

Falls Creek Alpine Resort Management Board ('the board')

1. Scope

The aim of this policy is to ensure that all new lease applications that satisfy minimum criteria be recommended to the Minister for a lease term of not less than 25 years for a new lease as a continuation of the legal tenure on the site.

This policy applies to new lease applications only.

2. Key principles

The key principles are:

- a) **[KP1]**: it is within the interests of the lease applicant, the Board and the State government to offer longer lease terms to provide greater legal tenure for larger and more appropriate investment for sites that are offered small lease terms under the current Alpine Resorts Leasing Policy.
- b) **[KP2]**: the majority of sites in the village are developed to an appropriate capacity in terms of bed numbers and Fully Enclosed Covered Area.
- c) **[KP3]**: this policy will be applied equitably and fairly across all sites that meet the various conditions contained therein.

3. Obligations and good practice

The board will act in accordance with all relevant obligations and with good public sector governance practice, including:

- The Board members acting in the **public interest** at all times, collectively and individually;
- the establishing Act, being *Alpine Resorts (Management) Act 1997*
- the public sector values in section 7 of the PAA;¹
- the requirement in section 81(1)(e) of the PAA to ensure that a code of conduct is in place which is applicable to all board members;
- the Directors' Code of Conduct² and similar requirements in section 79 of the PAA and in the common law (e.g. to act honestly and legally);
- the public sector employment principles in section 8 of the PAA and related Standards;
- any directions, guidelines and/or statements of obligation or expectation issued by the Minister;
- government policy; and
- all other laws and obligations that bind the agency.

4. Falls Creek Minimum Lease Term

The following criteria will be applied to all new lease applications that fail to achieve a minimum 25 year term. This policy will not be applied for any new proposed lease term that is above 25 years.

4.1 Minimum Criteria

The following minimum criteria apply to this policy:

- The site is currently activated to the appropriate capacity;
- The proposed activation of the site (Permitted Use) for the new lease is to the satisfaction of the Board;
- There are no outstanding compliance items from the previous lease;

¹ The public sector values are: integrity, impartiality, accountability, respect, responsiveness, human rights, and leadership.

² Issued by Victoria's Public Sector Standards Commissioner pursuant to section 63 of the PAA.

- The tenants are, and will continue to be, engaged with Board strategies where appropriate including:
 - Providing staff accommodation and Key Worker Housing
 - Involvement with marketing initiatives
 - Provides accommodation and/or services throughout the year
- For all other purposes the incumbents have been generally good tenants and have enjoyed the activation of the site to the benefit for all at Falls Creek.

4.2 Minimum Lease Term

If all the criteria have been met in Item 4.1 the Board will make an application to the Minister that the tenants be offered:

1. A lease term of not less than 25 years that contains:
 - a. Conditions that the site will be maintained or developed to an acceptable contemporary standard;
 - b. Has sound environmental conditions; and
 - c. Is reflective of current Board and State government strategies.

4.3 Application to the Minister

The application under Item 4.2 will be developed by Management with the intent to provide reasonable and fair advice to the Minister.

4.4 Failed Ministerial Submissions

If the Minister does not determine in favour of the proposed lease term under Item 4.3 the Board will proceed with the lease development as per the standard new lease process and conditions directed by the Minister.

5. Related policies

- Alpine Resorts Leasing Policy, ARCC 2002

6. Regular review of this policy

The board will review this policy on an annual basis or more frequently, if required, to keep up-to-date with changes to laws, government policy, etc.

This policy was **last reviewed in October 2017 and will be due to be reviewed in October 2020.**

Authorisations and Document Parameters

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