



**BONDS PERTAINING
TO COUNCIL
COMMUNITY &
SPORTS FACILITIES
POLICY
P4.0098.3**

BONDS PERTAINING TO COUNCIL COMMUNITY & SPORTS FACILITIES

DIVISION: Sport, Community and Activation

BRANCH: Sport and Recreation

CATEGORY: 2

PART 1 – INTRODUCTION

1. BACKGROUND

- 1.1 Council manages a wide range of community and sports facilities to a variety of users on a casual and regular seasonal and annual basis. In order to ensure that hirers meet all conditions of hire, a bond is paid and refunded if the facilities are left in a suitable condition as defined in this Policy.
- 1.2 Council's key management system provide keys, swipe cards and/or fobs to allow facility access to hirers of community and sports facilities. In order to ensure that hirers return their allocated keys, swipe cards and/or fobs, a bond is paid and refunded if the facilities are left in a suitable condition.
- 1.3 This Policy aligns with Council's Fees and Charges, Terms and Conditions of Hire – Community Facilities and Terms and Conditions of Hire – Sports facilities

2. OBJECTIVE

2.1 The objectives of this Policy are:

- To provide casual hirers of Council community facilities with clarity of responsibility and actions in circumstances where bonds will be retained in accordance with the terms and conditions under the hire agreement.
- To provide regular hirers of Council community facilities with clarity of responsibility and actions in circumstances where key bonds will be retained in accordance with the terms and conditions under the hire agreement.
- To provide casual, seasonal and annual hirers of Council sports facilities with clarity of responsibility and actions in circumstances where key bonds will be retained in accordance with the terms and conditions under the hire agreement.
- To provide school hirers of Council sports facilities with clarity of responsibility and actions in circumstances where key bonds will be retained in accordance with the terms and conditions under the hire agreement.

3. SCOPE

- 3.1 This Policy applies to casual, regular, seasonal and annual hirers of community and sport facilities located within the Camden Local Government Area (LGA).
- 3.2 Key bonds do not apply to school hirers who fall within the geographical boundaries of the Camden LGA.
- 3.3 Key bonds are applicable to schools which fall outside of the geographical boundaries of the Camden LGA.
- 3.4 Key bonds are applicable to all school sports programs such as Primary School Sports Association (PSSA) and Macarthur Independent Schools Association (MISA).

4. DEFINITIONS

- 4.1 **Community facility** means community halls, club rooms and community centres managed by Council.
- 4.2 **Sports Facilities** means sports facilities and all associated amenities including but not limited to amenity buildings, changerooms, lighting resources, canteens and bin compounds managed by Council.
- 4.3 **Hire Bond** means the fee paid by hirers and held by Council to be used to cover costs to repair any damage and cleaning required because of hire of the community facility.
- 4.4 **Hirer** means casual, regular, seasonal, annual and school users of community and sport facilities managed by Council.
- 4.5 **Key Bond** means the fee paid by hirers and held by Council to be used to cover costs of any loss of keys, swipe cards or fobs.
- 4.6 **Keys** means keys, swipe cards and/or fobs.
- 4.7 **LGA** means Local Government Area.
- 4.8 **Post Hire Checklist** means a checklist that identifies and confirms the community facility is returned in a clean and tidy condition, and without damage after use.
- 4.9 **Retaining Bonds** means Council wholly or partially withholding the bond amount.
- 4.10 **Suitable** means that the community facility or sports facility is returned clean, tidy and without damage after use in accordance with the terms and conditions of the hire agreement.
- 4.11 **Terms and Condition of Hire** means the terms and conditions associated with the hire agreement

PART 2 – POLICY STATEMENT

5. COMMUNITY FACILITY HIRE BONDS

- 5.1 To ensure that hirers meet all conditions of their hire agreement, a hire bond is applied.
- 5.2 The value of the hire bond applied is determined by the risk and/or category of hire and the fees applicable are determined as defined under Council's Fees and Charges.
- 5.3 The community facility hire bond payment is required prior to, or upon collection of, facility keys for casual hirers of community facilities as identified under Council's Fees and Charges

6. KEY BONDS

- 6.1 The full key bond payment is required upon collection of keys for regular hirers of community facilities managed by Council.
- 6.2 The full key bond payment is required upon collection of keys for casual, seasonal and annual hirers of sports facilities managed by Council.
- 6.3 The full key bond payment is required upon collection of keys for school hirers (who fall outside of the Camden LGA) of sports facilities managed by Council.
- 6.4 The full key bond payment is required upon collection of keys for school sport program hirers (such as PSSA and MISA) of sports facilities managed by Council.

7. REFUND OF BONDS

- 7.1 Community facility casual hire bonds are returned following the completion of the steps outlined in the below subclauses 7.1.1 or 7.1.2 (as applicable) to confirm that the facility is returned in a clean and tidy condition and without damage after use.
 - 7.1.1 Internal weekly facility inspections by Council staff.
 - 7.1.2 Completed post hire checklists by the hirer.
- 7.2 Bond refunds are processed within 10 working days following the hire and return of keys, swipe cards or fobs.
- 7.3 Key bonds refunds are processed upon return of the key, swipe card or fob at the end of the use or hire agreement.
- 7.4 Refunds are returned to the credit card used for payment in Council's booking system or to the hirer's nominated bank account.

8. RETAINING OF BONDS

- 8.1 Hire bonds can be wholly or partially retained if the community facility is returned in a state that does not meet the terms and conditions or, if the hirer does not adhere to the terms and conditions of the hire agreement.
- 8.2 Key bonds will be retained if the key, swipe card or fob is lost or damaged throughout the period held by the hirer.
- 8.3 Should it be necessary to retain a portion of or the bond or the entire bond to take relevant action as outlined in clause 8.1 and 8.2:
 - 8.3.1 A minimum fee will be applied for the cost of repair or cleaning, which is outlined in Council's Fees and Charges. The minimum fee will not be in addition to any quotation for the repair or cleaning that is obtained and accepted by Council, however will be the minimum amount charged to the hirer.
 - 8.3.2 The bond amount withheld is outlined in Council's Fees and Charges. Alternatively, quotations for the repair or cleaning will be obtained by Council and the costs charged to the hirer if required.
- 8.4 In circumstances where the cost of repair or cleaning is greater than the bond paid, additional costs will be charged to the hirer based off quotations obtained and accepted by Council.

9. GOODS AND SERVICES TAX (GST)

- 9.1 Bonds are not subject to GST.
- 9.2 GST is applicable to any amount of the bond retained by Council.

10. IMPLEMENTATION

- 10.1 Bond fees are included in Council's Fees and Charges

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RELEVANT LEGISLATIVE INSTRUMENTS: N/A

RELATED POLICIES, PLANS AND PROCEDURES:

Council Fees and Charges
Conditions of Hire – Community
Facilities
Terms and Conditions of Hire – Sports
Facilities

RESPONSIBLE DIRECTOR:

Director Sport, Community & Activation

APPROVAL:

Council

Version	Approved by	Changes made	Date	EDMS Number
1	Approved by Council ORD19/09	New	27/01/2009	15/216756
2	ELG	Branch and Division title updates only	11/07/2019	15/216756
3	Approved by Council ORD85/23	More detail around the how and why of a bond being retained Information around Key Bonds Title of Policy	20/06/2023	15/216756