

Council Policy

Council Policy title:	Sportsground Allocation Policy
Council Policy ref no:	CPOL/CMS/014
Council Policy owner:	Director Community Services
Adopted by:	Bayside City Council
Date adopted:	[insert meeting date/reference number]
Scheduled review:	[insert month and/or year]

1. Policy intent

The Sportsground Allocation Policy (the Policy) provides the guiding principles for the use of Council owned or managed sportsgrounds and associated facilities for organised sport and activities.

This Policy will supersede the Sports Facility Policy 2006.

2. Purpose/ Objective

- To provide a responsible, consistent, transparent and equitable process for the use of Council sportsgrounds and associated facilities.
- To manage the sustainable use of sportsgrounds and associated facilities.
- To provide agreed principles to prioritise use and management of the sportsgrounds and associated facilities to preserve the natural and built assets for current and future use.
- To provide a Policy that is consistent with Council's policies, Local Law and other relevant legislation, including the Charter of Human Rights and Responsibilities Act 2006.

3. Scope

The Policy is applicable to the allocation of all Council managed sportsgrounds and associated facilities including; Council owned and managed land and school land managed through joint usage agreements. While the Policy will largely be applicable to seasonal sporting clubs and schools, it will also apply to other community groups, private and commercial organisations who wish to apply for allocated use of a sportsground and/or associated facilities.

It does not apply to informal and unstructured recreational use by individual community members at sporting reserves.

Separate policies apply to the following and are not included in the scope of this Policy:

- tenants of sport and recreational facilities that occupy Council premises through a leasing arrangement;
- use of Council sportsgrounds for commercial health and fitness training;
- helicopter landings on Council sportsgrounds;
- booking of other open spaces that are not sportsgrounds.

4. Roles and responsibilities

This Policy is approved by Council. The Manager Recreation and Social Development (the Responsible Manager) is responsible for ensuring Policy implementation, compliance, monitoring, evaluation and review. The Manager Recreation and Social Development is responsible for providing advice with regard to this Policy.

5. Monitoring, evaluation and review

Compliance with the Policy is monitored through Council's risk management audits, assessment of applications, Council's financial reconciliation processes and community and sportsground users' feedback.

Effectiveness of the Policy is monitored and evaluated through the seasonal sportsground users' feedback forums and other community engagement platforms.

6. Policy statement

Bayside City Council recognises that the allocation of sportsgrounds is balanced with other users as part of the public open space network. The provision of sportsgrounds enables community sports clubs, schools and other organisations to provide opportunities to encourage healthy and active lifestyles.

6.1 Priority of user group allocation

To protect community access and sustain the life of its assets, Council must regulate the type and frequency of use at sportsgrounds. To achieve this Council will apply a hierarchy that considers users' access to other sports facilities, the reliance on access to Council sportsgrounds for the users' ongoing viability and Council's level of responsibility in providing facilities for community sporting and recreational activities.

Further, the use of sportsgrounds and/or associated facilities may be removed or restricted for either: risk management reasons; works and maintenance; managing the sustainable use of the sportsground/s; environmental factors; or other reasons as Council may determine. Where a sportsground is unavailable, Council will endeavour to relocate the allocated user/s to another sportsground/s, which may require modification of allocated use for both the displaced user/s and the incumbent sportsground user/s.

In the event that there is a need to prioritise contested use of sportsgrounds, Council will allocate use in the following order of priority:

