



Sporting Facilities Allocations Policy

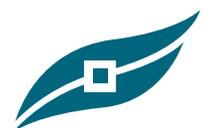


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MANNINGHAM

Policy Register

Sporting Facilities Allocation Policy

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This policy is part of a suite of policies adopted by Council or the Executive Management Team (EMT).

New or replacement policies can be created and developed within Service Units but can only be added to Council's Policy Register by Governance Services following the approval of the policy by Council or the EMT.

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1.0 PURPOSE

The purpose of this Policy is to create a transparent, equitable and sustainable framework to maximise use of Council's sporting facilities, whilst ensuring compliance against risk and insurance obligations.

2.0 POLICY STATEMENT

2.1 Guiding Principles

Council aims to maximise use of sports fields and pavilions to increase opportunities for active recreation and organised sport. This will be achieved through the following Guiding Principles:

- Equitable and inclusive access;
- Sustainably maximising usage;
- Transparent and consistent processes; and
- Community focus.

2.2 Allocation Types

Council allocates sports fields and pavilions under the following arrangements:

- Seasonal Allocation;
- Annual Allocation;
- Casual Booking; and
- Lease Agreement.

Council at all times reserves the right to allocate sporting facilities based on demonstrated need, to ensure maximum usage is achieved. Consistent with the Policy's Guiding Principles, use of sporting facilities by Manningham based community groups (such as sporting clubs, schools and not for profit organisations) will be considered priority.

Furthermore, Council at all times reserves the right to restrict access to sports fields and pavilions due to maintenance, upgrade, ground conditions and other factors.

2.2.1 Seasonal and Annual Allocations

Seasonal and annual allocations provide non-exclusive use of Council's sports fields and pavilions. Each tenancy period is as follows:

- **Winter Season:** 1 April – 30 September;
- **Summer Season:** 1 October – 31 March; and
- **Annual:** 1 October – 30 September.

In special circumstances, tenancies may be allocated on a pro-rata basis.

The allocation of sports fields is made for the home and away season, with finals training and matches to be applied for under the casual use process. In instances of 'season creep', or as a result of extraordinary circumstances, additional allocations will be considered on a case by case basis. Pavilion allocations are made for the full tenancy period (6 months).

All allocations provided by Council are subject to the terms and conditions listed within the Tenancy Agreement, and will be assessed based on demonstrated need, including participation and team numbers (where applicable).

Eligibility Criteria

To be eligible to enter into a seasonal or annual tenancy agreement, applicants must:

- Submit an application as per the stipulated timelines;
- Have public liability insurance with a minimum value of \$20million, or as otherwise determined by Council's insurers, that extends to cover Manningham City Council in respect to claims for personal injury and property damage arising out of the negligence of the user group;
- Be an incorporated entity as per the Associations Incorporation Reform Act 2012, or a registered company;
- Provide evidence of registration with a relevant sporting association, for the year that the application for use is being made (sporting clubs only);
- Not have any outstanding financial debt to Council for the use of Council's facilities, contributions towards facility developments or for any other reason. Terms within an agreed payment plan must be followed;
- Demonstrate financial sustainability through providing financial reports from the most recent Annual General Meeting (where applicable);
- Provide a business or strategic plan for the Club including but limited to outlining the user group's (sporting clubs only) commitment to providing:
 - Inclusive practices that integrate and welcome all community members on and off field, including but not limit to people with a disability, young people and females;

- A high level of governance through items such as policy development, meeting Consumer Affairs Victoria requirements and adhering to the user group's Constitution;
 - Wider health benefits for members including mental health, healthy eating and social inclusion;
 - Identifying potential future facility requirements; and
 - Alignment to relevant Council Plans and Strategies.
- Agree to adhere to the Terms and Conditions located within the Tenancy Agreement; and
 - Provide required documentation as listed within the application form including but not limited to liquor licenses, food registration certificates and annual reports, where applicable.

Personal trainers are exempt from the above however must comply with the regulations listed in section 2.2.1.1 of this Policy.

Allocation Criteria

Council will aim to sustainably maximise usage of sports fields and pavilions, which includes considering shared use by multiple user groups where it is deemed appropriate. Where a shared usage solution cannot be achieved, the allocation will be determined by applying the criteria located in table 1, which is listed in no particular order of priority or weighting.

