

13.10**Directorate****Director****Manager****Attachment(s)****Final Draft Sports Facility Hire, Licences and Leases Agreement Policy 2024**

Community Wellbeing

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1. Final Draft Sports Facility Hire Licences and Leases Agreement Policy 2024 [**13.10.1** - 11 pages]
2. Final Draft Operational Guidelines for Sports Facility Hire Licences and Leases Agreement [**13.10.2** - 10 pages]
3. Community Consultation Report Draft Sports Facility Hire Licences and Leases Agreement [**13.10.3** - 4 pages]

Purpose

For Council to consider adoption of the final draft Sports Facility Hire Licences and Leases Agreement Policy 2024 at **Attachment 1** and associated final draft Guidelines at **Attachment 2** to this report.

Officer Recommendation**That Council:**

- a. **Having considered submissions received on the draft Sports Facility Hire Licences and Leases Agreement Policy 2024 (draft policy), adopts the final draft Sports Facility Hire Licences and Leases Agreement Policy 2024 at Attachment 1 and associated final draft guidelines at Attachment 2 to this report.**
- b. **Writes to submitters thanking them for their submissions on the draft Sports Facility Hire Licences and Leases Agreement Policy 2024 and advising of Council's decision.**

Background

The Sports Facility Development Plan (SFDP) was reviewed and updated in 2016, 2018 and again more recently in 2023. An action identified in 2023 SFDP was to review and update Sports Facilities Leases and Licences Agreement Policy including reviewing fees and charges and incorporating the Victorian State Government Fair Access Policy and Principles.

The draft Policy has been directed and informed by:

- The need to meet the Fair Access Policy and Principles Roadmap Targets from the Office of Women in Sport by 1 July 2024, to be eligible for future funding from the State Government via Sport and Recreation Victoria.
- Key Principles of the Policy aligning with Brimbank's Community Vision, Council Plan and Municipal Health and Wellbeing Plan, Social Justice Charter and Fairness, Equality and Respect Strategy.
- Review of Depreciated Asset Value for Leases.
- Industry benchmarking.
- Review of License Facility Categories and fees determined by and aligned with facility audits and assessments conducted as part of the Sports Facility Development Plan.

- Review of discounts with the focus of discounts aligning with Fair access Principles to encourage increasing opportunities for women and girls.

At its Ordinary Council Meeting on 19 March 2024, Council resolved

That Council:

- Endorses the draft Sports Facility Hire Licences and Leases Agreement Policy 2024 at **Attachment 1** and associated draft guidelines at **Attachment 2** to this report, for a minimum four-week community consultation and invites submissions.*
- Receives a further report outlining any submissions made on the draft Sports Facility Hire Licences and Leases Agreement Policy 2024 and associated draft guidelines and presenting a Final Sports Facility Hire Licences and Leases Agreement Policy 2024 for consideration for adoption.*

Community consultation commenced on 26 March 2024 and closed on 22 April 2024. The process gave the community the opportunity to provide feedback on the draft Policy and Guidelines and was promoted widely to the Brimbank community, including direct emails to sports clubs on numerous occasions.

Matters for Consideration

Analysis

Council received 9 written submissions from community members during the community consultation period.

Overall the feedback received reflects strong community support for the draft Sports Facility Hire, Licences and Leases Agreement Policy 2024 with 6 community responses supporting it and 3 undecided.

Some clarifications were requested regarding club's facilities and their associated fees, with Council officers providing clarifications as requested.

Following consideration of all submissions no changes were made to the Policy and Guidelines.

A small number of grammatical and other minor changes were made based on a further internal review of the draft policy and guidelines. Most notably providing clarity that the policy does not apply to sports facilities managed in house by Council and that any agreements with sports clubs using these facilities will be in line with industry standards.

Further detail on the community feedback received can be found at **Attachment 3** to this report.

Implementation

Following adoption of the final Sports Facility Hire Licences and Leases Agreement Policy and Guidelines, Council officers will work closely with Brimbank sports clubs who have a lease or license with Council to implement the Policy including new fees and charges and related discounts as set out within the Guidelines.

Community Engagement

The proposed draft Policy and associated draft guidelines were made available for a 4 week period for community consultation.

Brimbank Sports Clubs and relevant State Sporting Associations were notified and invited to make submissions.

The draft Policy and associated guidelines were made available on Council's website, and at Council's libraries and customer service centres. In addition, all Brimbank sports clubs were directly emailed on numerous occasions to ensure they were aware of the opportunity to provide feedback.

Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2023/2024.

Community: potential impact on community, including public trust and customer service impact

- The adoption of the updated Policy with outline Councils commitment to ensure that sports club contribute at the appropriate level to the operation of Councils sports facilities whilst also showing the high level of support that Council provides to sports clubs in providing participation opportunities to the Brimbank community.

Financial: significant financial impacts

- The new Policy will result in a slight increase in income from sports clubs, with the final amount determined by the final level of discounts achieved by clubs.

There are no Environmental, Regulatory or Safety risks.

Legislation/Council Plan/Policy Context

This report supports the Council Plan 2021-2025 strategic direction and objective of:

1. People and Community - A welcoming, safe and supported community - An inclusive place for all

- Wellbeing and Belonging - Responsive services that support mental and physical wellbeing

2. Places and Spaces - Liveable and connected neighbourhoods that support healthy and sustainable futures - A green place for all

- Liveable and Connected - Inviting and liveable spaces and facilities, connected so people can get around

3. Opportunity and Prosperity - A future focused, transforming city where all have opportunities to learn and earn - A prosperous place for all

- Growing and Transforming - Optimise community opportunities through infrastructure innovation and investment.

Aligns and contributes to following Council Strategies and Policies:

- Social Justice - Social Justice Principles relating to Access, Equity and Participation.
- Fairness, Equality and Respect Strategy
- Sports Facility Development Plan

This report complies with the *Local Government Act 2020*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.



