

Sporting Grounds and Pavilion Allocation Policy 2023

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1. POLICY OBJECTIVE

This policy provides a framework for the allocation of sports grounds and pavilions to ensure that maximum utilisation of Council infrastructure is facilitated. Sports clubs will be allocated depending on the composition and needs of the club's participants (e.g., junior, youth, senior and masters participants), and will aim to meet the needs and growth of the club where possible.

This policy aims to maximise shared use of sporting grounds and pavilions in a manner which minimises unnecessary wear and damage to sporting facilities and to ensure that the sporting grounds and pavilions are presented in the best possible condition. The policy also clarifies responsibilities for maintenance and improvement works to ensure facilities are maintained to the required standards.

2. BACKGROUND

This policy considers the following factors:

- The implementation of the Victorian Governments' Fair Access Policy Roadmap, which aims to improve the access to, and use of, community sports infrastructure for women and girls.
- The use of Council assets by sustainable clubs that are inclusive and provide participation opportunities for children and youth as per the Make Your Move Greater Dandenong Physical Activity Strategy 2020-2030.
- Council has invested substantial funds in developing sporting grounds and pavilions with an emphasis on shared use.
- The need for proactive inspections and maintenance.
- Pavilions and sports grounds must be kept in a safe and clean condition.
- Some sports clubs have contributed financially to the upkeep or enhancement of pavilions.
- The condition of sports pavilions needs to be enhanced.
- Ground usage must not exceed capacity, to ensure surface quality is maintained and additional expenditure is not required by Council to repair damaged grounds.
- Pavilions must be allocated and used appropriately.

3. SCOPE

This policy covers the management of seasonally allocated sports grounds and pavilions located within the City of Greater Dandenong including Dandenong Police Paddocks. These facilities are used by numerous sports grounds covered by this policy such as cricket, soccer, Australian Rules football, rugby league, baseball, softball, hockey and athletics. This policy does not cover leased sports and leisure facilities such as tennis courts, bowls clubs, aquatic centres and stadiums that hold lease, licence or management agreements.

4. DEFINITIONS

Fair Access Policy Roadmap

The Victorian Government Fair Access Policy Roadmap outlines the key steps for the implementation of the Fair Access Policy and *Gender Equality Act 2020* for Local Governments and sport and recreation organisations.

Gender Equality

Equality of rights, opportunities, responsibilities, and outcomes between persons of different genders.

Gender Impact Assessment

The policy requires each club to undertake a gender impact assessment. The assessment:

- Assesses the effects that the policy, program or service may have on persons of different genders
- Will define the needs of persons of different genders
- Addresses gender inequality; and
- Promotes gender equality.

Junior Development Program

Any program specifically for participants aged under 18 years old. The program can be an official registered program (e.g., Auskick, Cricket Blast, Mini Roos) or a club-based social program.

Occupancy Requirements

The requirements outlined in the hire agreement that the sports club or user group is required to adhere to during their occupancy.

Pavilion

The building allocated for the seasonal club use, which may include associated infrastructure such as scoreboards, coaches boxes, separate storage, etc.

Debt Repayment Plan

Clubs with an outstanding debt to Council may be placed on a repayment plan.

Sporting Ground

A sporting ground is any specifically defined outdoor space which is used for organised sport. Should a club seek to use this space they are required to submit an allocation application.

5. POLICY

5.1 ALLOCATION PERIOD

Council allocates sporting grounds and pavilions at recreation reserves on a seasonal basis through a public application process. There are two seasons, summer, and winter.

- Winter Season: 1 April to 31 August
- Summer Season: 1 October to 28 February

If pavilions and/or sporting grounds are required for finals commitments (training or matches) during March or September, prior written approval from Council is required. For matches, the competition organiser (i.e., league, association) must complete the allocation application. Several factors are taken into consideration by Council in assessing applications for finals matches, including ground maintenance requirements and the needs of the incoming sports club for the following season.

Sports clubs are required to sign a Hire Agreement, which includes the conditions of use and specific days and times allocated for club usage. If a sports club needs to alter the times of ground/facility usage during the season, an amended Hire Agreement must be issued by Council.

