

Apollo Bay Aquatic Centre Funding Agreement

Key terms

Parties	Apollo Bay P-12 College Council (School Council) and Colac Otway Shire Council (Shire Council).
Facility	Apollo Bay Aquatic Centre (Facility), including: <ul style="list-style-type: none"> - Gymnasium - Wave Pool - Swimming Pool - Plant Room - Shelter - Common (circulation) areas
Permitted Use	The Centre can be used for the following purposes: <ul style="list-style-type: none"> • educational • sporting activities • recreational activities • community activities • swimming pool • aquatic activities
Term of agreement	4 year initial term plus 4 x 5 year further terms commencing on the date of execution of the Funding Agreement
Land owner	The Minister
Centre Operating Hours	The School Council (as operator of the Facility) is required to ensure that the Facility is open to members of the public for a minimum of 20 hours per week.
Community Hire	The School Council is responsible for managing the community use of the Centre during the hours allocated for community use, including the setting of fees for such use. During agreed school hours, the School may permit other government or non-government schools and not for profit users to use the Stadium area and courts 2 and 3, and may also hire out the use of these areas to other entities.
Appointment of a Manager	The School Council has the ability to appoint a manager to manage the Centre.
Maintenance	The School Council is responsible for payment of all utility costs and managing the appropriate maintenance and cleaning of the Centre with the Colac Otway Council contributing: <ul style="list-style-type: none"> • \$400 per month for the period of the construction works being procured by the School Council to enclose and heat the pool;

	<ul style="list-style-type: none"> • \$15,000 on or before 1 January 2020 (being one month prior to the estimated Date of Practical Completion); • the \$200,000 Annual Contribution for the 2019/2020 financial year, apportioned on a pro-rata daily basis from the Date of Practical Completion, to be paid within 14 days of the evidenced Date of Practical Completion; and • \$200,000 (increased annually by CPI) for the duration of the Term of the agreement commencing on 1 July 2020.
Capital Works	The School Council is responsible for capital expenditure in respect of the Facility and will require the Minister's approval if the costs of any works exceeds \$50,000.
Reporting	<p>The School Council is required to procure an annual audit by a qualified auditor that the Facility is operating in accordance with the RLSSA Guidelines for Safe Pool Operations (Audit). The Audit will be paid for by the Shire Council.</p> <p>The School Council will also provide an annual report to the Shire Council, which will contain:</p> <ul style="list-style-type: none"> • the results of the Audit; and • accurate and detailed financial accounts relating to the School Council's expenditure of the Shire Council's maintenance contributions.
Liaising	A representative of the School Council and the Shire Council shall meet with operators of the Facility at least once a year for the purpose of providing advice and recommendations to the School Council in relation to the maintenance and operation of the Facility.