Hierarchy Listing	Guiding Principles
1. Council endorsed major events	<ul style="list-style-type: none">• These major events, which occur from time to time, have been assessed as providing a net benefit to the City of Bayside.• These major events may only be conducted on large open spaces or at specialist sports venues.
2. Bayside community club sport matches – 'in season' matches affiliated by peak body ('home and away' and finals matches)	<ul style="list-style-type: none">• Community sporting clubs are highly reliant on access to Council managed sportsgrounds for their viability.• Council recognises that the responsibility for the provision of core sporting facilities to provide opportunities to play local club sport largely resides with local government.
3. Bayside community club sport training - 'in season'	
4. Bayside primary school competition - during school hours	<ul style="list-style-type: none">• While funding the provision of school sports facilities is not the responsibility of local government, Council is supportive of reasonable school sports use of Council sportsgrounds.• As evidence based research indicates that lifelong patterns of being physically active is often learnt and established in the pre and primary school years, preference of allocation will be given to primary schools over secondary schools.
5. Bayside secondary school competition - during school hours	

6. Bayside community club matches and training - pre-season	<ul style="list-style-type: none"> While recognising clubs' desire to undertake 'pre-season' training, other options exist to facilitate pre-season training activities – e.g. indoor centres, gymnasiums, swim centres, running tracks.
7. Bayside primary school training - during school hours	<ul style="list-style-type: none"> School training/ physical education etc does not require the coordination or standard of sportsground facilities that are required for inter/school matches and competition. School training/ physical education etc can be conducted at non Council sportsgrounds and facilities– e.g. school facilities. Schools that have capacity on their own sportsgrounds will not be allocated use of Council sportsgrounds for non-competition purposes (eg training/ physical education etc). Peak community/club demand of Council allocated sportsgrounds occurs outside of schools hours. School allocation of Council sportsgrounds will be limited to during school hours.
8. Bayside secondary school training - during school hours	
9. Other Bayside community organisations	<ul style="list-style-type: none"> Sportsgrounds form an important part of Bayside's public open space network. Council acknowledges the importance of volunteers and the public good served by Bayside's not-for-profit community sector. Council will give preference of allocation to Bayside's community organisations over commercial interests and non-Bayside organisations.
10. All other	

6.2 Assessment of applications for seasonal allocation for sports clubs

- Where two or more sports clubs have applied for an available sportsground and officers are unable to facilitate shared use, the following assessment criteria shall be used, with the highest scoring club/s given priority allocation.
- An application will not be considered for allocation where a club's application receives a 'no allocation' score.

Criteria	Score	Assessment guide	Guiding principles
Historical use of facilities	10	Home ground of a Bayside home based club	<ul style="list-style-type: none"> Council recognises the social and cultural importance of a club's historical connection with a home ground and will give a priority to a home ground application over a non- home ground application. Council will give preference to Bayside home based clubs over non-Bayside home based clubs. The length of club's past tenure of a sportsground will be considered when assessing an application.
	5	Bayside home based club for more than five years	
	3	Bayside home based club for less than five years	
	1	Non-home Bayside based clubs for over five years	
	0	Other clubs	
Tenancy record	5	Good record	<ul style="list-style-type: none"> Council recognises and supports the importance of clubs having good relationships with Council, co-tenants and the local community. Council will take into account the pattern, number and severity of tenancy breaches and upheld complaints over the previous five years when assessing seasonal allocation applications. Council will provide the club with written advice of upheld complaints and tenancy breaches.
	3	Fair record	
	0	Poor record (Responsible Manager to determine allocation status – i.e. restricted or no allocation)	
Financial status	5	No outstanding debt with Council	<ul style="list-style-type: none"> Clubs will not be considered for allocation if they have outstanding debts to Council and do not have a Council approved repayment plan in place. Where Council has provided the club with a loan guarantee, the club must provide evidence that loan repayments are current prior to Council considering their application for allocation.
	3	Outstanding debt with a Council approved repayment plan	
	No allocation	Outstanding debt with Council with no repayment plan	

