergency evacuation centre, hire provisions will be included that give precedence to the Town in the event that the facility is needed for this purpose. Bookings will be cancelled and bonds and unused fees will be refunded.

Sustainability

The Town will ensure that the hire of the reserve or public open space is conditioned and carried out so that the reserves and ovals are protected for the future of the Community.

Policy Guidance

This policy does not apply to community events run by the Town.

Each of the following must obtain approval for hire of Town reserves, public open spaces and facilities:

- a. Parties/functions over 30 people;
- b. Events that involve farm animals;
- c. Weddings;

- d. d. School functions/ events (eg. school athletics carnivals);
- e. e. Corporate functions;
- f. f. Commercial events;
- g. g. Non-commercial events;
- h. h. Group or club sporting activities; and
- i. Use of Town buildings.

Consumption of Alcohol

The Chief Executive Officer is authorised to approve or disallow at his/ her discretion applications to consume alcohol in Town buildings and on reserves managed by the Town.

Approvals to consume alcohol shall be subject to:

- The sale of alcohol being prohibited unless approved under the provisions of the
- Liquor Act and all other relevant legislation; and
- Compliance with the provisions of the Liquor Act and all other relevant legislation.

Definitions

BOOKING: means the formal hire arrangement undertaken by the hirer and is done through application to the Town on the appropriate form and subject to provision of required information and payment of fees.

COMMERCIAL: means the club, group, organisation or person which is one of the following:

- Private for profit businesses;
- Schools;
- Weddings; and
- Parties;

but excludes commercial businesses where they are fund-raising for charities, in which case they will be categorised as a not-for profit in that instance.

HIRE: means the short term use of Town owned and managed reserves, facilities and / or open space for an agreed payment, subject to conditions.

HIRER: means the club, group, organisation or person approved by the Town to hire a Town reserve, facility and / or open space.

NON-COMMERCIAL: means the club, group, organisation or person which does not meet the definition of 'commercial'. They are typically a not for profit.

TOWN: means the Town of Mosman Park local government.

Governance References

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| Statutory Compliance | <p><i>Local Government Act 1995</i>, section 3.1 – General function of a local government.</p> <p><i>Local Government Act 1995</i>, section 3.59 - Commercial enterprises by local governments. Deals with land transactions and trading undertakings.</p> <p><i>Local Government Act 1995</i>, section 5.41 – Functions of the CEO.</p> <p><i>Health (Miscellaneous Provisions) Act 1911</i></p> <p>Health (Public Buildings) Regulations 1992</p> |
| Organisational Compliance | <p>Town of Mosman Park Sport and Recreation Plan 2017 to 2027</p> <p>Sport and Recreation Policy</p> <p>Hiring Procedure</p> <p>Guidance in the development of this policy is provided by the Department of Health document “Guidelines for concerts, events and organised gatherings” from http://ww2.health.wa.gov.au/~media/Files/Corporate/general%20documents/Environmental%20health/Concerts%20and%20Mass%20Gathering%20Guidelines.pdf</p> |

Policy Administration

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