

Sporting Reserve Facility Usage Policy

Policy Number:	2009/09	Directorate:	Connected Communities
Approval by:	Council	Responsible Officer:	Team Leader Leisure Development
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1. Purpose

The purpose of this policy is to:

- Increase sport and leisure participation outcomes for females, juniors, older adults, people with a disability Individuals identifying as lesbian, gay, bisexual, transgender, queer and intersex persons (LGBTQI+), and people from culturally and linguistically diverse backgrounds;
- Provide an equitable, transparent and easily understood process for allocating usage of Council sporting reserve facilities; and
- Provide a fair and transparent approach to allocating Council's sporting reserves when there are occasions of multiple user groups applying for the same sporting facility, and where a share-usage agreement cannot be implemented.

2. Context

There are currently more than 100 Council facilities within the City of Knox which are available to user groups for sport, leisure and recreation activities. These facilities accommodate a wide range of user groups whose usage varies depending on the type and size of the organisation. Council also manages the community usage of five (5) school ovals and other open space assets which are owned by other government agencies (i.e. Melbourne Water and Parks Victoria) within the municipality.

Over time, Knox City Council and the community have invested significant resources, both human and financial, into the development and maintenance of sporting reserve facilities within the municipality. This Policy articulates the type of occupancy agreements used to manage sporting reserve facility usage and the criteria used to determine occupancy of these facilities.

Council's objective is to see maximum usage of a sporting reserve facility occur by all segments within the community and reserves the right to assign sporting reserve facilities at its discretion, which includes the sharing of facilities between multiple user groups.

3. Scope

This Policy relates to the allocation and usage of Council sporting reserves facilities, comprising sports fields, pavilions, baseball and softball diamonds, tennis courts, athletics tracks and netball courts, which are available to user groups for sport and recreation activities.

Applications for Sporting Reserve Facility usage will be assessed by Officers from Council's Leisure Services Unit following which Seasonal or Annual licence agreements will be issued to successful applicants.

4. References

4.1 Community & Council Plan 2021-2031

- Key Direction 2: Neighborhoods, housing and infrastructure
- Key Direction 4: Connection, resilience and wellbeing
- Key Direction 5: Civic engagement and integrity

4.2 Relevant Legislation

- Local Government Act 2020 – Conflict and Interest Provisions
- Associations Incorporated Reform Act 2012
- Local Government (General) Regulations 2015
- Building Code of Australia
- Disability Discrimination Act
- Relevant Australian Standards
- Liquor Control Reform Act 1998

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Breach of Seasonal Tenancy Agreement for Sporting Clubs
- Community Signage on Council Open Space
- Sporting Reserve & Facility Development Guidelines
- Sporting Clubs Financial Contributions to Facility Development
- Casual Use of Active Reserves
- Tenancy by Community Groups of Council Buildings
- Guidelines for Developing Sports Facilities
- Casual Use of Active Reserve
- Use of Synthetic Turf on Council's Active Reserves Policy
- Sustainable Buildings and Infrastructure Policy
- Knox City Council Water Sensitive Urban Design Policy
- Lease and Licensing Policy

4.5 Related Council Procedures

- Seasonal/Annual Allocations Process
- Seasonal/Annual Licence Agreement
- Seasonal Changeover Guidelines
- School/Casual Booking Procedure
- Event Management Guidelines
- Fees & Charges
- Sundry Debtor Management and Collection Procedure

4.6 Related Council Plans & Strategies

- Community Safety Plan 2017-2021
- Community Health & Wellbeing Strategy 2017-2021
- Open Space Asset Management Plan
- Open Space Plan 2012-22
- The Knox Integrated City Strategy 2017-2021
- Knox Pavilion Strategy 2021
- Climate Response Plan 2021-2031
- Knox City Council Access & Inclusion Plan
- Knox City Council Crime Prevention for Environmental Design Principles
- Knox City Council Graffiti & Vandalism Action Plan

- Building Asset Management Plan
- Car Park Asset Management Plan
- Community Access and Equity Implementation Plan
- Public Toilet Implementation Plan