It is noted that Petty's Reserve will not be allocated as a primary venue for clubs, rather access will be prioritised for Manningham based clubs that require an NPL level facility to play matches and train. Depending on availability, Petty's Reserve will also be allocated as an overflow training and match venue for clubs with a demonstrated need.

Table 1 – Allocation Criteria

Criteria		Guiding Principles
1	How long has the applicant been granted use of the facility?	Council will give preference to the applicant who has longer past tenure of the requested facility.
2	Will the applicant's requested usage provide maximum benefit?	Preference will be given to the applicant who provides a demonstrated need for the usage, demonstrates integration of people from under-represented groups (e.g. females, juniors, people with a disability, CALD and older adults) and will achieve optimal/maximum use of the requested facility.
3	How much has the applicant invested financially into capital works at the requested facility?	Priority will be given to applicant that has invested significantly towards capital works projects at the facility within the past five years, including in-kind contributions.
4	Does the applicant have a history of improper conduct?	Council will take into account the number of breaches issued and upheld complaints over the previous five years by the applicant.
5	How long has the applicant been based in Manningham?	Council will give preference to the applicant which has been based in Manningham the longest.
6	Is the applicant registered and/or accredited with the Good Sports Program, Inclusive Club Program and any other club improvement program?	Preference will be given to the applicant that is accredited with the most club improvement programs, including the Good Sports Program and what level they are within the program. This also includes applicants that undertake external training or are involved/accredited through other programs such as Council's Inclusive Club Program.
7	Does the applicant display good governance structures?	Council will give preference to the applicant that has developed relevant policies and processes, reports annually the Consumer Affairs Victoria (where applicable) and displays other forms of good governance.

2.2.1.1 Personal Training Businesses

Personal training businesses running structured, income generating programs on Council's sporting facilities are required to apply for a seasonal allocation. Applications must be made a minimum 10 business days prior to the requested booking commencement date.

Applicants seeking use of Council's sports fields for fitness programs that run for a shorter period of time (maximum 10 weeks) are to apply through the casual booking process. Seasonal tenancy fees will be applied to these bookings on a pro rata basis (e.g. only 8 weeks' worth of the seasonal fee would be applied for an 8 week booking).

No bookings by personal trainers will be accepted for Council's open space, and access to pavilions and public toilets will be considered on a case by case basis. This application can be applied for at any time, with approved allocations given until the end of the respective seasonal period.

Applicants will be notified of the outcome of their application within 10 business days of the application being submitted. The following documentation must be provided to Council to be eligible for an allocation to conduct personal training on a Council sports field:

- Registered business name and ABN;
- Public liability insurance with a minimum value of \$20million, or as otherwise determined by Council's insurers, that extends to cover Manningham City Council in respect to claims for personal injury and property damage arising out of the negligence of the user group;
- Not have any outstanding financial debt to Council for the use of Council's facilities, contributions towards facility developments or for any other reason. Terms within an agreed payment plan must be followed;
- Relevant personal trainer qualifications. The applicant must be appropriately qualified;
- Relevant first aid certification. The applicant must possess a relevant first aid certification;
- Evidence of registration to a peak body (e.g. Fitness Australia); and
- Any other documents as requested by Council.

Furthermore, applicants will not be eligible for an allocation if they are in arrears with Council or with payments stipulated in an agreed repayment plan.

Allocations provided by Council are subject to the terms and conditions listed within the Tenancy Agreement. This includes adhering to the list of approved equipment, hours of use and number of participants per session.

2.2.2 Casual Booking

Casual allocations provide temporary use of sports fields and/or pavilions for user groups outside of a seasonal allocation. Casual allocations are also provided for user groups requiring 'one off use' of Council's sports fields and/or pavilions. Activities that require a casual booking include but are not limited to:

- School use;
- Preseason matches and training;
- Finals matches and training;
- Structured sporting and recreation activities (excluding activities covered under a seasonal allocation);
- Commercial use; and
- Events.

Casual bookings are allocated on a first come, first serve basis. Casual bookings are not required for informal and unstructured recreational use by individual community members on sports fields.

