

STRATHFIELD COUNCIL

# SPORTING GROUNDS ALLOCATION POLICY

4 JULY 2023

	<h2>Sporting Grounds Allocation Policy</h2>		
<b>RESPONSIBILITY</b>	Manager Engineering		
<b>DATE ADOPTED</b>	4 July 2023	<b>MINUTE</b>	182/23
<b>REVISED</b>	NA	<b>REVIEW</b>	NA
<b>CM10 No</b>	23/43167		
<b>ASSOCIATED POLICIES</b>	Park Plans of Management		
<b>ASSOCIATED LEGISLATION</b>	Local Government Act 1993 Local Government (General) Regulation 2021		

## 1. Introduction

This Policy will contribute to a healthier Strathfield by encouraging active sports participation. The Policy establishes eligibility and the selection criteria for the seasonal allocation of sporting grounds.

### 1.1. Title and Commencement

This policy is called the Sporting Grounds Allocations Policy. This policy was adopted by Council resolution (183/23) after public exhibition from 5 May 2023 to 2 June 2023.

### 1.2. Purpose

The purpose of this Policy is to contribute to a healthier Strathfield by encouraging active sports participation. The Policy provides a transparent, equitable and consistent methodology for the seasonal allocation of sporting grounds and facilities.

### 1.3. Coverage

The Policy applies to all sporting grounds within the Strathfield Local Government Area including natural turf and synthetic turf fields. This Policy applies to all hard surface courts which are booked.

This policy will apply to any new sporting grounds within the Strathfield. See 4.12 New or Upgraded Sporting Grounds for further information.

This policy applies to all sporting clubs, state sporting associations, schools, tertiary education providers and other organisations seeking an allocation to use Council sporting grounds and facilities.

## **1.4. Limitations**

This policy does not apply to those sporting grounds which are the subject of an existing long term (greater than one season) lease or licence or Deed of Agreement, whilst these existing instruments are in operation.

### **New Leases, Licences and Deeds of Agreements**

Council is able to exclude the operation of this Policy for a specified sporting ground by entering into a new lease, licence or Deed of Agreement with a Hirer.

### **Events in Parks Policy and Guidelines**

This policy does not apply to special and one-off events.

## **2. Objectives of the policy**

The objectives of this Policy are as follows:

- To provide a transparent, equitable and consistent methodology for the seasonal allocation of sporting grounds and facilities to sports clubs, sports associations, schools and tertiary education providers within the Strathfield Council area.
- To provide a diverse range of opportunities for participation in sport, recreation and physical activity for Strathfield residents.
- To provide access to sporting grounds and facilities which contribute to a healthy Strathfield and promote participation in active sport, physical activity and social connectedness.
- To ensure the opportunity for participation of a broad mix of groups, including participation of girls; women; people from lower socio-economic backgrounds; people with disabilities; seniors and people from culturally and linguistically diverse backgrounds.
- To ensure that Council managed sporting grounds and facilities are occupied by inclusive, viable and sustainable sporting clubs, state sporting associations, schools, tertiary education providers and other organisations.
- To ensure that access to sporting grounds by all users has regard to the sustainability and maintenance requirements associated with good sporting ground management.

## **3. Definitions**

### **Allocation**

For the purposes of this Policy, the term 'allocation' is an agreement between Council and a Hirer to use a Council sporting ground and/or facility. It is a short-term licence (with a term of less than one year). An allocation allows a Hirer non-exclusive use of a sports ground and/or facility at specific agreed times. Allocations can be annual, seasonal or casual in nature.

**Applicant**

For the purposes of this Policy, the term 'Applicant' includes any sporting club, state sporting association, community group, school, tertiary organisation, commercial provider or any other group or organisation that make an application for a seasonal hire allocation.

**Casual Allocation**

For the purposes of this Policy, a 'casual allocation' is an allocation to a club, association, community group, school or commercial provider to use a sporting ground or facility on a single occasion for a pre-determined fee. Seasonal allocation requirements will be prioritised over casual allocations. Casual allocations are also subject to ground availability and condition.

**Facilities**

For the purposes of this Policy, the term 'facilities' includes the buildings adjacent to sporting grounds, including toilets, canteens, storerooms and change rooms.

**Hirer**

For the purposes of this Policy, the term 'Hirer' includes any sporting club, state sporting association, community group, school, tertiary organization, commercial provider or any other group or organisation that hires a sporting ground.

**In Season Allocation**

An In Season Allocation will be for the Summer or Winter Season as defined.

**Lease**

A Lease grants a tenant exclusive possession of a Council property and gives the tenant a proprietary interest in the Council Property which is binding on third parties. Leases will not generally be used for the tenure of sporting grounds.

**Licence**

Licences confer non-exclusive use of a licenced area for a specified period subject to payment of a licence fee. Multiple licences may be issued to multiple users of the same licenced area for different times. Licences can be for a one-off use (permit or hire agreement) or regular ongoing use throughout a season (seasonal hire).

**Pre-Season Allocation**

A Pre-Season Allocation is a restricted allocation (subject to availability) to a Hirer to use a Council sporting ground and/or facility at agreed times prior to the commencement of the competitive scheduled winter sporting season for the purpose of sports training and physical preparation for the winter season.

**Seasonal Allocation**

For the purposes of this Policy, a 'seasonal allocation' is an allocation to a Hirer to use a Council sporting ground and/or facility at agreed times throughout the Summer Season or Winter Season.