Division of sports seasons	5	In season application	<ul style="list-style-type: none"> • Council recognises that differences can arise when sporting clubs wish to use sportsgrounds outside of the traditional sporting season (i.e. 'in season'). • Using the State Government's determination for the division of sporting seasons as a basis for Council allocations, Council will allocate according to the traditional sporting seasons. • In the absence of an application from an 'in season' club, Council may consider an 'out of season' application where there is sufficient sportsground capacity. (Also subject to clause 6.1).
	3	Out of season application with no in season club contesting allocation	
	No allocation	Out of season application with an in season club contesting allocation	
Governance	5	Mandatory documentation provided	<ul style="list-style-type: none"> • Council requires that clubs practice good governance and provide evidence of mandatory documentation. Clubs will not be considered for allocation unless the clubs provide the following: <ol style="list-style-type: none"> 1. Evidence the club is an Incorporated Association; 2. Certificate of currency for public liability insurance as stipulated by Council; 3. Financial statements (previous financial year's profit and loss statement and balance sheet) and; 4. Other documentation as stipulated by Council (e.g. food registration, liquor licence).
	No allocation	Mandatory documentation not provided	
Hierarchy of sportsgrounds	5	Allocation consistent with sportsground classification	<ul style="list-style-type: none"> • Council sportsgrounds are classified as local, district or regional which provide different standards of sports facilities (e.g. pavilions, sportsgrounds, parking etc). • Preference will be given to a club's allocation (based on club size or level of competition) where the allocations are consistent with the sportsground's classification. (See Appendix 1)
	3	Allocation one level above or below sportsground allocation	
	0	Allocation two levels above or below sportsground classification	
Ground capacity	5	Optimal use	<ul style="list-style-type: none"> • To maximise opportunities for participation, Council aims to achieve optimal and sustainable use of sportsgrounds (i.e. achieving full capacity of use while preserving satisfactory sportsground conditions). • Council will evaluate a club's capacity to achieve optimal and sustainable sportsground use by assessing the application against what Council determines to be capacity usage of the sportsground. • <i>Note: Council will 'cap' use of sportsgrounds by allocated users where appropriate.</i>
	3	Minor over use or under use	
	1	Moderate over use or under use	
	0	High over use or under use	
Capital works investment	10	Capital investment over \$50,001	<ul style="list-style-type: none"> • Council recognises the positive community benefits when sporting facilities have been developed, renewed or upgraded. • Council acknowledges the significance of a club choosing to invest monies into community/Council infrastructure. • Priority of allocation will be given to clubs that have made significant financial contributions to Council sporting facilities at the allocated sportsground within the past five years.
	6	Capital investment between \$30,001 and \$50,000	
	2	Capital investment between \$10,001 and \$30,000	
	1	Capital investment under \$10,000	
Under-represented target group participation	5	3 or more target group teams	<ul style="list-style-type: none"> • Council recognises the social and physical wellbeing benefits that come from participating in community sport. Council encourages clubs to provide welcoming and supportive environments for all people. • Preference will be given to clubs that demonstrate providing participation opportunities for under-represented target groups (e.g. females, people with disabilities, older adults)
	3	2 target group teams	
	1	1 target group teams	
	0	No target group teams	

6.3 Occupancy agreements

- All organisations/entities/persons must apply for and have received Council's written approval prior to undertaking formal or organised use on Council owned or managed sportsgrounds.
- Applicants must provide all relevant information to Council.
- Occupancy agreements, whether lease, licence or permit, will be in accordance with Council's Leasing Policy and/or Local Law.
- Resolution of matters related to infringements notices issued under a Local Law will be processed in accordance with the Local Law.
- The Responsible Manager or delegated officer will be authorised to approve sportsground allocations.
- The Responsible Manager will be authorised to modify or revoke sportsground allocations.
- In the event of a dispute or difference arising in the interpretation of this Policy, the club can appeal in writing to the Director of Community Services within seven days of the club receiving notification of its allocation. The Director of Community Services, or a delegated officer, will have final determination on the matter.

6.4 Conditions of occupancy

- Allocated users must have insurance cover as recommended by Council's insurance broker.
- Allocated users will abide with the applicable terms and conditions of occupancy including complying with all legislative requirements, Council policies and Local Law.
- The conditions of occupancy state the roles and responsibilities of Council and the allocated user.
- Severe breaches of the conditions of occupancy may be subject to penalties imposed by Council, and/ or modification or termination of the occupancy agreement.