To be eligible for a casual allocation, the applicant must:

- Have public liability insurance with a minimum value of \$20million, or as otherwise determined by Council's insurers, that extends to cover Manningham City Council in respect to claims for personal injury and property damage arising out of the negligence of the user group;
- Not have any outstanding financial debt to Council for the use of Council's facilities, contributions towards facility developments or for any other reason. Terms within an agreed payment plan must be followed;
- For commercial entities, provide a registered business name and ABN;
- Agree to adhere to the Terms and Conditions located within the Tenancy Agreement; and
- Provide any other documents as requested by Council.

Applications for casual use of sports fields must be made a minimum 10 business days prior to the booking date and no longer than 12 months in advance. Applications for casual use of the Tom Kelly Athletics Track must also be made a minimum 10 business days prior to the booking date. It is however noted that at the beginning of each school year, applications for use of the Athletics Track will open for the following year (e.g. bookings for 2022 will be accepted from the start of the 2021 school year, bookings for 2023 will open at the start of the 2022 school year and so on).

Applications received outside of these times may be considered in special circumstances (e.g. cricket finals matches etc.). Booking cancellations must be

made a minimum 5 working days prior to the booking date to be eligible for a refund of the booking fee and any bonds which have been applied.

Allocations provided by Council are subject to the terms and conditions listed within the Tenancy Agreement, including adherence to available booking hours and permitted activities.

Sports field conditions, existing bookings and required maintenance will be considered prior to allocating a sports field and/or pavilion. Seasonal and annual allocations will also be prioritised ahead of use by other Manningham community groups and schools, followed by community groups and schools located outside of Manningham.

Where an applicant requires access to public toilets only, this will be considered on a case by case basis, where feasible.

2.2.2.1 Finals Matches and Training

Seasonal allocations are for the home and away season only and do not include use of sports fields for finals training and matches.

User Groups are required to submit a casual booking for each week of finals training and/or matches, with this use taking precedence over any pre-season training bookings.

2.2.2.2 Pre Season Matches and Training

Council will endeavor to provide sports fields for practice matches and pre-season training. Pavilions will not be made available for pre-season training unless prior approval is provided by Council, in consultation with the tenant club. Practice matches and pre-season training do not constitute a booking under a seasonal allocation and are to be completed through the casual allocation process. Additional restrictions may apply for any approved access for pre season training, with sports field access prioritised for clubs within their current seasonal tenancy.

2.2.2.3 Community Events

Applications for community events on Councils sports fields are reviewed on a case by case basis. Enquiries for running a community event, which includes events such as sporting club family fun days and other like events outside of a home and away fixture, are to be made to the Community Events Team in the first instance. A casual booking form is required to be completed as part of the event approval process and depending on the nature of the event, further documentation may also be required.

2.2.2.4 Use of General Open Space

Applications for the use of general open space by user groups delivering structured low impact activities, including but not limited to yoga and tai chi, will be referred to the relevant Council team and assessed on a case by case basis. Use of general open space by personal trainers, sporting clubs and other high intensity activities will not be considered.

2.2.3 Lease Agreements

Council provides lease agreements for user groups that have exclusive occupancy of a facility. This includes but is not limited to club tennis courts, bowling greens and hockey pitches. Lease agreements are also offered for the exclusive occupancy of social areas within level 1 sporting pavilions, as determined by Council's Seasonal Sports Pricing Policy and Community Facilities Access and Concession Policy. The lease itself contains the standard terms and conditions relevant for community use and accords with Council's applicable policies.

New and renewed lease agreements for use of sporting facilities are to incorporate a Special Condition outlining that user groups are required to:

- Provide a business or strategic plan which includes, but limited to, outlining the user group's (sporting clubs only) commitment to providing:
 - Inclusive practices that integrate and welcome all community members on and off field, including but not limit to people with a disability, young people and females;
 - Wider health benefits for members including mental health, healthy eating and social inclusion;
 - Identifying potential future facility requirements; and
 - Alignment to relevant Council Plans and Strategies.

2.3 Fees and Charges

Fees and Charges are indexed annually in accordance with Council's budget process. The schedule of fees can be obtained from Council's website, with payments to be made inline with the payment terms listed on the respective invoice.