**School Allocation**

A School Allocation is an allocation to a school to use a Council sporting ground and/or facility during weekdays (between 7am – 3pm during school terms) at agreed times throughout the Summer or Winter season.

**Sporting Grounds and Facilities**

For the purposes of this Policy, 'Sporting Grounds and Facilities' are Council owned sporting infrastructure available for sporting use for training and game days.

### **State Sporting Association**

A pre-eminent governing body for a sport in NSW

### **Substantial Increase**

A substantial increase in allocations is greater than ten hours or greater than 10% of the Hirer's current allocation in one year (whichever is the lesser) or greater than 20 hours or greater than 20% of the Hirer's current allocation over five years (whichever is the lesser).

### **Summer Season Allocation**

A Summer Season Allocation is an allocation to a Hirer to use a Council sporting ground and/or facility at agreed times between the period of the third Tuesday in September to the last Sunday in March (subject to maintenance needs).\*

### **Summer Sports (Traditional)**

The following are traditional summer sports: athletics, baseball, cricket, oz tag, touch football, ultimate frisbee and six aside soccer,

### **Winter Season Allocation**

A Winter Season Allocation is an allocation to a Hirer to use a Council sporting ground and/or facility at agreed times between the period of the first Tuesday in April to the last Sunday in August (subject to maintenance needs). Training (only) may continue to the second Friday in September (subject to maintenance needs).\*

### **Winter Sports (Traditional)**

The following are traditional winter sports: football (soccer), netball, rugby league, rugby union, hockey and Australian Rules football.

\* Council acknowledges that all sporting codes are subject to season overlap of the above season allocation dates. Winter sports may commence pre-season training and trial games in March if sports such as cricket and baseball do not need to use their allocated sporting ground for training or finals games through to the end of March. This can be negotiated with Council and the individual Hirers that share a ground in different seasons. Similarly, access to the grounds for special competitions (eg. Champion of Champions) will be negotiated on an as needs basis. All Hirers in both seasons are asked to advise Council if a ground can be handed back earlier for the seasonal sporting ground changeover (eg) goal posts out and cricket wicket preparation.

## **4. Policy**

### **4.1. Policy Statement**

The Strathfield Council recognises that access to open space for sporting and recreational use is of strategic importance to residents who live, work and play in the Strathfield Local Government Area. Access to sporting grounds, which provide for a diverse range of recreational opportunities, is important in contributing to a healthy Strathfield.

The Sporting Grounds Allocation Policy establishes the eligibility and selection criteria to be applied when allocating use of Council's sports grounds and facilities to sporting clubs, state sporting associations, schools, tertiary education providers and commercial providers within the Strathfield Council Local Government Area.

Council allocates sporting grounds on a seasonal and casual basis. Council will endeavor to accommodate Seasonal Allocations and Casual Allocations, within the number of sporting

grounds available, taking into consideration the long-term whole-of-life cost of the assets including depreciation and maintenance.

#### **4.2. Policy Principles**

This Sporting Grounds Allocation Policy has been developed in accordance with the following principles:

- Transparent
- Equitable
- Consistent

These principles were discussed with a number of Strathfield Hirers in the development of this Policy.

#### **4.3. Hierarchy of Use**

Council staff will use the following hierarchy to prioritise the allocation of sporting grounds:

1. Community based sporting club training
2. Community based sporting club games
3. Council events and events formally endorsed by Council
4. Strathfield public schools competitive sporting programs and physical education classes
5. Community based organisations
6. Tertiary education providers
7. Strathfield private schools competitive sporting programs and physical education classes
8. Commercial organisations

#### **4.4. Allocation Types**

Council offers the following types of allocations for the use of sporting grounds and their associated facilities, in no particular order:

- Winter Season Allocation
- Summer Season Allocation
- Preseason Allocation (subject to availability)
- Casual Allocation (subject to availability)
- School Allocation

#### **4.5. The Application**

An application to use Council's sporting ground or associated facilities, Applicants must contain the following information:

- A completed and accurate Allocation Application Form/s by the advertised closing date;
- Documented evidence that the majority of the membership of the Applicant resides within the Strathfield Council Local Government Area; and
- Confirmation that the Applicant has no outstanding debt with Council; and

- Provide a Certificate of Currency for public liability insurance of a minimum of \$20 million. The policy must indicate that Strathfield Council is noted as an Interested Party (Principal Indemnity Endorsement), and that the Business Activity shown on the Certificate of Currency must be appropriate and include functions such as organising and running a sporting event or sporting club or state sporting association; and
- Provide a copy of the Applicant's annual report, including the financial report; and
- Provide confirmation that club is adhering to the guidelines set by the relevant state sporting association sport, including adherence to risk management principles; and
- Provide a copy of the Applicant's documented plan to increase participation of girls and women, culturally and linguistically diverse and socially disadvantaged people; and
- Provide confirmation that the Applicant is not actively permitting gambling to occur on their games; and
- Provide confirmation that the Applicant, association and/ or sports governing body is not earning income or product integrity fees associated with gambling on their games.