Sports clubs are not permitted to use pavilions and grounds outside of their approved times unless prior arrangements have been confirmed by Council, in which case casual hire charges will apply. Clubs or associations are not permitted to sublet or hire Council’s grounds or pavilions to a third party. Breaches of the Hire Agreement, including facility usage outside the allocated times and non-payment/outstanding fees and charges, may result in the allocation being revoked or future allocations being declined.

5.2 ALLOCATIONS

5.2.1 SPORTS CLUB ALLOCATION

Allocation of Council's grounds and pavilions to sports clubs is via an application process prior to each season. Allocations are conditional on the club meeting allocation criteria (see Appendix 1 – 'Sporting Ground and Pavilion Allocations: Eligibility Criteria') and acceptance and adherence to the Hire Agreement terms and conditions.

Council is committed to the implementation of the Victorian Government's Fair Access Policy, which was introduced in August 2022. The Fair Access Policy aims to improve access to, and use of, community sports infrastructure for women and girls. Appendix 1 – 'Sporting Ground and Pavilion Allocations: Eligibility Criteria' outlines a phased approach to rolling out the Fair Access Policy for sports clubs. Should a club not meet one or more of the female participation criteria, Council Officers will request evidence that they have made all reasonable attempts to meet the criteria. Council Officers will provide support to those clubs who are not yet meeting the requirements.

Clubs are required to submit specific documentation with their allocation. The full list of required documentation is provided in Appendix 1 – 'Sporting Ground and Pavilion Allocations: Eligibility Criteria'.

5.2.2 ASSOCIATIONS / LEAGUE SCHEDULING

Any district, regional or state associations or leagues who are responsible for the scheduling of matches or other activities at Council sporting grounds and/or pavilions are required to:

- Provide documentation demonstrating how they will ensure that the scheduling of matches or other activities will be equitable across different genders.
- Council will prioritise capital works at facilities used by associations/ leagues that meet the Fair Access Policy requirements.

5.2.3 NATURAL TURF GROUND CAPACITY

Overuse of natural turf sports grounds has a negative impact on the quality of the grounds. As such, the process of allocating sports grounds to clubs must take into consideration the maximum weekly usage capacity of each ground. The maximum weekly usage hours for each sports ground during the winter season is provided in Appendix 1 – 'Sporting Ground and Pavilion Allocations: Eligibility Criteria'. Council Officers will work with sports clubs experiencing growth in membership/ participation.

5.3 PRIORITISATION

Applications for use of Council's grounds and pavilions will be considered favourably if the sports club actively:

- Provides participation opportunities for people with a disability through competition, programs, activities, and off-field administration/ volunteer roles.
- Provides activities or programs for City of Greater Dandenong community members outside of their core sport offerings. For example, 'come and try days', clinics for school groups, fitness classes, mental health promotion, homework clubs.

5.4 PRE-SEASON TRAINING AND COMPETITION

Sports clubs wishing to use grounds for training or competition outside their regular allocated season must apply to Council by submitting a casual hire application. Casual hire fees, outlined in Council's sports ground hire fees and charges, are to be paid prior to the booking date/s. Pavilion hire is not available for pre-season training and competition, however toilet access will be provided.

Council will assess the request and availability of the sporting ground. Requests of a commercial nature will not be approved. Should the request not be possible due to ground maintenance, an existing seasonal club allocation or another allocation (e.g., event, casual booking, etc), every attempt will be made to identify alternative options. Clubs found utilising facilities outside of the allocated day and times of their Sports Hire Agreement, without approval from Council Officers, or an allocation, may have future allocation requests declined.

5.5 RELOCATION FROM ONE FACILITY TO ANOTHER

Council reserves the right to relocate a sports club/user group from one facility to another if it is deemed that a change in allocations provides an overall greater benefit to the community.

Reasons a club may be reallocated include:

- Change in the number of teams and/or club playing numbers.
- A sports ground or reserve no longer meets the needs of the club.
- Clubs reach higher/lower levels of competition resulting in increased/decreased facility requirements.
- As a requirement of the club's affiliated competition.
- For the benefit of community sport in the broader municipality.

