

POL	<b>RENEWAL OF LEASES AND LICENSES FOR COUNCIL OWNED OR CONTROLLED PROPERTY</b>	APD87
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<b>POLICY CODE:</b>	APD87
<b>DIRECTORATE:</b>	Planning & Development
<b>BUSINESS UNIT:</b>	Strategic Planning
<b>SERVICE UNIT:</b>	Leasing & Land Administration
<b>RESPONSIBLE OFFICER:</b>	Chief Executive Officer
<b>FILE NO.:</b>	182/001
<b>DATE FIRST ADOPTED:</b>	8 June 2006
<b>DATE LAST REVIEWED:</b>	8 December 2016
<b>ATTACHMENTS:</b>	Yes
<b>DELEGATED AUTHORITY REF.:</b>	APD60
<b>VERSION NO.</b>	3

<b>Dates of Amendments / Reviews:</b>	
DAPPS Meeting:	24 May 2012 24 November 2016
OCM:	11 March 2010 14 June 2012

**BACKGROUND:**

Council has a number of leases with community and private organisations that from time to time require to be renewed.

**PURPOSE:**

To ensure the renewal of leases and licenses for the use of Council land and buildings are carried out expeditiously.

**POLICY:**

- (1) The Chief Executive Officer is authorised to renew a lease and license agreement with an entity provided that:
1. the lessee or licensee has adhered to the terms and conditions of the previous agreement;
  2. the terms and conditions of the new lease/licence agreement are essentially similar to the terms and conditions of the previous lease/licence agreement;
  3. the new lease or license agreement term is no longer than 5 years.

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- (2) The Chief Executive Officer provide Elected Members at least 14 days prior notice of an intent to renew a lease or license in accordance with this Delegated Authority.
- (3) The Leasing Officer is to complete the document 'Request for Approval by CEO under Delegated Authority in accordance with Policy AFCS6' and forward to CEO for consideration.
- (4) Property and Lands Officer to be provided with copy of 'Request for Approval by CEO under Delegated Authority in accordance with Policy AFCS6' if approved, to prepare the new lease or licence.

**REQUEST FOR APPROVAL BY CEO UNDER DELEGATED  
AUTHORITY IN ACCORDANCE WITH POLICY AFCS6**

PROPERTY: \_\_\_\_\_  
 \_\_\_\_\_  
 LESSEE DETAILS: \_\_\_\_\_  
 FILE NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_  
 OFFICER: \_\_\_\_\_

1. Conditions required to be answered by Officer prior to consideration by the Chief Executive Officer:

(a) Has the Lessee/Licensee adhered to the terms and conditions of the previous agreement:

Yes / No

(b) Are the terms and conditions of the new lease/license agreement essentially similar to the terms and conditions of the previous lease/license:

Yes/No

(c) The new lease/license agreement term must not be longer than 5 years:

Term \_\_\_\_\_ years

(d) Is the lease/license subject to the requirements of Section 3.58 of the *Local Government Act 1995*:

Yes/No

(If the answer is 'yes" the lease/license cannot be renewed under this Delegated Authority)

2. The Chief Executive Officer is to provide Elected Members at least 14 days prior notice of the intent to renew a lease or license in accordance with this Delegated Authority.

Date of Notice \_\_\_\_\_

3. Approved/Not Approved

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Dated