#### **4.6. Selection Process**

Once the information outline in section 4.5 The Application above is provided, Council will review allocation requests for sporting grounds sequentially as follows:

1. The hierarchy in 4.3 Hierarchy of Use will be implemented.
2. Where only one Applicant is requesting access to a suitable sporting ground, in general this will be made available to them, provided they meet the other requirements set out in this Policy.
3. Sporting grounds are a limited resource. Preference will be given to requests that fall within the traditional seasonal allocations (i.e. They do not cross between Winter Season Allocations and Summer Season Allocations and vice versa).
4. Council accepts that Hirers require reasonable assurance that they will continue to be allocated seasonal use of sporting grounds to plan and manage their strategic plans effectively. Where a Hirer continues to demonstrate membership numbers, Council will not unreasonably refuse to provide an allocation, consistent with the previous season's allocations. Where a Hirer has previously used Sporting Grounds and Facilities, and Council receives an application from a different provider, Council will follow the process outlined in points 6 to 8, below.
5. Hirers may request additional allocations. From year-to-year, Council will not generally approve an individual Hirer *substantially* increasing their allocation. The purpose of this condition is to help ensure diversity of sporting code access.
6. Council encourages Applicants to collaborate with each other. Should two or more Applicants put forward a proposed sharing arrangement of a sporting ground, Council will give this favourable consideration.

7. Council staff will attempt to resolve conflicting requests through mutual agreement between Applicants, and where this cannot be achieved, the relevant Council officer will make a determination in accordance with point 8 below.
8. Where Council cannot resolve the conflicting request through mutual agreement, when required, competing requests will be assessed against the weighted criteria outlined below, with the allocation given to the Applicant with the highest weighted criteria score. At this stage, Applicants will be requested to submit information which demonstrates their capacity to address the weighted criteria.

### Weighted Criteria Score

	Criteria	Principles	Scoring	Assessment Guide
A	Historical Use of Facilities	Council will recognise Applicants with a strong history at particular facilities. Council recognises that active sporting grounds are in high demand and priority access will be given to Strathfield residents. Priority will be given to clubs which have the majority of members based in the Strathfield.	10	Historical ground (greater than 15 years) with continuous use by sporting club
			5	Strathfield based sporting club for more than ten years
			3	Strathfield based sporting club for less than ten years
			0	Applicant with no previous home within Strathfield
B	Community Based	Sporting grounds are a limited resource and must be used to provide maximum overall benefit to the community. Council recognises that sporting clubs provide community building benefits.	10	Not-for-profit sporting clubs with demonstrated strong ties to the local community (e.g. community groups, schools)
			3	Not-for-profit sporting clubs with no demonstrated links to the local community
			0	Commercial provider
			0	No information provided
C	Membership/ Team Numbers	Sporting clubs and associations are instrumental in increasing positive social, cultural and economic benefits and developing community leaders. Participation levels are therefore a factor in the level of benefit to the community. If an Applicant has declining membership/ teams, their hours of access may be decreased, they be relocated to an alternative venue more suited to the Applicant's level of usage or a secondary allocation may be given to	5	Applicant membership numbers/ teams are steady or increasing
			3	Applicant membership numbers/ teams have declined in the last year
			0	Applicant membership numbers/ teams have declined over the last three years
			0	No information provided



	Criteria	Principles	Scoring	Assessment Guide
		another Applicant to maximise use;		
D	Tenancy Record	Council recognises the social and cultural important of an Applicant having a good relationship with Council, other park users and the local community. A history of compliance with all terms and conditions of hire is essential. Consideration will be given to factors such as only utilising the grounds during allocated hours, maintaining allocated sporting grounds and facilities in a clean and tidy manner, and no substantiated complaints from nearby residents. Consideration will be given to past behaviour, including positive interactions with Council and other Hirers. Consideration will also be given to positive use of social media and other media.	5	Good records of stewardship of sporting grounds. No impact on neighboring residents. No breaches in the previous five years.
			3	Fair record of stewardship. No impact on neighboring residents within the previous two years. No breaches in the previous two years.
			0	Breach within the previous two years
E	Access & Equity	Ensuring the opportunity for participation of a broad mix of groups. Council will allocate ground to support sporting Applicants which have programs to increase participation of girls; women; people from lower socio-economic backgrounds; people with disabilities; seniors and people from culturally and linguistically diverse backgrounds.	10	Three or more programs or support for people from a targeted group.
			5	Two programs or support for people from a targeted group.
			3	One program or support for people from a targeted group.
			0	Zero programs or support for people from a targeted group.
			0	No information provided
F	Support for Access & Equity	Demonstrated long term support by Applicants for increased participation of girls; women; people from lower socio economic backgrounds; people with disabilities; seniors and people from culturally and linguistically diverse backgrounds.	5	Demonstrated increase in Applicant membership numbers from a targeted group.
			1	Steady Applicant membership numbers from a targeted group.
			0	Declining Applicant membership numbers from a targeted group.
			0	No information provided

	Criteria	Principles	Scoring	Assessment Guide
G	Leadership Diversity	Council will support sporting Applicants which demonstrate increasing numbers of women; people from lower socio-economic backgrounds; people with disabilities; seniors and people from culturally and linguistically diverse backgrounds in positions coaching, leading, instructing, decision makers, officials and administrators at all levels.	5	Demonstrated increase in Applicant leadership diversity.
			1	Steady Applicant leadership diversity.
			0	Declining Applicant leadership diversity.
			0	No information provided
H	Diversity of Sports	Council will allocate grounds to encourage a diversity of sporting codes. Where a new and emerging sport can demonstrate that they have a plan for the ongoing success of the Applicant for a number of years, Council will endeavor to accommodate their needs. For emerging Applicants, the allocation of sporting grounds will not be based solely on Applicant membership numbers.	5	New or emerging sport, where the Applicant can demonstrate a plan for ongoing success
			1	New or emerging sport, where the Applicant cannot demonstrate a plan for ongoing success
I	Traditional Seasonal Allocations	Sporting grounds are a limited resource. Preference will be given to the traditional seasonal allocations.	5	Request for a summer season allocation by a summer sport OR request for a winter season allocation by a winter sport.
			0	Request for a summer season allocation by a winter sport OR request for a winter season allocation by a summer sport.
J	History of Financial Responsibility	Sporting grounds are a limited resource and the costs are subsidised by Council. Priority will be given to fiscally responsible Applicants.	5	No outstanding debt with Council in the previous five years.
			3	Outstanding debt with Council in the previous five years, which has now been repaid.
			No Allocation	Current outstanding debt with Council.
K	Applicant Development	Ensuring Applicants have good policies and practices in place including risk management, child protection and anti-bullying to ensure a safe environment for all	5	Applicants with documented policies and initiatives to support volunteers.
			3	Applicants with policies in development
			0	No documented policies or plans in place.