5. Definitions

Applicant	The user group which submits an application for seasonal or annual licence of a Council owned sporting reserve facility.
Breach of Seasonal Licence Agreements with Sporting Clubs points	Penalty points accumulated as a result of the user group being in breach of its relevant occupancy agreement.
CALD Teams	Teams wholly comprising of participants from Culturally & Linguistically Diverse backgrounds.
Casual Usage	Casual usage is typically a 'one off' allocation of Council's sports fields and pavilions. However casual use may be for a number of dates provided that the use is not on a consistent and regular basis.
Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Council's Leisure Facilities	Facilities managed by Knox City Council, including sports fields, courts, tracks, parks and pavilions.
Club Development Program	An education program offered by Council, helping club members and volunteers of sporting clubs with strategic planning and operational management.
Financial Investment into Facility	The commitment of funds by the user group which directly leads to new and/or improved facilities (i.e. Contributions via Capital Works projects, Recreation Minor Capital Works projects, club initiated projects etc.). Financial contributions made to facility upgrades by State or Federal Governments do not qualify as user group contributions.
Gender Equality	The equal rights, responsibilities and opportunities of women, men, trans and gender-diverse people. Equality does not mean that women, men, trans and gender diverse people will become the same but that their rights, responsibilities and opportunities will not depend on their gender.
Gender Equity	The provision of fairness and justice in the distribution of benefits and responsibilities on the basis of gender. The concept recognises that people may have different needs and power related to their gender and that these differences should be identified and addressed in a manner that rectifies gender related imbalances.
Good Sports Program	An initiative by the Australian Drug Foundation to develop safer and healthier communities. The program helps sporting clubs manage alcohol responsibly, reduce alcohol related problems and ensure best-practice planning documents are in place and implemented.
Lease Agreement	A longer term exclusive usage agreement issued by Council outlining the roles and responsibilities of a user group which utilises a Council facility.
Not for Profit	An organisation that does not earn profits for its owners. All of the money earned by the organisation is used in pursuing the organisation's objectives.
Participants	Total number of people actively taking part in the sport or recreational activity as a team member.
Registration	Registered with, and having teams competing in, a sporting association officially recognised by the sport's governing body.
Seasonal/Annual Licence Agreement	A short term usage agreement issued by Council outlining the roles and responsibilities of each user group which utilises a Council facility.

Seasonal/Annual Usage	Seasonal Usage is either 1 April – 30 September (winter) or 1 October - 31 March (summer). Annual usage is from 1 October to 30 September.
Target Communities	Demographic groups within the Knox community that are determined as socially vulnerable and/or potentially at high risk of health related issues (as determined through Council’s strategic planning framework).
User Group	A legal entity that provides services, support or activities to the Knox community and has applied for use of a Council active reserve.

6. Council Policy

To provide a framework that is easily understood and maximises use of Council’s Sporting Reserve Facilities, two (2) categories of usage have been established defining the type of use, length of agreement and criteria for allocation.

6.1 Seasonal/Annual Licence & School/Casual Usage Agreements

Allocating usage of Council’s sports fields and pavilions will occur by way of an occupancy agreement. Usage will be given in the following order of priority:

1. Events and activities conducted by Council.
2. Sport or recreational groups within Knox (seasonal usage fees apply).
3. Schools or school sport associations based within Knox.
4. Schools or school sport associations located outside Knox (casual usage fees apply).
5. Private organisations (casual usage fees apply).

(a) Seasonal/Annual Licence Agreements

This type of use is non-exclusive and allocated on a seasonal or annual basis, as highlighted below:

- Winter Tenancy Period (1 April to 31 August, plus potential finals);
- Summer Tenancy Period (1 October to 28 February, plus potential finals); and
- Annual Tenancy Period (1 October to 30 September).

Typical use would be evening usage on weeknights for training and occasional matches, and weekend usage for matches. This allocation may also include club events and representative matches and carnivals.

To be eligible to enter into a seasonal or annual licence agreement for use of Council’s sports fields and pavilions, user groups must:

- Be an incorporated identity, as per the Associations Incorporated Reform Act 2012, whilst also ensuring all relevant and required paperwork has been lodged with Consumer Affairs Victoria in a timely manner;
- Have public liability insurance to the value of \$20,000,000 or as otherwise determined by Council’s insurers;
- Not be in arrears with Council’s fees and charges or with payments stipulated in an agreed repayment plan; and
- Be registered with, and have a team/s competing within a sporting association which is officially recognised by the respective sports’ governing body. This registration must be consistent with the year in which the application for seasonal licence is submitted to Council.
- Be able to demonstrate its inclusive nature and support for women’s participation in sport. To achieve this, clubs are encouraged to fill leadership positions upon its committee with women, including the roles of President, Vice President, Treasurer, or Secretary. Council encourages clubs to have at least two of these positions filled by female members.
- Be able to demonstrate a commitment to increasing female participation. To achieve this, the club must field at least one female team, merged team with another club, mixed gender team, or have a formal partnership/affiliation in place with another club that has female teams.

- Be able to demonstrate a commitment to increasing junior participation. To achieve this, the club must field at least one junior team or have a formal partnership/affiliation in a place with a stand-alone junior club. Evidence of pathways from junior sport to senior sport are encouraged.
- Be able to demonstrate a commitment to club development and sustainability. To achieve this, clubs are required to undertake their own club education programs (i.e. Sport and Life Training, Leisure Networks, Sports Community, Leading Teams, etc.) or regularly attend Council’s Club Development Program workshops.

Council understands that on rare occasions, multiple user groups request access to the same Council facility for use at the same time. Should this occur, Council Officers will work together with the applicants to determine a shared usage outcome. If an agreement for a shared usage outcome is not possible, the following criteria will be used by Council to determine which applicant is granted usage.