Sports Facility Hire, Licences and Leases Agreement Policy

June 2024

FINAL DRAFT

Contents

1	POLICY PURPOSE	3
2	POLICY SCOPE.....	3
3	DEFINITIONS	4
4	STATEMENT OF POLICY PRINCIPLES	4
5	SPECIFIC REQUIREMENTS	6
6	ROLES AND RESPONSIBILITIES.....	8
7	POLICY OWNERSHIP	8
8	APPROVAL.....	8
9	RELATED POLICIES & LEGISLATION	8

Acknowledgements

Council respectfully acknowledges and recognises Wurundjeri and Bunurong peoples as the Traditional Custodians of this land and pays respect to their Elders past, present and future. Council acknowledges the legal responsibility to comply with the Charter of Human Rights and Responsibilities Act 2006 and the Equal Opportunity Act 2010. The Charter of Human Rights and Responsibilities Act 2006 is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

1 POLICY PURPOSE

The purpose of this policy is to:

- To provide direction for the ongoing allocation of community sporting facilities and reserves in Brimbank.
- To ensure the fair and equitable access and use of community sporting facilities and reserves to sports clubs within Brimbank in line with the Council's Community Vision, Council Plan and Municipal Health & Wellbeing Plan, Social Justice Charter.
- To ensure optimal use of sporting facilities to meet community needs.
- To facilitate a shared approach to the costs of managing and maintaining sporting facilities through fair and reasonable charges for use.

2 POLICY SCOPE

2.1 This policy covers

This policy is to be used in the ongoing allocation and management of non-staffed Council owned and/or managed sportsgrounds, courts, active playing areas and sporting pavilions by community sports clubs.

Any agreements with sports clubs using sports facilities operated by Council under an in house management structure will be considered on a case by case basis and in line with industry standards.

Any agreements with sports clubs for non-sport related outcomes (e.g. Electronic Gaming Machines) will be referred to the relevant Council Department for consideration in line with the relevant current policy.

2.2 This policy applies to

Council owned and managed facilities allocated to Brimbank Sports Clubs under the following occupancy agreements:

- a. Licence Agreements – occupancy of a specified Council facility for a set period of time (e.g. seasonal or annual) that is not intended to grant exclusive use.
- b. Lease Agreements – occupancy of a specified Council facility for a set period of time that grants exclusive use.
- c. Hire Agreements – issued for the use of a Council facility for a defined activity or event, over a defined regular or one off booking, but predominantly on a casual basis.

2.3 This policy does not cover

- a. The application/allocation process for new, acquired or vacated facilities will be managed in accordance with the Community Facilities and Reserves Allocation Policy.
- b. Council in house managed facilities including Brimbank Aquatic and Wellness Centre, Sunshine Leisure Centre, Keilor Basketball Netball Stadium and Keilor Public Golf Course.

- c. Council will not offer an agreement under this policy to any additional sporting clubs to operate Electronic Gaming Machines (EGM's) on Council land.
- d. This policy does not apply to non Brimbank owned or managed land (eg. Sports clubs on private land within Brimbank)

3 DEFINITIONS

For the purposes of this policy, Council adopts the following definitions:

Term	Definition
Community Sporting Facility or reserve.	Means any built facility or active sporting reserve that is used by the community for sports related activity to occur and covers: a. Sporting pavilions b. Sports grounds, courts, greens and active participation areas.

4 STATEMENT OF POLICY PRINCIPLES

- 4.1** The provision of Council facilities and reserves to community groups and sporting clubs is a key part of local government's role in meeting the community's need through sport, recreation, health and wellbeing activities.
- 4.2** The provision, allocation and management of these facilities and reserves must be consistent with Council's Vision and Values and in line with the Community and Council Plans.
- 4.3** The following themes are derived from Brimbank's Community Vision, Council Plan and Municipal Health and Wellbeing Plan, Social Justice Charter. These underpin the Sports Facility Hire, Licences and Leases Agreement Policy:
 - a. **Affordability** – the policy and fee schedules ensure that sports facilities and activities are affordable so that all sectors of the Brimbank community can afford to participate in sporting activities.
 - b. **Standard/ Quality** - the fee schedules recognise the size, standard and/or quality of facilities.
 - c. **Priority of access** - the allocation processes and fee schedules give priority to local, community use above other users.
 - d. **Participation** – the allocation processes and fee schedules recognise user groups that are involved in community building and development activities and/or engage people from disadvantaged or marginalised communities regardless of their gender, age, ability, disability, cultural background, sexual orientation/ identity or any other differentiating factors that contribute to the diversity of our

communities.

- e. **Time and frequency of use** – the fee schedules recognise the time, extent and frequency of use.
- f. **Recognition** – Council acknowledges the significant and important community development role that sports clubs play in increasing the health and physical activity levels of the Brimbank community. Clubs recognise the significant role Council facilities and support contribute to the success of their activities. In recognition of these roles, Council fees are set at a subsidised level that recognises these contributions.
- g. **Exclusive/ Non Exclusive Use** – the fee schedules recognise the degree to which facilities are exclusively used by the main tenant or are available for use by other groups.
- h. **Clarity** – the processes in the policy and fee schedules are easily understood by users and Council Officers.
- i. **Consistency** – the allocation process and fee schedules are consistently applied.
- j. **Efficiency** – the policy and fee schedules are easy to administer.
- k. **Partnership** – Both Council and clubs recognise the importance of the partnership they have in the delivery of sport and recreation opportunities to the Brimbank community.

4.4 This policy will consider the Victorian State Governments Fair Access Policy and Principles to promote gender equality to create better and fairer outcomes.