6.5 Fees and charges

- Fees and charges for the use of sportsgrounds and associated facilities will be in accordance with Council's Fees and Charges Schedule as determined through Council's annual budget process.
- Fees and charges aim to balance the community health and wellbeing benefits for the equitable use of the sportsgrounds and associated facilities with the recovery of costs to Council for the provision of the sportsgrounds and associated facilities.

7. Related documents

Policies	<ul style="list-style-type: none"> - Leasing Policy 2008 - Use of Council Reserves by Commercial Health and Fitness Trainers Policy 2009 - Helicopter Landings on Council-owned and Controlled Property Policy 2007 - Booking of Council Open Space and Outdoor Recreation Facilities Policy 1999 - Risk Management Policy 2011 - Temporary Advertising Signage on Recreation Reserves Policy 2005 - Food Safety Policy 2007
Strategies	<ul style="list-style-type: none"> - Long Term Financial Plan 2009-2019 - Open Space Strategy 2011 (draft) - Health and Wellbeing Plan 2009-2013 - Disability Strategy and Action Plan 2010-2013
Guidelines	<ul style="list-style-type: none"> - Key Allocation Guideline 2007
Procedures	<ul style="list-style-type: none"> - Pre season training code of conduct <p>To be reviewed:</p> <ul style="list-style-type: none"> - Seasonal sportsground allocation procedure

	<ul style="list-style-type: none">- Sports finals allocation procedure- School usage allocation procedure- Casual bookings of Council open space
Other	<ul style="list-style-type: none">- Council Local Law- Bayside Planning Scheme- Schedule of fees and charges- Joint Use Agreements- State Government determination for the division of sporting seasons and occupation of Crown lands 2010- Crown Land (Reserves) Act 1978

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8. Definitions and abbreviations

Term	Meaning
Sportsground	Open space that can provide sports use function, and will include one or more playing fields, often with associated facilities. (See Appendix 1 for list of sportsgrounds.)
Sports facility	Sportsgrounds and associated infrastructure with the primary function of supporting the allocated sporting use of the sportsground.
Allocation	The application process and granting of a Council: permit or; licence or; written approval; to occupy a specified area within specified times and dates and in accordance with specific conditions. Permission to occupy is not to be construed as tenancy.
Local law	The Council's authority given under the Local Government Act 1989 to make laws that apply to the municipal district of Bayside City Council. Provides the authority to both permit occupancy and to enforce compliance of the occupancy permit.
Joint usage	A formal agreement between a school/Department of Education and Early Childhood Development and Council where Council will generally provide resources to help maintain a school sportsground in return for the school sportsground being made available to Council to allocate to local sports clubs outside of school hours.
Seasonal	Refers to the 'summer season' being from 1 October to 31 March and 'winter season' being from 1 April to 30 September. Sports finals will not be included in the sport club's seasonal allocation, but rather will be allocated as a separate agreement between Council and the applicable sport associations. The sports allocated to seasonal sportsgrounds will be those played in traditional 'seasons' – e.g. football codes in winter; cricket, baseball, etc in summer.
Lease	A lease is a right granted by Council (landlord) to a club (tenant) to have exclusive possession of defined facility (egg pavilion) for a fixed duration and specified terms for a rental payment. Council may grant a lease where the premises will be occupied exclusively by the one user and Council considers that granting a lease is in the best interests of the community.
Licence	A licence permits a person (licensee) to occupy land (or part thereof) on particular conditions. A licence does not permit exclusive occupancy of the land and does not create any interest in the land.
Permit	A permit issued by Council under a Local Law.
Open space	Council managed parks, reserves (including the foreshore) and community areas.
Capacity usage	Generally the maximum number of hours (given type of use) that can occur on a sportsground while maintaining a satisfactory playing surface as determined by sports turf specialists and other industry (including LGA) standards of the day.
School hours	During school hours refers to the hours that coincide with students' education and class time (e.g. between 8.30am and 3.30pm, Monday to Friday during gazetted school terms)
Home ground	The sportsground that is connected to a club's main clubrooms.
Sportsground classification	Describes the classification of sportsground/s (local, district or regional) which considers catchment, standard of sport, size, ancillary facilities, residential impact, parking etc.