Council will liaise with sports clubs prior to any potential relocation coming into effect. Where possible, clubs will be provided with an opportunity to address/ improve the causes for the relocation being warranted.

5.6 SHARED USE – SEASONAL ALLOCATION

Shared use of pavilions by sports clubs at the same time will incur a shared charge. The shared charge will be determined on the allocated hours applied for by all allocated clubs within the facility. This provides an incentive for shared use of Council facilities at the same time, where they do not require sole use of a facility. An example of percentage fees is shown below.

Total hours of facility use	Club A		Club B		Club C	
	Hours of use	%	Hours of use	%	Hours of use	%
45	20	44	15	33	10	23

5.7 SHARED USE – CASUAL AND COMMUNITY USE

Council is committed to providing spaces at selected sporting grounds for informal/self-organised use by the public where ground usage is not at maximum capacity and when sports clubs are not using the sports ground. Council will advertise sporting grounds that can be used by the community at selected times. This type of usage does not require a booking or charge.

Pavilions are not available for informal/self-organised usage, although floodlighting may be available for use on some grounds. Any form of usage by a club, association or event is not classified as informal/ self-organised.

5.8 BOOKED USE

During times when grounds and pavilions are not allocated, Council may allow casual and community bookings. Council will liaise with sports clubs with regards to these bookings. Council is able to allocate any area of the pavilion, including the multi-purpose/social spaces, kitchens/kiosks, change rooms, toilets, offices and meeting rooms as needed. All Council-supplied furniture and appliances located within the facility are available for use by casual/community users. Casual bookings may also include use by Council.

Casual bookings will incur a utilities levy of no more than five per cent of average usage. Further information on casual use of sports grounds and pavilions is included in Council's Multi-Purpose Use of Community Facilities Policy.

5.9 INSPECTIONS AND DAMAGE

This policy requires clubs to keep sports grounds and pavilions clean at all times and adhere to the maintenance responsibilities outlined in the Sports Hire Agreement.

Council conducts detailed inspections of pavilions:

- During and at the end of each season to ensure they are maintained and handed over to the next tenant in a clean and safe condition.
- On a regular basis throughout the season to ensure they remain in a safe and acceptable condition.

Clubs must cover the full costs to repair any damage to sporting grounds and pavilions that has been caused during club usage, that is outside regular wear and tear. Council has the right to decline an allocation request from a club where there is a history of poor facility maintenance or non-payment of cleaning and maintenance costs, where the club is responsible.

Details of the inspection process is outlined in Appendix 2 – 'Sporting Grounds and Pavilion Inspection Process'.

5.10 TERMINATION OF ALLOCATION

Under extenuating circumstances, Council may consider terminating an allocation. Examples of those circumstances include non-payment of fees, sub-letting, hiring, continual disorderly conduct, or significant or recurring breaches of this policy and/or Sports Hire agreement.

The resolution process consists of:

- i. Two written advice/ warnings to the Club with opportunities to address the issues.
- ii. Mediation meeting between Council and Club.
- iii. Notice of termination.

6. RESPONSE TO THE OVERARCHING GOVERNANCE PRINCIPLES OF THE LOCAL GOVERNMENT ACT 2020

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. These are:

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations. In particular, the policy seeks to ensure that all residents are accorded respect, and the considerations of their needs, preference and circumstances influences the development of Council services.
- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted. The policy requires gender equitable participation by sports clubs and also that clubs are financially sustainable.
- Collaboration with other councils, State and/or Federal Governments and statutory bodies is to be sought. This policy is based in part, upon an inspection of similar policies and plans among other councils.
- The ongoing financial viability of the Council is to be ensured. The policy sets clear parameters around Council's responsibilities to ensure that the provision of facilities is financially viable.
- The transparency of Council decisions, actions and information is to be ensured. Transparency is reflected in the preparation and content of this policy, which has been formed after consultation with the community, written in plain English to improve its accessibility, and will be disseminated to residents through appropriate media and means.

7. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 – COMPATIBILITY STATEMENT

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in relation to whether any human rights under the Charter are restricted or contrived by the enactment of any part of this policy.

It is considered that the policy is consistent with the rights outlined in the Charter, and in particular, that it advances the following rights, through its emphasis upon respect and consideration of social diversity in all aspects of Council's conduct and in its consideration of engagement, inclusion and participation by all residents in our community:

- Freedom of thought, conscience, religion and belief (S. 14)
- Freedom of expression (S. 15)
- Peaceful assembly and freedom of association (S. 16)
- Taking part in public life (S. 18)
- Cultural rights (S. 19)

8. RESPONSE TO THE GENDER EQUALITY ACT 2020

The *Gender Equality Act 2020* requires that Councils "...must consider and promote gender equality; and take necessary and proportionate action towards achieving gender equality."

In addition, Part One, Section 1(a) of the *Gender Equality Act 2020* requires gender assessments when "...developing or revising any policy of, or program or service provided by, the entity that has a direct and significant impact upon the public" - a provision which has been in effect since 31 March 2021.

This policy seeks to implement the Victorian Government's Fair Access Policy, which was announced in August 2022, which aims to improve the access to, and use of, community sports infrastructure for women and girls.

A gender assessment has been completed and the policy addresses the *Gender Equality Act 2020* by including proportionate actions towards achieving gender equality. These include the following:

- That all sports clubs are required to complete a gender impact assessment and implement any actions identified.
- That all sporting associations or leagues who schedule competition matches utilising Council facilities are required to complete a gender impact assessment and implement any actions identified.
- Introduction of a new criteria for allocation of sports clubs that they must demonstrate female participation opportunities for players.
- Introduction of a new criteria for allocation of sports clubs that they must demonstrate female representation on their management committee.

This policy requires the development of female and/or junior (mixed) participation as a participation development pathway.

9. CONSIDERATION OF CLIMATE CHANGE AND SUSTAINABILITY

This policy considers the impact of Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

Reliable access to water is critical to the playability of sport on summer sports grounds. Irrigation tanks are in place at most sports grounds which allows for water to be delivered to the ground, should the provision of water be restricted e.g. because of drought.

Extreme heat and the impact this has on participants will be managed as per existing association and league processes.

10. RESPONSIBILITIES

Responsibility will rest with the Sport and Recreation Unit to inform sports clubs about the content and meaning of this policy. This may entail promotions through the Council website, emails, and presentations. The Sport and Recreation Unit, Parks Unit and Building Maintenance Unit will be responsible for the implementation of the Council responsibilities contained within the policy. Sports clubs will be responsible for the implementation of the Club responsibilities contained within the policy.

11. REPORTING, MONITORING AND REVIEW

The Sport and Recreation Unit will monitor the details and outcomes of this policy and report as required. The Parks Unit and Building Maintenance Unit will monitor the condition of sporting grounds and pavilions and the implementation of this policy as required. A review is conducted by the Sport and Recreation Unit, Parks Unit and Building Maintenance Unit at the end of each season.

This policy will be reviewed after four years and will consider the following:

- The participation trends of community sport.
- The impact the policy will have on Council staff.
- The cost to Council for the provision of sport assets.
- Benchmarking against other municipalities.

12. REFERENCES AND RELATED DOCUMENTS

The following policies, strategies or legislation relate to the implementation of this policy.

Legislation

- *Charter of Human Rights and Responsibilities Act 2006*
- *Gender Equality Act 2020*
- *Local Government Act 2020*

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

- Council Plan 2021-25
- Cricket Wicket Policy 2023
- Imagine 2030 Community Plan
- Diversity Access and Equity Policy
- Make Your Move Greater Dandenong Physical Activity Strategy 2020-2030
- Recreation Reserves Advertising, Promotional and Club Signage Policy
- Sports Facilities Plan – Implementation Plan 2018
- Sports Grounds Floodlighting Policy
- Victorian Government – Fair Access Policy Roadmap
- Sporting Ground and Pavilion Allocations: Eligibility Criteria
- Sporting Ground and Pavilion Inspection Process