1. Community sports infrastructure and environments are genuinely welcoming, safe and inclusive.
2. Women and girls can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator.
3. Women and girls will have equal access to and use of community sport infrastructure.
4. Women and girls should be equitably represented in leadership and governance roles.
5. Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.
6. Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

5 SPECIFIC REQUIREMENTS

- 5.1** Clubs will be offered an appropriate agreement and tenure based on their past history, the requirements of the sport and Council's plans for the facilities. Clubs have the right to request a review of this decision by the Manager Leisure and Community Facilities. Each type of agreement (Hire, Licence or Lease) will clearly identify the responsibility of the allocated club for building and facility maintenance and management.
- 5.2** Applicants will be required to provide information as a part of their application that will allow Council officers to make an assessment using the following set criteria as to the suitability and sustainability of the applicant group:
- a. History of tenancy.
 - b. Capacity of Facility.
 - c. All information and supporting documents submitted.
 - d. Ability to provide sporting activities that benefit and engage with the community.
 - e. Applicant's alignment with Council's Community Vision, Council Plan and Municipal Public Health & Wellbeing Plan, Social Justice Charter and Fairness, Equality and Respect Strategy.
- 5.3** Licence and Lease Agreements will only be offered to clubs that meet set operational criteria in accordance with the guidelines including being affiliated with their respective State Sporting Association or Peak Body, being debt free to Council and being incorporated.
- 5.4** Council will manage agreements to ensure that the terms and conditions of the agreements are being adhered to.
- 5.5** Council reserves the right to suspend or terminate an occupancy agreement if it has good cause including, but not limited to:
- a. The club has breached the terms and conditions of the occupancy agreement.
 - b. The club has failed to pay their fees or utility bills.
 - c. The club has refused or ignored a reasonable request to share their facility.
 - d. The club fails to provide information requested by Council by the designated timeframe.
 - e. The club fails to provide participation opportunities to the wider community including females, juniors, Culturally and Linguistically Diversity Groups, LGBTQIA+, people with a disability, Indigenous Australians and older adults.
- 5.6 Licence Agreements**
- a. Seasonal Licences are to be offered for a period of 6 months and Annual Licences a period of 12 months.
 - b. Playing fields and pavilions operated on licences will, where practical, be available for casual use via a Hire Agreement by schools and other not for profit groups located in Brimbank.

- c. Fees and charges for use of Council sporting pavilions and playing fields operated via a licence will be calculated annually according to a formula linked to the standard of facilities identified below and as outlined in the guidelines.

Table 1 - Playing field categories

Category	Licence Fee per annum
A	\$1,500
B	\$1,200
C	\$900
Defined Open Space	\$400

Table 2 - Pavilion categories

Category	Licence Fee per annum
A	\$3,000
B	\$2,400
C	\$1,800

Note: Licence Fees detailed in Table 1 and Table 2 above will be increased by CPI on an annual basis.

- d. Clubs will generally be charged for the amount of time they are allocated a facility and are eligible for discounts up to a maximum of 80% on their fees and charges if they meet Council's community, fair access/gender equality and sports development objectives in accordance with the guidelines as amended from time to time.

5.7 Lease Agreements

- Leases are to be offered for a period of three (3) years, with a further two three (3) year options at Council's sole discretion.
- Fees and charges for leased facilities will be calculated by a formula that allocates 0.8% of the depreciated pavilion asset value and adds this to an amount for each sports playing surface as outlined below in Table 3.

Table 3 - Playing Surface Fees

Playing Surface	Fee per surface
Tennis Court	\$150 per court
Bowls Greens	\$150 per green
Bocce Piste	\$75 per piste
Defined open space	\$400

- The fee will be set at the signing of the agreement and increase annually by CPI for the term of the agreement. The fees and how they are calculated will be reviewed by Council at the end of each 3 year term.
- Clubs are eligible for discounts up to a maximum of 80% on their fees and charges if they meet Council's community, fair access/gender equality and sports development objectives in accordance with the guidelines as amended from time to time.

5.8 Hire Agreements

- Hire agreements are to be offered for a defined activity/event and are on a casual basis.

- b. There will be no charge for Brimbank schools and not for profit organisations when hiring natural turf sports facilities in Brimbank.
- c. Any activity that derives income or requests a fee for use will be charged as per Council adopted fees and charges.

6 ROLES AND RESPONSIBILITIES

6.1 Chief Executive Officer

Chief Executive Officer is responsible for:

- This policy will be implemented using the Sports Facility Hire, Licences and Leases Agreement Policy Guidelines as approved by the Chief Executive Officer, which may be reviewed from time to time.

6.2 Director Community Wellbeing

Director of Community Wellbeing is responsible for:

- Overseeing the implementation of this Policy and the related Sports Facility Development Plan.

6.3 Manager Leisure and Community Facilities

Leisure Community Facilities Manager is responsible for:

- Review decisions made in relation to agreement and tenure offered to Sports Clubs.

7 POLICY OWNERSHIP

Responsible Director: Director Community Wellbeing

Responsible Officer: Manager Leisure and Community Facilities

Directorate: Community Wellbeing

Unit: Sport and Recreation

8 APPROVAL

Approved by: Council

Date:

9 RELATED POLICIES & LEGISLATION

Community Facilities and Reserves Allocation Policy Community Consultation Policy

Sports Facility Development Plan

Community Facilities Capital Contributions Policy

Fairness, Equality and Respect Strategy

Fair Access Policy Roadmap and Principles (State Government Victoria)

INTERNAL USE ONLY

TIP: Record minor revisions as a new sub version (e.g. 1.2, 1.3, etc.) and record major revisions as a new version (e.g. 1,2,3, etc.).