Please note: This Policy is current as at the date of approval. Refer to Council's website (www.bayside.vic.gov.au) or staff intranet to ensure this is the latest version.

Appendix 1 – List of sportsgrounds

	Sportsgrounds	Suburb	Melway Reference	Classification
1	AW Oliver	Hampton East	77 B6	District
2	Balcombe Park	Beaumaris	86 C4	Local
3	Banksia Reserve	Beaumaris	86 F7	District
4	Beaumaris Reserve - North	Beaumaris	86 D6	District
5	Beaumaris Reserve - South	Beaumaris	86 D6	District
6	Black Rock Primary	Black Rock	86 A2	Local
7	Boss James Reserve	Hampton	77 A7	District
8	Brighton Beach Oval	Brighton	76 D3	District
9	Castlefield Reserve	Hampton	76 H5	Local
10	Cheltenham Park – East	Cheltenham	86 G1	District
11	Cheltenham Park – West	Cheltenham	86 G1	District
12	Cheltenham Recreation Reserve	Cheltenham	86 G3	District
13	Chisholm (RG) Reserve	Sandringham	76 K8	Local
14	Dendy Park – North	Brighton East	77 A2	District
15	Dendy Park – Lower (multiple grounds)	Brighton East	77 A2	District
16	Donald MacDonald Reserve	Beaumaris	86 B6	Local
17	Elsternwick Park - Oval 1	Brighton	67 E3	Regional
18	Elsternwick Park - Oval 2	Brighton	67 D3	District
19	Elsternwick Park - Oval 3	Brighton	67 E5	Local
20	Elsternwick Park - Oval 4	Brighton	67 D5	Local
21	Hurlingham Park - Oval 1	Brighton East	67 J10	District
22	Hurlingham Park - Oval 2	Brighton East	67 J10	District
23	Moorabbin West Reserve	Hampton East	77 C6	Local
24	Peterson Reserve – East	Highett	77 B8	District
25	Peterson Reserve – West	Highett	77 B8	District
26	Sandringham College – Beaumaris (multiple sportsgrounds)	Beaumaris	86 C5	District
27	Sandringham College – Highett (multiple sportsgrounds)	Highett	77 A10	District
28	Sandringham College – Holloway Road (multiple sportsgrounds)	Sandringham	77 A11	Local
29	Shipston Reserve – East	Cheltenham	86 G2	Local
30	Shipston Reserve - West	Cheltenham	86 G2	Local
31	Sillitoe (RJ) Reserve	Hampton	77 A5	Local
32	Simpson (WL) Reserve - East	Hampton	77 A6	Local
33	Simpson (WL) Reserve - West			
34	Tjilatjirrin Reserve – Destructor Oval	Sandringham	77 A12	District
35	Tjilatjirrin Reserve – Spring Street Oval	Sandringham	77 A12	District
36	Tjilatjirrin Reserve – Tulip Street	Sandringham	77 A12	District
37	Trey Bit Reserve	Sandringham	76 F8	Local
38	Whyte Street Reserve	Brighton	76 F1	Local
39	William Street Reserve	Brighton	67 G11	Local
40	Wilson Recreation Reserve	Brighton	67 E10	Local
41	Wishart Reserve	Hampton East	77 B5	Local

Note: Leased sportsgrounds not allocated by Council

Elsternwick Park Oval No 1 (during winter)

Trevor Barker Beach Oval

Sandringham Athletics Club