	Criteria	Principles	Scoring	Assessment Guide
		participants. Facility management, succession planning and organisation management structure documentation is also well regarded.	0	No information provided
L	Organisation Governance	Council supports Applicants that maintain good governance and create an inclusive, viable and sustainable organisation. This includes sound financial management, policies and practices in place that cover risk management, complaints handling, participant safety and address discrimination, violence and racism to ensure a safe environment for all participants. Hirers must be members of Good Sports. Also well regarded is a Hirers approach to facility management, succession planning and having a Member Protection Information Officer (MPIO).	5	Applicants with documented policies and initiatives to support volunteers.
			3	Applicants with policies in development
			0	No documented policies or plans in place.
			0	No information provided
M	Child Safe Clubs	SSOs provide policy, framework and resources to create and maintain clubs that safeguard children and young people. Council expects that Applicants are aware, have adopted and maintain Child Safe Standards. Child Safety applies to senior clubs who have minors play in their teams and competition.	5	Have fully complied with SSO or NSW Office of the Children's Guardian Child Safe Standards
			3	Currently implementing Child Safe practices based on SSO and NSW Guardian Child Safe Standards
			0	No documented policies or plans in place.
			0	No information provided
N	Traffic and Parking Impacts	Traffic and parking impacts must be minimised for the amenity of the surrounding community.	5	Applicants with documented policies to incorporate public and active transport in their organisation of activities.
			3	Applicants with policies in development.
			0	No documented policies or plans in place.
			0	No information provided

## **School and Tertiary Organisation Selection Criteria**

Council will review allocation requests for sporting grounds from school and tertiary organisations as follows:

- Priority will be given to Strathfield based schools and tertiary organisations within the as outlined in 4.3 Hierarchy of Use; and
- Priority will then be given to schools and tertiary organisations in accordance with the following hierarchy (in order):
  1. No available grounds within the school/ tertiary organisation
  2. Limited available grounds within the school/ tertiary organisation
  3. Substantial available grounds within the school/ tertiary organisation

### **4.7. Allocation Process & Determination**

The allocation process is undertaken as follows:

1. Staff will advertise for Expressions of Interest and distribute the Allocation Application Forms for the Summer Season by June and for the Winter Season by November, each year. Notwithstanding this, in all cases, it is the responsibility of the Hirer to ensure that application forms are requested and received.
2. A due date is set each season for applications. The due date will be stated on the application. Late applications will not be considered.
3. Council staff will assess the applications in accordance with 4.3 Hierarchy of Use, 4.5 The Application and 4.6 Selection Process. This process takes approximately two to three weeks.
4. Council staff will distribute the Draft allocations to the Hirers for comment for a period of seven days.
5. Council staff will distribute the Final allocations. Council staff will advise Hirers of any shut down or maintenance periods during the seasonal allocation (e.g. Easter) at the start of the season.
6. Any further requested changes to the allocation (e.g. as a result of increased / decreased registrations) will be accommodated subject to availability and consistency with the principles contained in this Policy.
7. Council will issue invoices for seasonal allocations one month after the commencement of the respective sporting season. Due to the administrative burden, Council will not provide refunds for wet weather and if pre-booked allocations are no longer required.
8. At the start of each season, the seasonal allocations, including the relevant Hirer, may be published on Council's website.
9. After draft allocations have been released an appeals process is available as outlined in Section 5 APPEAL PROCESS.

## Allocation Timetable Guide

Stage	Expected period
Expression of Interest forms released and open to all	4 weeks
Applications assessed and draft allocations developed Competing requests identified and solutions proposed	2 weeks
Draft allocations released and Applicants given 1 week to accept draft or request change	1 week
Amendments to drafts made, if possible	1 week
Competing requests identified. Applicants invited to submit an Appeals Application Form	7 days from notification
Internal assessment of competing requests and recommendations determined	1 week
Final allocations released	1 week

Generally, the Summer Season allocation process will commence in June and be completed before the end of August and the Winter Season allocation process will commence in November and completed before the end of February.

### 4.8. Out of Season Use

Applicants are allocated grounds for the fixed summer or winter season only.

All Applicants are required to notify Council two weeks prior to the season completion advising if sporting grounds are not required for finals. Subject to maintenance requirements, Council may permit the Hirer in the following season to start training earlier.

Council may allow Hirers to use the sporting grounds for out of season use if there are grounds available.

All commercial operators or associations running competitions must make sure that their competitions run within the Winter and Summer Allocation Periods. There is no provision for these competitions to overlap seasons or be moved to alternative sporting ground in the interim.

### 4.9. Sporting Ground Rest Periods

Sporting grounds will be managed to maximise long term usage and minimise over-use. Council will restrict sporting ground use to maintain safe playing surface conditions and minimise maintenance.