Version	Version notes	Adopted	Review
1			
2			
3			

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Attachment 2



SPORTS FACILITY HIRE, LICENCES AND LEASES AGREEMENT POLICY

FINAL DRAFT OPERATIONAL GUIDELINES

The Sports Facility Hire, Licences and Leases Agreement Policy will be implemented using the following guidelines to ensure the aims of the policy are met.

1.0 TYPE OF AGREEMENT AND TENURE

Council's sporting facilities will be allocated as follows:

- a. Sporting clubs that share a playing field(s)/pavilion(s) or play on a seasonal basis will be offered a seasonal licence agreement for a period of 6 months. Summer Allocations will run from 1 October to 31 March and Winter Allocations from 1 April to 30 September.
- b. Sporting clubs that are sole users of a sporting field/pavilion and/or use the fields/pavilion for a time period greater than 1 season (6 months) during the year will be offered an annual licence for a period of 12 months.
- c. Sports Clubs that act as 'parent bodies' will be offered a lease of the pavilion for a period of 3 years with two 3 year options at Council's sole discretion.
- d. Sports clubs that have previously been on a lease and/or are a sole tenant of a facility with exclusive use will be offered a lease for the facility (e.g. Tennis clubs) for a period of 3 years with two 3 year options at Council's sole discretion.
- e. Casual users will be provided with a hire agreement for a defined activity at a defined time.

2.0 CATEGORISE LICENSED FACILITIES

- 2.1. All Council sporting pavilions and playing fields operated via a licence agreement will be categorised on an annual basis according to their standard. This will be achieved by:
 - a. Development of categories that differentiate between the standard of playing fields and pavilions within Brimbank.

Sportsgrounds Categories

Sports grounds are classified into one of three categories (A, B and C) with 'A' being the highest quality ground (charged at the highest rate) and 'C' being the lowest standard ground (charged at a lower rate).

These classification categories are determined by facility audits and assessments conducted for the development of the Sports Facility Development Plan which include:

- Condition of Sportsground.
- The presence and standard of sportsground irrigation
- The presence and standard of underground drainage system.
- Presence of sportsground lighting and it meeting competition standard

Pavilion Categories

Pavilions are classified according Quality of Facilities and meeting Council's Minimum Standard with 'A' being the highest quality pavilion meeting most minimum Standards (charged at the highest rate) and 'C' being the lowest quality pavilion and not meeting of the Minimum standards.

These classification categories are determined by facility audits and assessments conducted for the development of the Sports Facility Development Plan which include:

- The Condition of the buildings and associated amenities.
 - The number and standard of amenities that meet Council Minimum Standards. (Including: Social room, Change rooms, Kitchen, Storage, Office/Meeting room and First Aid rooms.
- b. An assessment has been undertaken on all sporting facilities to determine their initial categories (See Appendix 1 and 2).
 - c. Annually reviewing and reassessing the category each facility falls into having regard to any capital works projects undertaken at the site.

3.0 APPLICATION, ASSESSMENT AND APPROVAL PROCESS

3.1. Applications for hire agreements can be made at any time on the relevant application form. Licence applications will be requested as follows:

- Annual licences – November/December
- Winter Season Licenses – January
- Summer Season Licenses - August

3.2. Licence Applications must be submitted annually and comprise of a formal application with the following information and documentation supplied as a minimum:

- a. Name and contact details of the Liaison Officer for the club;
- b. Listing of registered teams;
- c. Information on participant numbers;
- d. Training Schedule specific to allocation of grounds and times relating to female participation/teams
- e. Facilities requested and times;
- f. Details of all current Committee Members of the club;
- g. Agreement to the Terms and Conditions of the agreement;
- h. Copy of current Public Liability Insurance Certificate;
- i. Copy of AGM minutes held within last 12 months;
- j. Copy of Annual Report from previous year including financial statement as per requirements of *Associations Incorporation Reform Act 2012*;
- k. Facility key register providing details of all key holders;
- l. Current Business Plan;
- m. Copy of current Liquor Licence (if applicable);
- n. Copy of current Food Registration Certificate (if applicable);
- o. Request for discounts and evidence.
- p. Gender Equity Fair Access Plan
- q. Name and contact details of nominated Child Safety Officer;

- 3.3.** Clubs on leases must provide the following documentation on an annual basis as a minimum:
- a. Name and contact details of the Liaison Officer for the club;
 - b. Listing of registered teams;
 - c. Information on participant numbers;
 - d. Training Schedule specific to allocation of grounds and times relating to female participation/teams
 - e. Details of all current Committee Members of the club;
 - f. Copy of current Public Liability Insurance Certificate;
 - g. Copy of AGM minutes held within last 12 months;
 - h. Copy of Annual Report from previous year including financial statement as per requirements of *Associations Incorporation Reform Act 2012*;
 - i. Pavilion key register providing details of all key holders;
 - j. Current Business Plan;
 - k. Upon request provide evidence of formal written agreement between club and any commercial coaches or businesses that charge participants a fee for their services;
 - l. Copy of current Liquor Licence (if applicable);
 - m. Copy of current Food Registration Certificate (if applicable);
 - n. Requests for discounts and evidence
 - o. Gender Equity Fair Access Plan
 - p. Name and contact details of nominated Child Safety Officer
- 3.4.** Following the closure of the application period, Council's Leisure and Community Facilities Department will assess all applications using the following criteria to determine the allocation of facilities:
- a. History of tenancy;
 - b. Capacity of the facility;
 - c. All information and supporting documents submitted;
 - d. Ability to provide sporting activities that benefit and engage with the community;
 - e. Applicant's alignment with Council's community Vision, Council Plan and Municipal Health & Wellbeing Plan, Social Justice Charter and Fairness, Equality and Respect Strategy.
- 3.5.** Licence and Lease Agreements will not be offered to:
- a. Clubs that are not affiliated with their relevant State Sporting Association or Peak Body to ensure clubs are meeting the required standards for operation;
 - b. Clubs with a debt to Council over 120 days old until the debt is resolved or an approved payment plan is entered into and followed to resolve the debt;
 - c. Unincorporated bodies and those without the necessary insurance.
- 3.6.** Formal approval and notification of all applicants will be provided in writing once allocations have been approved.
- 3.7.** Keys and access cards will be provided where necessary to provide access to facilities for allocated clubs.

