

6. Recreation

6.2 C-6R02 – Reserves

Previous Policy Number 6.5

PART A - Policy

Objective

To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

Policy Statement

1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- (a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).
- (b) Annual rental to be “a peppercorn”.
- (c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.
- (d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.
- (e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc, that apply to the reserve and structural improvements.
- (f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.
- (g) The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.
- (h) The Lessee shall permit the Shire’s officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.
- (i) The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.
- (j) The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.
- (k) The Lessee shall meet all costs in relation to preparing and stamping the lease document.
- (l) Any leases entered into relating to Council’s Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.

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2. Ovals - Seasonal Use

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

3. Use of Council Sports Grounds

Requests for the use of all Council Sports Grounds (eg Circus or Roadshow) and any conditions will be determined by the Chief Executive Officer.

Fees and Charges set in accordance with Council's Annual Budget will apply.

4. Fencing - Adjoining Council Controlled Land

- a) Council will not contribute financially to the erection of fencing which adjoins Council controlled land (eg. Reserves, Public Access Ways and Road Reserves). Drainage Reserves that are required to be fenced will be carried out as part of the cost of subdivision as per the Dividing Fence Act.
- b) Council will contribute 50% of the cost of fencing in relation to Council owned freehold land.

5. Lights - Shire Ovals

Permission to erect lights on Shire ovals will only be granted subject to all future maintenance and running costs etc being the responsibility of the organisation that installs the lights.

6. Shade Structures over Playgrounds - Community Requests

Council will consider applications from community groups / organisations for the erection of shade structures over playgrounds under the following conditions:

- a) all costs associated with the construction, maintenance and future capital replacement would be the responsibility of the community group and not the Shire of Dandaragan which is to be acknowledged in writing;
- b) all structures are to comply with relevant standards and building requirements;
- c) community group applications for approval to construct shade structures are to be considered by Council for approval prior to accepting any funding from third parties or grant providers; and
- d) shade structures will become an asset of the Shire of Dandaragan.