

POL	RENEWAL OF LEASES AND LICENSES FOR COUNCIL OWNED OR CONTROLLED PROPERTY	APD87
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POLICY CODE:	APD87
DIRECTORATE:	Planning & Development
BUSINESS UNIT:	Strategic Planning
SERVICE UNIT:	Leasing & Land Administration
RESPONSIBLE OFFICER:	Chief Executive Officer
FILE NO.:	182/001
DATE FIRST ADOPTED:	8 June 2006
DATE LAST REVIEWED:	14 December 2017
ATTACHMENTS:	Yes
DELEGATED AUTHORITY REF.:	APD60
VERSION NO.	4

Dates of Amendments / Reviews:	
DAPPS Meeting:	24 May 2012 24 November 2016 23 November 2017
OCM:	11 March 2010 14 June 2012 8 December 2016

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