All sporting grounds will be rested (not used) for a minimum of two weeks between the seasons. Generally this will be in the last week of March and the first week of September. The Summer Season must finish by the third Sunday in March. This may change annually if longer rest periods are required for maintenance needs.

Council will advise Hirers at the start of the season, the week(s) that the sporting grounds will be not used.

All sporting grounds will be rested on Mondays, with the exception of those grounds listed in the table below.

<b>Sporting Ground</b>	<b>Exemption to use on Monday (Reason)</b>
Synthetic turf sporting grounds at Cooke Park, Mason Park and Strathfield Park	Synthetic turf sporting grounds do not need to be rested.
Hard surface courts (eg. basketball, netball, tennis, multi-purpose)	Hard surface courts do not need to be rested.

#### **4.10. Fees and Charges**

The seasonal allocation of sporting grounds to Hirers is subject to the payment of the relevant fees and charges. These fees and charges are updated annually and are advertised on Council's website.

Council will not provide refunds for wet weather and if pre-booked allocations are no longer required.

#### **4.11. Tenure & Capital Contributions**

Council is committed to the provision and maintenance of a range of well-maintained and safe sporting grounds and facilities to encourage informal and organised recreation activities consistent with community needs.

Council will prepare a Parks and Sporting Ground Asset Management Plan which will provide a comprehensive plan to ensure the delivery of services Sporting Grounds and Facilities is provided in a financially sustainable manner. The asset management plan will detail information about infrastructure assets including actions required to provide an agreed level of service in the most cost-effective manner while outlining associated risks. The plan will define the services to be provided, how the services are provided and what funds are required to provide the services over a 20-year planning period.

#### **Long Term Leases and Licences**

Most parks are classified as community land. Section 46A(3) of the Local Government Act 1993 requires leases of community land greater than five years to be via public, open tender.

Application should contact Council if they require a lease or licence of Sporting Grounds and Facilities, to discuss this process.

#### **Capital Contributions**

Council has no expectation that a Hirer will make a capital contribution to the development of a facility. In general, allocations will continue to be managed on a seasonal basis as outlined in this policy.

Notwithstanding this, Council aims to recognise and encourage organisations who do contribute to the development or upgrade of a Council facility. In recognition of a capital contribution, Council may (at its absolute discretion) provide the following:

- Increased tenure
- Decreased hire fees.

The following will be considered when determining whether to accept a capital contribution:

- The Applicant seeking longer tenure must meet the following minimum criteria:

- The majority of their membership must reside within the Strathfield Council local government area
- Not-for-profit sporting clubs with demonstrated strong ties to the local community (e.g. community groups, schools)
- Applicant membership numbers are steady or increasing
- Good records of stewardship of sporting grounds. No breaches in the previous five years.
- Demonstrated programs to support increased participation of girls; women; people from lower socio-economic backgrounds; people with disabilities; seniors and/ or people from culturally and linguistically diverse backgrounds.
- No outstanding debt with Council in the previous five years;
- Any improvements must be consistent with any future Strathfield Recreation Needs Study and the relevant park Plan of Management.
- Any improvements must have the appropriate planning approvals.
- The capital improvements must coincide with and not adversely impact on the needs of the other sporting ground users and the wider community.
- In addition to the amount contributed to apply for extended tenure, the Applicant must contribute an equivalent amount to Council to be used by Council to upgrade or renew priority sporting ground assets as identified in the future Parks and Sporting Grounds Asset Management Plan.
- Council must be willing and financially able to take on the increased maintenance and depreciation associated with the capital upgrade.
- No assumption should be made that Council will make a co-contribution to the capital improvements. Council may (at its absolute discretion) choose to partner with an Applicant if the proposed works are already identified and funded in the Long Term Financial Plan and future Parks and Sporting Grounds Asset Management Plan.
- Throughout the period of tenure, the licence agreement will require ongoing participation levels to justify the allocation of the facility and the ongoing financial viability of the organisation.

Council retains the sole discretion as to whether to accept a capital contribution. Council must agree to the capital contributions being provided prior to any work on the contribution commencing.

Hirers contributing toward the capital upgrade of Council facilities do so on the understanding that the facility remains in Council ownership and that Council will specify and project manage all capital construction works.

The capital contribution made by the Applicant will be used as follows:

- 50% for the capital improvements nominated by the Applicant
- 50% for capital improvements nominated by Council to upgrade or renew priority sporting ground assets as identified in any future Parks and Sporting Grounds Asset Management Plan. These improvements may be located in another sporting ground.

### **Grant Funding Submissions**

If requested by the Hirer, Council can be the lead Applicant in grant funding submissions to State and Federal Governments and peak state sporting associations for infrastructure upgrades to Council grounds. Council staff will prepare the grant submission. Hirers will be required to assist in the provision of information to satisfy the grant funding application requirements.

Proposals must be agreed in principle with Council and be in accordance with the Plan of Management and any park masterplan.

### **Council Approval**

Any proposal to accept a capital contribution from a Hirer and offer increased tenure and/ or decreased hire fees will be reported to Council, who will make the final determination as to whether to accept the capital contribution.

### **Other Contributions**

Council may give consideration to other (non-capital) contributions provided by Hirers. For example, community-based contributions such as nutrition seminars.

#### **4.12. New or Upgraded Sporting Grounds**

Council may take possession of new sporting grounds. Council may also upgrade sporting grounds such that the hours of use for those grounds is substantially increased (e.g. through new floodlighting or a synthetic surface).