Ranking Criteria		Points
1	How long (consecutive years) has the applicant been granted a seasonal or annual licence of the facilities being requested?	New Club – 0 1-4 years – 3 5-9 years – 6 10-14 years – 9 15-19 years – 12 20+ years – 15
2	How many participants will benefit from the applicant’s requested usage?	<75 – 3 75 -149 – 6 150-224 – 9 225-299 – 12 300+ – 15
3	How much has the applicant invested financially into the requested facilities within the past twenty years? This includes permanent assets at the facility (i.e. floodlighting, nets, pavilion improvements etc.), not equipment. * Documentation to support this may be required.	<\$1k – 0 \$1k-\$19k – 3 \$20k-\$39k – 6 \$40k-\$59k – 9 \$60k-79k – 12 \$80k+ – 15
4	What percentage of applicant’s participants live within the City of Knox? * Documentation to support this may be required.	<20% – 0 20-39% – 3 40-59% – 6 60%-79% – 9 80%-94% – 12 95%+ – 15
5	Does the applicant’s requested usage directly relate to any of the following targeted groups? (i.e. Teams wholly consisting of Juniors, Females, All-abilities, Vets/Masters and CALD participants).	Females – 3 Juniors – 3 Vets/Masters – 3 All Abilities – 3 CALD – 3
6	How many Breach of Seasonal Licence Agreements with Sporting Clubs Demerit Points has the applicant received in last three years?	11+ points – 0 6-10 points – 5 1-5 points – 10 0 points –15
7	How long has the applicant been based in the City of Knox?	Never – 0 1-4 years – 2.5 5-9 years – 5 10-14 years – 7.5

		15-19 years – 10 20+ years – 12.5
8	Is the applicant “Not-for-profit”?	No – 0 Yes – 12.5
9	What percentage of Council’s Club Development Program workshops has the applicant been represented at in the last three years?	<25% – 0 25-50% – 3 51-77% – 6 76-99% – 9 100% – 12
10	Is the applicant undertaking the following club development and/or governance initiatives? <ul style="list-style-type: none"> • SALT Programs/Leisure Networks Programs/other formal education programs, etc. • Good Sports Program (Level 3) • Strategic Plan • Gender Equity Plan • Multicultural & Inclusion Plan • Anti-Discrimination Policy • Disability Action Plan • Social Media/Communications Policy • Anti-Bullying Policy • Alcohol & Drug Policy • Child Safe Policy • SunSmart Policy 	No – 0 Yes – 2 (for each initiative)

Applicants may be required to provide additional documentation to support their application (i.e. evidence of investment into the facility etc.).

In the event of two user groups having tied scores after the ranking process has been applied, the allocation of the requested facilities will be based on the following process:

- 1) Removal of the scores from Ranking Criteria 10 to see whether a higher scoring applicant can be identified.
- 2) If the scores are still tied, the next step will be the removal of the scores from Ranking Criteria 9 to see whether a higher scoring applicant can be identified.
- 3) This process of removing the scores will continue in numerical order, from the lowest Ranking Criteria (criteria 10) to the highest Ranking Criteria (criteria 1) until the scores are no longer tied and a higher scoring applicant can be identified.

Additional Information

Subject to suitability of the facility for the level of sport being played, should there be multiple facilities at a venue which are shared by different user groups (i.e. Llewellyn Reserve, Lewis Park Reserve), the highest ranking user group will have the right to choose which facility it uses.

Appeals Process

If a Club wishes to appeal the allocation of sporting facilities decision, a review panel consisting of three (3) Senior Council Officers and one member of Council’s Recreation & Leisure Committee, as an independent third party, will re-assess the ranking criteria scores attributed to each club. This panel will be chaired by the Manager of Governance and will not include any Officers who were involved in the original decision making process. All relevant clubs will be notified of the outcome of the appeal.

6.1.2 School Usage

School usage refers to use of Council's sports fields and pavilions by schools or school sporting associations located within or external to the City of Knox. Schools must hold current public liability insurance to the value of \$20,000,000 or as otherwise determined by Council's insurer. Priority will be given to schools or school sporting associations located within or servicing the City of Knox. Applications for school usage will be assessed on a case-by-case basis against Council's Use of Active Reserves Policy.

6.1.3 Casual Usage

Casual use applicants must hold current public liability insurance to the value of \$20,000,000 or as otherwise determined by Council's insurer. When allocating casual usage of Council's sports fields and pavilions, the following criteria will be considered:

- Applicant's history within the municipality;
- Applicant's history of use and treatment of requested facilities; and
- Not-for-profit organisations will have preference above commercial agencies.

Applications for casual usage will be assessed on a case-by-case basis.

6.2 Long Term Licence Agreements

Allocation of facilities under long term lease and licence agreements will be agreed by negotiation. Typically, long term lease and licence agreements will apply to facilities that are specific to a type of sport or recreational activity. Licence agreements may be arranged for a period of one to five years. Long Term lease agreement terms will vary and are subject to approval by Council.

To be eligible to enter into a long term licence agreement for use of Council's sporting reserve facilities user groups must be a registered business or incorporated identity, as per the Associations Incorporated Reform Act 2012 and have public liability insurance to the value of \$20,000,000 or as otherwise determined by Council's insurer.

7. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.