



Shire of Murray

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

1. Policy Intention

- 1.1 To assist community groups in improving facilities and increasing capacity within the Shire of Murray (Shire) that results in community strengthening and helps to build vibrant, inclusive and healthy communities.
- 1.2 To set a standard lease term and fee structure for the lease of freehold land and Reserves vested in the Shire to bodies exempt from the requirements of Section 3.58 of the *Local Government Act 1995* (the Act) by Regulation 30 (2)(b) of the *Local Government (Functions and General) Regulations 1996* (the Regulations) (Charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature bodies) whose members are not entitled or permitted to receive any pecuniary profit from the bodies' transactions.

2. Policy

- 2.1 Subject to Council and the Minister for Lands consent being obtained, the Chief Executive Officer (CEO) be authorised to negotiate and renew lease agreements where an option period is being exercised with groups defined as exempt bodies in Regulation 30 (2) (b) of the Regulations.
- 2.2 The standard lease term for exempt bodies leasing land vested in, or owned by the Shire is up to a maximum of ten years with a further option period of up to ten years.
- 2.3 The minimum annual fee for all lease agreements (excluding GST) and all other outgoings, including but not limited to power, water, gas or rubbish charges for:
 - (a) Exempt groups/bodies without a liquor licence – is \$50.00 per annum.
 - (b) Exempt groups/bodies with a permanent liquor licence – is \$500.00 per annum, plus the cost of preparing, executing or renewing a lease agreement.
- 2.4 An annual administration fee may also be levied on lease agreements.
- 2.5 When an option to renew a lease is exercised under clause 2.1 the (CEO) may determine an increase in the lease fees specified in Clause 2.3 (a) and (b) in line with the CPI changes, until the expiry of the agreement.

- 2.6 When a property or facility leased to an exempt body expires or is cancelled expressions of interest are to be publicly invited from exempt bodies in the district to lease the facility or property. When more than one expression of interest is received the decision to approve a new lease agreement shall be determined by Council.
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Policy Detail		
Responsible Directorate	Corporate Services	
Responsible Department	Governance	
Responsible Officer	Manager Governance	
Next Policy Review / Schedule	2027 (3-yearly)	
Council Adoption	Date / Resolution	27 August 2009 (OCM09/155)
Amendment Record	Date / Resolution	24 June 2010 (OCM10/128)
		30 June 2011 (OCM11/099)
		26 July 2012 (OCM12/149)
		22 February 2018 (OCM18/008)
		23 June 2022 (OCM22/070)
		19 December 2024 (OCM24/159)