Other than where a contribution has been made in accordance with Section 0 Tenure & Capital Contributions, should Council obtain new or upgraded sporting grounds (where the hours of use is substantially increased), access to these new facilities will be via a public, open, advertised Expression of Interest. The purpose of the Expression of Interest is to reset; and it will be used to allocate all hours on the sporting ground (through the week). The Expression of Interest will be advertised in accordance with the Community Engagement Strategy. The criteria for allocation of the new or upgraded sporting grounds will be outlined in the advertisement.

#### **4.13. Damages and Breaches**

Any Hirer using a sporting ground or facility which is in breach of the Conditions of Hire (contained at Annexure 1 to this Policy) may be subject to the following:

- Exclusion from future allocations
- Monetary penalty.

### **Warnings**

Where it is alleged that a Hirer has breached the allocation conditions, the process below will be followed:

- On the first alleged breach, Council staff will investigate the breach and make an assessment on the damage caused, the likely cause of the damage and the likely cost to repair the damage. The Hirer will be notified in writing of the breach assessment.
- On the second alleged breach, Council staff will investigate the breach and make an assessment on the damage caused, the likely cause of the damage and the likely cost to repair the damage. If upheld, the Hirer will be provided with the breach assessment and a first written warning.
- On the third alleged breach, Council staff will investigate the breach and make an assessment on the damage caused, the likely cause of the damage and the likely



cost to repair the damage. If upheld, the Hirer will be provided with the breach assessment and a **final** written warning. At this point, at its absolute discretion, Council may cancel the Hirer's allocations for the season.

### **Future Allocations**

Council will excluded an Applicant from future allocations for the following:

- If the Applicant has an outstanding debt with Council; OR
- If the damage caused by the Applicant impacts on the start of the season for the subsequent sporting ground Hirer; OR
- If the Applicant was issued a fine for breaches to the conditions of hire.

Council may consider excluding an Applicant from future allocations for the following:

- If the Applicant has been issued with one or more written warnings in the preceding season; OR
- If the damage caused by the Applicant impacts on the start of the season for the subsequent sporting ground Hirer.

### **Monetary Penalties**

All damage to Council property, either deliberate or accidental must be reported to Council within one business day, outlining full details of the incident.

After the season, excepting usual seasonal wear and tear, the sporting ground and facilities must be returned to Council in the same condition as they were prior to the season. In the event that the Hirer does not hand back the site in the same condition, Council will clean and repair the sporting ground and facilities to the standard required by Council at the Hirer's cost.

During the season, Council will forward on any additional costs incurred by Council to the Hirer including:

- The cost of any additional monitoring activities for compliance with conditions of consent; and
- The cost to clean up waste from a park, sporting grounds or change/ amenity building; and
- The cost to repair unreasonable damage after use; and
- Use of canteens and kiosks.

An after-hours callout fee applies where council is required to attend the park to assist the Hirer with matters such as access. Fees will be on a cost recovery basis. A minimum of 4 hours of staff overtime will be payable.

### **Maximise Use of the Sporting Grounds**

Council has an objective to promote participation in active sport, physical activity and social connectedness. Therefore, within the constraints imposed by Plans of Management and acceptable wear and tear on the grounds, Council wishes to maximise use of the Sporting Grounds.

There is a limited number of sporting grounds and hours they can be accessed and a very high demand for access. Any increase in an Applicant's participation numbers cannot be matched by increased allocations. Council expects Hirers to maximise the use of the allocations they receive to best manage their player and team numbers.

Applicants cannot book grounds to reduce access to other Hirers, nor can Applicants underutilise their allocation.

Where it can be demonstrated that a Hirer has repeatedly booked a ground and not used the allocation, staff will investigate this. At its absolute discretion, Council's Director Engineering & Operations (or equivalent) may cancel the Hirer's future allocations for the season. Further, Council may consider excluding an Applicant from future season allocations.

## **5. APPEAL PROCESS**

Applicants may only make an appeal if they have no outstanding debt with Council. Appeals may only be made by not-for-profit volunteer-based sporting clubs with the majority of registered participants reside within the Strathfield Local Government Area.

The appeal process applies after draft allocations have been issued and an Applicant's requested changes cannot be accommodated due to competing requests.

In an appeal request, the Manager Engineering (or equivalent) will review the submissions against the weighted selection criteria (outlined in 6.5). The Applicant with the highest score will receive greater preference for their request and Council staff will determine and release final allocations.

Should an Applicant be unsatisfied with the allocation a final appeal process can be requested. The process requires that:

- Applicants must notify Council in writing within 48 hours of receiving their final allocations they wish to appeal.
- The final appeal will be conducted by an Allocations Review Committee.
- There will be three members of the Allocations Review Committee – a representative of the Property/ Bookings team, the Director Engineering & Operations (or equivalent) and external representative from a State Sporting Organisation, Sports NSW or equivalent.
- The Committee will receive the Applicants original EOI Application Form and the Appeal.
  - The Committee's Terms of Reference will be to determine:
  - Was the Sporting Ground Allocation Policy applied
  - Was the Allocation Process followed
  - The results of the Weighted Criteria assessment
  - The final the seasonal allocations.
- The Allocations Review Committee will respond to the Applicant/s with the following:
  - The outcome of the appeal and any action taken
  - The reason/s for the decision.

Elected Councillors will play no part in the allocations or appeal process.