4.0 LICENCE FEES AND CALCULATIONS

4.1. The Fees and Charges for licensed facilities will be as follows:

Pavilion Costs

Category	Licence Fee per annum 2024/25
A	\$ 3000
B	\$ 2400
C	\$ 1800

Sports Grounds Costs

Category	Licence Fee per annum 2024/25
A	\$ 1500
B	\$ 1200
C	\$ 900
Defined open space	\$400

- 4.2. Clubs operating on a licence will be charged for the amount of time they are allocated a facility:
- If a club solely occupies a pavilion and/or playing field for a full year, it will be charged the full per annum fees for the pavilion and/or playing field.
 - If a club solely occupies a pavilion and/or playing field for a season (half year), it will pay 50% of the per annum fees for the pavilion and/or playing field.
 - If a club occupies a pavilion and/or playing field with one or more other clubs, it will pay a portion of the per annum fee based on its length of use (season or full year) for the pavilion and/or playing field.
- 4.3. Fees will be calculated by identifying the number of each category facility that is used by the club and adding them together to provide a total fee. Category fees will increase by CPI annually
- 4.4. Clubs operating on a licence will be able to reduce their fees and charges by a maximum of 80% by applying and meeting the discount eligibility criteria as outline in section 6 as part of the application process.
- 4.5. Council will invoice clubs the fee minus any discount following the confirmation of the allocation.
- 4.6. A list outlining the current fees is included in Appendix 1.
- 4.7. To assist newly developed clubs, they will be eligible for the automatic 80% discount of fees for one (1) year from the date of incorporation.
- 4.8. Club fees will be reviewed on an annual basis. All components of the club fee will be reviewed including the category of each facility, frequency and type of use and eligibility for discounts.

5.0 LEASE FEES AND CALCULATIONS

5.1. The fees and charges for leased facilities will be as follows:

- The pavilion fee is calculated as 0.8% of the depreciated asset value.
- A per playing surface fee will be charged as follows:

Playing Surface	Fee per surface
Tennis Court	\$150 per court
Bowls Greens	\$150 per green
Bocce Piste	\$75 per piste
Defined open space	\$400

- 5.2** The total fee payable will be calculated by adding the pavilion fee to the total playing surface fee for the number of surfaces used. The fee will be set at the signing of the agreement and increase annually by CPI for the term of the agreement. Council will review current Fees and/ or benchmark to meet best practice industry standards.at the end of each 3 year term.
- 5.3** Clubs operating on a lease will be able to reduce their fees and charges by a maximum of 80% by applying and meeting the discount eligibility criteria as outlined in section 6 requirements.
- 5.4** A list outlining current lease fees is included in Appendix 2.

6.0 LICENCE AND LEASE DISCOUNTS

6.1. Eligibility Criteria

- a. Clubs with a debt to Council over 120 days old until the debt is resolved or has an approved payment plan will not be eligible for any discounts.
- b. Clubs will be required to submit all documentation required for Lease and Licence applications and supporting documents by nominated deadline to be eligible for any discount that they qualify for. Failure to provide information may result in receiving a maximum of 30% discount.
- c. Clubs that do not attend any nominated Gender Equity Training and Development Sessions run by Council will not be eligible for any discounts.
- d. Clubs must have a minimum of 1 Female team or 30% female playing memberships by start by 2025/26 or they can only receive a maximum of 30% discounts off fees.
- e. Incorrect information provided to achieve discounts may result in the club being ineligible for any discounts.
- f. Clubs that do not provide Gender Equity Fair Access Plan will not be eligible for any discounts
- g. To assist in the transition to meeting Fair access Principles Discounts and the costs associated with the new policy all clubs on a lease and licence will automatically receive the 40% discount in the first year (2025) after which they will need to meet the criteria for future year's discounts.
- h. Discounts will be reviewed on an annual basis.

6.2. Fair Access Principle Discounts

- a. Sports clubs can receive up to 80% discount of Fair Access fees listed below. There is an 80% cap on discounts.

Item	Requirements	Supporting Information Required	Discount	Fair Access Principle
Gender Equity Fair Access Plan	Current Annual Fair Access Plan	Current and Annually Updated Fair Access Plan provided with annual allocation	25%	Relates to all 6 Fair Access and Equitable Use principles.
Formal Participation Opportunities for senior and Junior Females. (only 1 discount level applicable per club)	Level 3 – Club has 6 or more female teams or 50% of Female Participation	Details of teams or membership numbers from past season	15%	Principle 5: Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.
	Level 2 – Club has 3-5 Female teams or 40% of Female Participation	Details of teams or membership numbers from past season	10%	
	Level 1- Club has 1-2 Female Teams or 30% of Female Participation	Details of teams or membership numbers from past season	5%	

Gender Equity at a committee level	Club has at least a 50% representation of females on the committee.	Details as submitted as part of annual allocation. (Must identify specific roles within the committee eg. President, Junior Co-ordinator, Secretary)	10%	Principle 4. Women and girls should be equitably represented in leadership and governance roles.
Social Participation Opportunity program	Club has at least one program creating participation opportunities for Informal Female Participation,	Details of program/opportunity for target group held in last 12 months.	10%	Principle 3. Women and girls will have equal access to and use of community sport infrastructure.
Any Gender Equity or Fair access Training Completed by the club.	Any training completed separate to Council run training eg. State Sporting body	Copy of Accreditation Certificate from last 12 months.	5%	Principle 5: Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.
Female Coaches	25% of total registered teams coached by a female.	Accredited Coaches certificate or Coaching submission to state Sporting Body	10%	Principle 4. Women and girls should be equitably represented in leadership and governance roles.