2.4 Bonds

Bonds will be applied to seasonal bookings on a case by case basis. A bond may be applied to casual bookings with consideration to the following:

- Has the applicant booked a Council sports field/pavilion within the last 6 months (seasonal or casual)?
- Will the applicant require keys?
- Does the applicant have a history of poor behaviour, including any breaches or upheld complaints within the last 3 years?
- Does the requested use include a marquee, amusement or other like structures being placed on a sports field?
- Is vehicle access to the sports field required?
- Will alcohol be present?

3.0 SCOPE OF POLICY

This Policy applies to the allocation of Council's sports fields and pavilions on a casual, seasonal, annual and lease basis. This Policy applies to structured activities at Council's sports fields and pavilions by sporting clubs, associations, schools, personal trainers and any other business. It is acknowledged however that the process to lease sporting facilities follows Council's standard leasing process.

This Policy also considers use of Council's open space for organised low intensity activity.

This Policy does not consider any facility that is managed directly by a commercial operator and does not apply to unstructured recreational use by individual community members on sports fields.

4.0 RESPONSIBILITY

Management and application of this Policy is the responsibility of Recreation Services.

5.0 DEFINITIONS

Annual Use	The use of a sports field and/or associated facilities for a 12 month period between 1 October and 31 March.
Application	The application process that is to be followed by current and new users' when applying for the use of a sports field and/or pavilion.
Casual Use	Sports field and pavilion bookings required for 'once off use' or short term bookings e.g. preseason and finals training, finals matches and school use.
Community – Not for profit	An organisation that does not earn profits, and any monies used are to pursue the organisation's objective.
Lease	Exclusive occupancy of a facility by a user group e.g. hockey pitches, club tennis courts and bowling greens etc.
Open Space	Areas which are not maintained to the standard of an active reserve and are primarily used for unstructured activities and play.
Seasonal Use	An allocation granting a user group use of a sports field and/or pavilion for the duration of a season. Summer season 1 October – 31 March Winter season 1 April – 30 September
Season Creep	Where the season fixture expands beyond the summer or winter tenancy period that is allocated to a user group. This can be due to association scheduling or extraordinary circumstances.
Sport	An organised activity that aims to promote physical activity and wellbeing.
Sports Field	The field of play for various sporting activities (i.e. football oval, soccer pitch, netball court, aero model field, archery field etc.)
Structured Activity	A formal activity that is organised by a group (e.g. a personal training group or sporting club.)
Unstructured Activity	A less formal activity for recreation or exercise purposes, that is not organised by a group (e.g. friends kicking a football on a sports field.)
User Group	An entity permitted to apply for use of a sports field, including sporting clubs, schools, personal trainers and commercial businesses.

6.0 RELATED POLICIES

Council Plans and Policies

- Council Plan 2017-21
 - Goal – Healthy Community
 - Goal – Liveable Places and Spaces
- Healthy City Strategy 2017-21
 - Focus Area – Healthy and Well
- Active for Life Recreation Strategy 2010-25 (2019 Review)
 - Priority Area 1
 - Action 1.3.3
- Seasonal Sports Pricing Policy
- Seasonal Allocation of Sporting Facilities – Conditions of Use

7.0 SUPPORTING PROCEDURES

- Sporting Facilities Allocations Procedure

8.0 GUIDELINES

No guidelines are applied.

9.0 RELATED LEGISLATION

- Local Government Act 1989 – Conflict and Interest Provisions
- Associations Incorporated Reform Act 2012

10.0 SUPPORTING RESEARCH AND ANALYSIS

Manningham Council owns and manages an extensive network of sport fields and pavilions that are used for a variety of purposes. The sustainable use of these sports fields and pavilions is integral to ensuring maximum usage, to accommodate ongoing participation growth.

The intent of this Policy is to meet insurance and risk obligations, whilst maximising sports field and pavilion usage. Significant benchmarking has occurred across Councils with similar Policies to better understand the industry approach and ensure best practice principles are applied.

11.0 DOCUMENT HISTORY

Policy Title:	Sporting Facilities Allocation Policy
Responsible Officer:	Heather Callahan
Resp. Officer Position:	Coordinator Recreation
Next Review Date:	2024
To be included on website?	Yes

Last Updated	Meeting type? - Council or EMT	Meeting Date	Item N°