## 6. Version Control

Date	Type	Minute
2/5/23	Version 1 - Draft for Public Exhibition	127/23
4/7/23	Version 2 – Council Adopted Version	182/23

## **Annexure 1 – Conditions of Seasonal Hire**

By submitting a Sporting Grounds Allocation Application, Applicants and Hirers are agreeing to the Conditions of Season Hire outlined below.

### **Written Approval**

Hirers may only use the sporting grounds when they have an agreed allocated booking. Council will provide written approval of allocations. This is to help ensure that the sporting grounds have adequate rest periods and to maintain the sporting grounds in the long term.

Where a Hirer is found to be playing on a sporting ground outside their allocated booking, they will be subject to the penalties outlined in 4.13 Damages and Breaches of the Sporting Grounds Allocations Policy.

### **Subletting**

Hirers may not sublet or reallocate grounds and/ or facilities to other users on a casual or seasonal basis. All grounds allocations must be approved by Council and any breach may impact future bookings. This is primarily to manage risk and ensure public safety.

### **Hours of Operation**

The standard hours of operation for sporting grounds within the Strathfield are as follows:

- Mondays - all sporting grounds are closed for rest and maintenance (with the only exceptions noted in 4.9 Sporting Ground Rest Periods)
- Tuesdays to Fridays 7.00 am – 9.30 pm
- Saturday 8.00 am – 6pm.
- Sunday 8.00 am – 5pm

The standard hours of operation for Mason Park synthetic sporting ground (only) are as follows:

- Mondays to Fridays 7.00 am – 11pm
- Saturday 8.00 am – 8pm.
- Sunday 8.00 am – 8pm

Any exception to the standard hours of operation must be approved by Council in writing.

### **Games**

Games played on home grounds must be in accordance with the scheduled, home and away fixtures as determined by state sporting associations and any scheduled game must involve a home team, except where the club is hosting finals as scheduled by the state sporting association.

### **Availability of Grounds Outside Allocations**

Sporting grounds and facilities are not available for use outside the approved times unless prior arrangements have been confirmed with Council. Where such use is permitted, the casual hire charges will apply.

Should any Hirer find it necessary to alter the times of ground usage during the season, arrangements should be made with Council prior to any changes being made.

### **Ground Closures**

Council reserves the right to close any sporting ground and/ or facility due to inclement weather, to protect the playing surface and other assets, due to safety concerns, to reduce risk to players and the public or to allow the completion of capital and maintenance works. This decision is not negotiable.

Council staff inspect the sporting grounds regularly, as part of ongoing maintenance. Hirers are also required to conduct pre-match ground assessments and address any hazards.

In the event of inclement weather conditions, Council will inspect each ground and determine its suitability for use.

Council will close grounds during inclement weather on weekdays to prevent playing surface deterioration, in preference to match play on weekends. Council may also close grounds during inclement weather on weekends if conditions are not suitable for use of the grounds.

Council will assess and notify users of sporting ground closures through the following means:

- Council website
- Wet weather line on 02 9748 9972
- Open and Closed signs at the sporting grounds (where available).

Council staff will update the ground closure notifications by 10am for the Schools and 3pm for the evening Hirers.

If during the season, the condition of the sporting ground deteriorates, Council may, at its absolute discretion reduce the hours or cancel the right of a Hirer to use a sporting ground for health and safety and/ or maintenance reasons.

Council will not be held responsible for relocating or finding alternative sporting grounds for the Hirers. Council will not be held responsible for any costs incurred by a Hirer relocating to an alternative venue due to ground closures.

No refunds will be provided for closures associated with inclement weather. It is noted that Council heavily subsidises the management and maintenance of access to sporting grounds for community access.

### **Other Users**

Outside of the agreed allocation hours to Hirers, Council retains the right to make the sporting grounds and facilities available to casual Hirers.

### **Member Behaviour**

The Hirer is responsible for the satisfactory conduct of all members and persons attending their training/ games/ utilising the sporting ground. The Hirer shall ensure that the amenity of property owners adjoining parks is not disturbed by excessive noise, offensive language, poor behaviour or any other activity likely to cause unreasonable disturbance.

### **Emergency Access**

Council will issue keys to seasonal sporting ground Hirers. Access to the venue must be maintained for emergency vehicles. Hirers, if onsite, are responsible for allowing access in the case of an emergency.

### **Storage Allocation and Containers**

Hirers are not entitled to use storage space. If storage is available at the sporting ground, Council may at its absolute discretion provide Hirers with access to this space. Council will at its absolute discretion determine the design, placement and size of storage space made available to Hirers.

Any storage will be approved on a seasonal basis. Council staff may direct Hirers to remove any items stored at the end of the season.

No new shipping containers, used for storage, will be permitted within the Strathfield Local Government Area.

### **Sporting Ground Damage**

When undertaking training, Hirers are encouraged to rotate their training/ drill areas within the sporting grounds to reduce wear and tear, e.g. By moving goal mouths. This minimises damage to the grounds and potential risk of injury to players. Council staff can work with the Hirers on potential options to facilitate this.

If the Hirer becomes aware of any damage to the grounds, particularly where it may impact on people's safety, the Hirer is responsible for reporting this promptly to Council. Where possible, the area should be isolated.

### **Seasonal Changeover**

All Hirers are required to notify Council two weeks prior to the season completion advising if sporting grounds are not required for finals.

### **Car Parking**

Car Parking is restricted to designated car parks only. At no times are cars allowed on parks or sporting grounds without the approval of Council. Hirers are responsible for the conduct of their members and visitors in this regard. It is the Hirer's responsibility to monitor and control car parking.