6.3 Other Discounts

b. Sports clubs can only receive a maximum of 30% discount with fees listed below.

Item	Requirements	Supporting Information Required	Discount
Club Development Network Attendance	100% attendance at Club Development Network meetings annually.	Nil. Council will check attendance records from past 12 months to confirm 100% attendance.	10%
Participation Opportunities for Newly Arrived, Culturally Diverse, LGBTQIA+ Indigenous communities and People with a Disability.	Club has at least one approved program creating participation opportunities for one of these target groups.	Details of program/opportunity for target group held in last 12 months.	10%
Formal Participation Opportunities for Junior boys and Girls (only 1 discount level applicable per club)	Level 2 – Club has 8 or more Junior boys and girls teams or 50% of Junior Participation	Details of teams or membership numbers from past season	10%
	Level 1 – Club has 3-7 junior boys and girls teams or 40% of Junior Participation	Details of teams or membership numbers from past season	5%
Gambling Sponsorship	Sporting clubs that DO NOT receive sponsorship or grants (in-kind or cash) from gambling revenue. This includes revenue from Electronic Gaming Machines (EGMs), online gambling and sports betting.	Notify Council and provide list of current sponsors as part of allocation process.	5%

7.0 MANAGEMENT OF AGREEMENTS AND USE OF FACILITIES

7.1. Council may suspend or terminate an occupancy agreement if it has good cause including, but not limited to:

- The club has breached the terms and conditions of the occupancy agreement.
- The club has failed to pay their fees or utility bills.
- The club has refused or ignored a reasonable request to share their facility.
- The club fails to provide information requested by Council by the designated timeframe.
- The club fails to provide participation opportunities to the wider community including females, juniors, Culturally and Linguistically Diversity Groups, LGBTQIA+, people with a disability, Indigenous Australians and older adults.
- If the Club fails to provide a Gender Equity Fair Access Plan.

7.2. Maintenance responsibilities will be outlined in each agreement with clubs expected to undertake their responsibilities safely and with Council permission where required.

Casual users will be governed by the terms and conditions of the hire agreement, licences and leases as per the conditions of their agreement.

- 7.3.** Council officers will undertake formal facility inspections biannually to ensure the terms and conditions of the agreements are being adhered to and that facilities are being kept at the required standard. Urgent issues that are a club responsibility must be rectified within 24 hours or Council will arrange for works to take place at the clubs cost. Clubs will be allowed 2 weeks to rectify any other issues which are their responsibility. If issues are not rectified after this period, clubs will be contacted by Council and a further week provided, after which inaction on rectifying the issue will result in Council undertaking the works and charging the cost to the club.
- 7.4.** Council officers will conduct sport specific club development network meetings each year to ensure positive working relationships exist with clubs and to educate and inform clubs.
- 7.5.** Council officers will meet regularly with clubs onsite at their facilities to maintain contact and address issues as they arise.
- 7.6.** Council officers will collect information from clubs on an annual basis to ensure clubs are sustainable, maximising the use of facilities, engaging with their local communities and planning strategically for the future.
- 7.7.** Council officers will meet annually with clubs operating on a lease to ensure clubs are meeting the operational requirements of the lease.
- 7.8.** Clubs must have a minimum of 1 Female team or 30% female playing memberships by the start of 2025/26 Season. If clubs are unable to meet these requirements they may need to share current allocated facilities to help accommodate female participation.

Appendix 1 – Fees and charges by licensed facility 2024/25

Reserve	Address	Pavilion Classification	Fee Per annum	Playing Field	Playing Field Classification	Fee Per annum
Ainsworth Reserve	Glengala Road Ardeer	B	\$2,400	Oval	A	\$1,500
Ardeer Reserve	Helene Street Ardeer	A	\$3,000	Pitch	A	\$1,500
Arthur Beachley	Ardoyne Street Sunshine	A	\$3,000	Pitch	A	\$1,500
Balmoral Park	Windsor Blvd, Derrimut	A	\$3,000	Oval 1	B	\$1,200
				Oval 2	B	\$1,200
Barclay Baseball	Talmage Street Sunshine	Lease		Diamond 1	A	\$1,500
				Diamond 2	C	\$900
Bon Thomas Reserve	Adeline Court, Deer Park	A	\$3,000	Oval	B	\$1,200
				Pitch A	A	\$1,500
				Pitch B	A	\$1,500
Castley Reserve	Simmie Street West Sunshine	A	\$3,000	Pitch 1	B	\$1,200
Churchill Reserve	Fox St, St Albans	Lease -Social B - Change rooms	\$2,400	Pitch 1	B	\$1,200
				Pitch 2	B	\$1,200
				Pitch 3	A	\$1,500
Delahey Reserve	Copperfield Drive, Delahey	A	\$3,000	Oval	B	\$1,200
				Pitch	B	\$1,200
Dempster Park	Phoenix St, Sunshine	B	\$2,400	Oval	A	\$1,500
Diamond Reserve	Diamond Avenue, Albanvale	-		Oval	C	\$900
Errington Reserve	Main Road East St Albans	A	\$3,000	Oval	A	\$1,500
Green Gully Bocce	McRae Blvd, Keilor Downs	-	-	Open Space	1	\$400
Green Gully Reserve	McRae Blvd, Keilor Downs	A	\$3,000	Oval	B	\$1,200
				Pitch 2	A	\$1,500
				Pitch 4	A	\$1,500
				Training	B	\$1,200
J R Parsons Cricket	Stanford Street Sunshine	Lease		Oval 1	A	\$1,500
				Oval 2	C	\$900
J R Parsons Football	Stanford Street Sunshine	Lease		Oval 1	A	\$1,500
				Oval 2	C	\$900
John McLeod Sport	Hume Street Deer Park	A	\$3,000	Oval 1	A	\$1,500
				Oval 2	C	\$900
Keilor Lodge Reserve	Keilor/Melton Road Sydenham	Lease		Pitch 1	A	\$1,500
				Pitch 2	B	\$1,200
				Pitch 3	A	\$1,500
Keilor Park Athletics	Keilor Park Drive Keilor Park	B	\$2,400	Track	C	\$900
Keilor Park Sport Reserve	Keilor Park Drive Keilor Park	Lease		Oval 1	A	\$1,500
				Oval 2	B	\$1,200
				Oval 3	C	\$900
				Oval 4	B	\$1,200
				Oval 5	C	\$900
Keilor Park Soccer Reserve	Keilor Park Drive Keilor Park	Lease		Pitch 1	B	\$1,200
				Pitch 2	A	\$1,500

				Pitch 3	A	\$1,500
Keilor Park Synthetics	Keilor Park Drive Keilor Park	B	\$2,400	Synthetic A	A	\$1,500
Keilor Park Softball	Keilor Park Drive Keilor Park	C	\$1,800	Diamond 1	A	\$1,500
				Diamond 2	B	\$1,200
				Diamond 3	C	\$900
				Diamond 4	C	\$900
Keilor Park – Offroad Car	Keilor Park Drive Keilor Park	-	-	Open space	1	\$400
Keilor Recreation Reserve	Old Calder Highway Keilor	Lease - Social A - Change rooms	\$3,000	Oval	A	\$1,500
Kevin Flint Memorial Reserve	Furlong Rd Cairnlea	B	\$2,400	Pitch 1	A	\$1,500
				Pitch 2	A	\$1,500
				Oval	B	\$1,300
Larissa Reserve	Larissa Road St Albans	A	\$3000	Pitch 1	A	\$1,500
Lionheart Reserve	Lionheart Ave, Taylors Lakes	B	\$2,400	Oval 1	A	\$1,500
				Oval 2	C	\$900
Lloyd Reserve	Lurg Avenue St Albans	C	\$1,800	Pitch 1	A	\$1,500
McKechnie Reserve	McKechnie Street St Albans	B	\$2,400	Pitch 1	A	\$1,500
				Pitch 2	B	\$1,200
More Park Reserve	Esmond Street Ardeer	A	\$3,000	Diamond 1	A	\$1,500
				Diamond 2	A	\$1,500
				Diamond 3	A	\$1,500
				Diamond 4	A	\$1,500
				Diamond 5	A	\$1,500
				Pitch 1	A	\$1,500
				Pitch 2	A	\$1,500
Ralph Reserve	Ralph Street West Sunshine	C	\$1,800	Pitch 1	A	\$1,500
Robert Bruce	Gould Street Deer Park	B	\$2,400	Oval	B	\$1,200
Sasella Park	Station Road, Deer Park	C	\$1,800	Oval	C	\$900
Selwyn Park	Selwyn Street Ardeer	B	\$2,400	Oval	B	\$1,200
Talintyre Reserve	Talintyre Road West Sunshine	C	\$1,800	Oval	C	\$900

Appendix 2. Fees and charges by leased facility 2024/25

Reserve	Address	Current Lease expiry	2023 Pavilion depreciated asset value	Fee Per annum (0.8%)	Playing Field	Playing Field No.	Playing Field fee
Barclay - Sunshine Baseball Club	Talmage St, Albion	31/12/2023	\$192,015.81	\$1,536.13	Licence		
Barclay - Sunshine Fly Casting Club	Talmage St, Albion	31/12/2023	\$21,829.88	\$174.64			
Carrington - Deer Park Social Bocce Club	Carrington Drive Albion	31/12/2023	\$281,811.36	\$2,254.49	Pistes	5	\$375
Carrington - Western Pigeon Federation	Carrington Drive, Albion	31/12/2023	\$71,834.18	\$574.67			
Churchill – Social Rooms - St Albans Soccer	Fox St, St Albans	31/12/2023	\$722,093.72	\$5,776.75	Licence		
Carrington – Melbourne Off Road Cars	Carrington Drive Albion	31/12/2023	N/A	N/A	Open Space	1	\$400
Delahey - Delahey Tennis Club	Copperfield Drive, Delahey	31/12/2023	\$180,954.90	\$1,447.64	Tennis Courts	6	\$900
Dempster - North Sunshine Tennis	Phoenix St, Sunshine	31/12/2023	\$202,450.64	\$1,619.61	Tennis Courts	4	\$600
Green Gully -German Shepherd Dog Club	McRae Blvd Keilor Downs	31/12/2023	\$292,553.13	\$2,340.43	Open Space	1	\$400
Green Gully - Green Gully Tennis	McRae Blvd Keilor Downs	31/12/2023	\$111,837.56	\$894.70	Tennis Courts	8	\$1,200
J R Parsons - Sunshine Park Tennis*	Stanford Street Sunshine	31/12/2023	\$46,844.01	\$374.75	Tennis Courts	6	\$900
J R Parsons - Albion Football	Stanford Street Sunshine	31/12/2023	\$1,015,442.10	\$8,123.54	Licence		
J R Parsons - Grand United Cricket*	Stanford Street Sunshine	31/12/2023	\$187,376.05	\$1,499.01	Licence		
Keilor Lodge - Sydenham Park Soccer**	Robertsons Road, Sydenham	1/07/2025	\$1,226,523.50	\$9,812.19	Licence		
Keilor Park Soccer - Pavilion	Stadium Drive, Keilor Park	31/12/2023	\$1,513,315.85	\$12,106.53	Licence		
Keilor Park Sports Club - Pavilion	Stadium Drive, Keilor Park	31/12/2023	\$513,881.00	\$4,111.05	Licence		
Keilor Park - Keilor Park Tennis	Keilor Park Drive Keilor Park	31/12/2023	\$104,675.41	\$837.40	Tennis Courts	4	\$600
Keilor Recreation - Keilor Tennis	Old Calder Highway Keilor	31/12/2023	\$90,940.74	\$727.53	Tennis Courts	4	\$600
Keilor Recreation – Pavilion (Keilor Sports Club)	Old Calder Highway, Keilor	31/12/2023	\$432,758.49	\$3,462.07	Licence		
Keilor Recreation - Keilor Bowls Club	Old Calder Highway Keilor	31/12/2023	N/A	N/A	Bowls greens	2	\$300
Kevin Flint Reserve Pavilion - Albion Rovers SC	Keilor Park Drive Keilor Park	Overholding	\$1,215,630.51	\$9,725.04	Licence		
Kings Park - St Albans Bowls Club	Magnolia Avenue, Kings Park	31/12/2023	\$616,908.60	\$4,935.27	Bowls greens	2	\$300
Lionheart - Taylors Lakes Tennis Club	Lionheart Ave, Taylors Lakes	31/12/2023	\$128,197.54	\$1,025.58	Tennis Courts	9	\$1,350
Overton Lea - Sydenham Tennis Club	Overton Lea Boulevard Sydenham	31/12/2023	\$287,207.31	\$2,297.66	Tennis Courts	6	\$900
Sasella Park - Deer Park Tennis Club	Station Road Deer Park	31/12/2023	\$70,010.01	\$560.08	Tennis Courts	6	\$900
Selwyn - Albion Tennis	Selwyn Street Ardeer	31/12/2023	\$214,155.39	\$1,713.24	Tennis Courts	6	\$900
Sydenham Park – Model Aircraft	Calder Highway, Sydenham	31/12/2023	N/A	N/A	Open Space	1	\$400