### **Soccer Goals**

Soccer Nets are not to be secured to soccer goals using electrical tape (or any other tape) which is permanently affixed and/ or leaves a residue. The only approved method of affixing nets to goals is as per the goal manufacturer's instructions or by the use of Velcro.

Nets must be removed when not in use as per Australian Standards AS4866.1-2007. Moveable soccer goals are required to meet Australian standards and be appropriately stored when not in use.

### **Floodlighting**

Council is responsible for the maintenance of all floodlighting on sporting grounds. Hirers will be provided with access to floodlighting at the commencement of the season once seasonal

allocations are finalised. Training on sporting grounds must cease by 9.30pm with the floodlights automatically going off at 9:45pm (if not turned off earlier by the Hirer). Any faults associated with floodlight use are to be reported to Council.

### **Marking of Grounds**

Council is responsible for the marking of all sporting grounds. The Hirers may not linemark the grounds.

### **Cricket Covers**

Council is responsible for the maintenance and preparation of the wicket block and outfield. The ownership and management of cricket wicket covers lies with the respective cricket clubs or association. The home team is responsible for the covering, removal and storage of cricket covers where inclement weather is forecast. Cricket covers are to be stored appropriately and not left on turf areas where they may damage the turf surface.

### **Waste**

Council provides bins at each sporting ground. All Hirers are responsible for waste generated from their respective sporting activities. Hirers are responsible for ensuring that the sporting grounds are left in a clean state. At no time are Hirers permitted to store or stack waste next to bins. Hirers found to have stored waste next to bins will be charged for the removal and disposal of such waste by Council.

### **Advertising and Sponsorship**

No permanent advertising may be displayed at the sporting grounds. Seasonal Hirers may display advertising signage during their allocated sporting ground hours only. With the exception of fences, advertising may not be affixed to the facilities. Advertising is limited to temporary banner signage only. Advertising must not include alcohol, soft drink, fast food, firearms, pornography or tobacco sponsorship.

### **Smoking**

Smoking is prohibited on all Council sporting grounds. All Hirers are responsible for informing their members and educating sporting ground visitors that sporting grounds are smoke free.

In addition, smoking is not permitted in the following areas:

- Within any structures;
- Within 10 metres of children's play equipment in outdoor public places;
- Spectator areas at sports grounds or other recreational areas used for organised sporting events;
- Within 10 metres of a food fair stall/ kiosk/ canteen.

### **Selling of Goods**

Hirers may only sell food, drinks (non-alcoholic) and raffle tickets.

### **Public Address System**

A public address (PA) system or electronically operated sound equipment must not be used unless approved by Council. Sound levels must not exceed LAeq 15 minute ≤ 65 dB(A) when measured at the nearest affected receiver (resident or business).

### **Good Sports**

Council expects all Hirers to demonstrate respect towards each other and towards Council staff.

All Strathfield sporting clubs must be accredited with Good Sports. The Good Sports program is a preventive health initiative. It's implemented voluntarily through community sporting clubs; helping clubs to promote healthier, safer and family-friendly environments and behaviors.

### **Alterations and Building Works**

The Hirer must not make alterations, additions or deletions to the facilities or any Council assets without first obtaining permission in writing from Council as the owner of the land and buildings. If works are approved, they must be carried out under the supervision of Council.

Buildings, improvements, additions and extensions, if approved, once built become the absolute property of Council without the Hirer being entitled to any payment or compensation in request thereof.

### **Coaching Clinics**

All school holiday coaching clinics for sport within the Strathfield Local Government Area must be run through a registered Strathfield sporting club with clinics and training dates approved by Council.

### **School Allocations**

Schools must submit an application form for all usage of the sporting grounds (even if Council does not charge for this usage).

### **Activities Requiring Approval**

The following activities require an approval from Council in writing:

- Filming (commercial);
- Selling or consuming alcohol;
- Installing any structure, screen, awning, sign, enclosure, equipment, stalls or amusement devices;
- Exhibiting or distributing advertisements or handbills;
- Any use that brings in a third party supplier, including amusement devices, formal catering, etc.

### **Prohibited Activities**

The following activities are not permitted within any park or sporting ground:

- Tree pruning
- Trench digging
- Attaching signs or structures to trees or Council signage
- Archery; golf; go karting (or using other motorised equipment); paintball; laser tag; riding horses; driving of model cars; sale or use of glass receptacles; camping or



lodging overnight; possession or use of any firearms; coal BBQs; lighting candles; lighting fires (this excludes use of the Council provided BBQs).

Council discourages the use of balloons, plastic straws, glitter, party poppers and confetti in parks and discourages Colour Run events.

### **Management Plans**

Council may require the Hirer to prepare and implement management plans. The size and nature of the activities being held on the sporting ground will determine if the Hirer must prepare the following, for approval by Council:

- Prepare and implement a Traffic Management Plan
- Prepare and implement a Risk Assessment and Management Plan
- Prepare and implement an Emergency Management Plan
- Provide security staff
- Undertake community notification of the activities
- Install temporary fencing around the perimeter of the activities
- Install Variable Message Signs in advance of the activities
- Prepare a First Aid Plan and provide first aid staff
- Provide toilet facilities (in addition to existing park public toilets)
- Prepare and implement a Waste and Litter Management Plan
- Install “No Smoking” signs throughout the venue

### **Additional Conditions**

In consideration of the Hirer’s proposed activities, Council at its sole discretion may impose additional conditions of approval, as deemed necessary.