* Pavilion asset value divided by area occupied by each club to provide equitable figure.

** Please note: Sydenham Park Soccer Club will come under fees of this Policy when current Lease Expires



DRAFT SPORTS FACILITY HIRE, LICENCES AND LEASES AGREEMENT POLICY 2024 CONSULTATION SUMMARY

JUNE 2024



Background

Brimbank City Council's Sports Facility Hire, Licences and Leases Agreement Policy - 2024 commits to provide direction for the ongoing allocation of community sporting facilities and reserves in Brimbank, to ensure the fair and equitable access and use of community sporting facilities and reserves to sports clubs within Brimbank as well to ensure optimal use of sporting facilities to meet community needs as well as to facilitate a shared approach to the cost of managing and maintain sports facilities through fair and reasonable charges for use.

At its Ordinary Council Meeting on 20 February 2024 Council endorsed the Draft Sports Facility Hire, Licences and Leases Agreement Policy – Update 2024 for community consultation for a period of four weeks. The consultation commenced on March 26 2024 and closed on 22 April 2024, the draft Policy and opportunity to provide feedback was promoted widely to the Brimbank community.

Methodology

Below is an outline of the various methods and techniques that were used to engage with the community

- A 'Have Your Say' page was developed on Council's website.
- Extensive promotion via direct contact with key stakeholders, a social media release and information on Council's website.
- Emails to all Brimbank sports clubs on numerous occasions.

Summary of Feedback Received

Council received 9 written submissions from community members during the community consultation period.

Overall there was very strong community support for the draft Sports Facility Hire, Licences and Leases Agreement Policy 2024 with 6 community responses supporting it and with 3 undecided.

The majority of the feedback in the written submissions were supportive of the Plan. In addition, there was strong:

- General community support for the draft Plan.
- Clarification requested regarding Club's facilities and their fees.



FEEDBACK ON DRAFT SPORTS FACILITY HIRE, LICENCES AND LEASES AGREEMENT POLICY 2024

No.	Feedback	Officer Comment/Recommendation
1.	a) Is supportive of the Policy and feels it is a worthwhile outcome to focus on provided it is not negative to the majority of participants and feels 4.4.2 and 4.4.5 may not be achievable. b) Feel 4.3.d and 5.5.e may be difficult for clubs to implement and not practical to accommodate these clubs.	a) Noted and considered, no change. b) Noted and considered, no change.
2.	a) Supportive of the Policy however feels 2.1 should be removed.	a) Noted and considered, no change.
3.	a) Supportive of the Policy and appreciate the work the Council is doing.	a) Noted.
4.	a) Supportive of the Plan.	a) Noted.
5.	a) Keilor Bowls and Community Club raised the question regarding maintenance and repairs to their facility.	a) Noted, club contacted to discuss, no change.
6.	a) St Albans East Tennis Club raised the question of what	a) Noted, club responded to.

Draft Sports Facility Hire, Licences and Leases Agreement Policy 2024 – Summary of Feedback



	'Exclusive' use is? b) Would like clarification regarding fee structure as the club currently shares the facility with other clubs and Community groups.	b) Noted, club responded to.
7.	a) Supportive of the Plan.	a) Noted.
8.	a) Raised the question relating to the draft Gender Equity Fair Access Plan template being available to clubs. b) Raised the question regarding the 40% discount and if additional discounts will be available. c) Raised questions regarding the definition of particular terms used in the Gender Equity Fair Access Plan and how they relate to the draft Sports Facility Hire, Licences and Leases Agreement Policy.	a) Noted and responded to. b) Noted and responded to. c) Noted and responded to.
9.	a) Supportive of the Policy. b) Raised concerns regarding the club's facilities and how they are not all of the same standards and feels this should be considered in the fees and adjusted accordingly.	a) Noted. b) Noted.