



# Sports Facilities, Grounds and Clubs Conditions of Use



Updated October 2018



## Table of Contents

|   |    |
|---|----|
| Introduction .....  | 3  |
| Scope of 'conditions of use' document .....                     | 3  |
| Objectives .....  | 3  |
| Definitions .....   | 3  |
| Contact with Council .....                                      | 5  |
| Conditions of Use .....   | 6  |
| <b>CLUB GOVERNANCE</b> .....                                    | 6  |
| 1.    Incorporation.....  | 6  |
| 2.    Seasonal Allocation.....                                  | 6  |
| 3.    Nature and Purpose of Pavilion Use .....                  | 6  |
| 4.    Liquor Licence .....                                      | 7  |
| 5.    Tobacco Act - No Smoking .....                            | 7  |
| 6.    Food Handling, Storage and Preparation Areas .....        | 8  |
| 7.    Contents Insurance.....                                   | 8  |
| 8.    Public Liability.....                                     | 8  |
| 9.    Risk Management .....                                     | 9  |
| 10.   Community Grants/Funding and Training Opportunities ..... | 9  |
| 11.   Inclusive Club Environment .....                          | 10 |
| <b>GROUNDS &amp; PAVILIONS</b> .....                            | 10 |
| 12.   Shared Use.....   | 10 |
| 13.   Changes to Allocations .....                              | 10 |
| 14.   Scheduled Games .....                                     | 10 |
| 15.   Subletting.....   | 10 |
| 16.   Finals.....   | 10 |
| 17.   Pavilion Use outside Normal Season .....                  | 11 |
| 18.   Times of Pavilion Use.....                                | 11 |
| 19.   Noise Restrictions .....                                  | 11 |
| 20.   Events .....  | 12 |
| 21.   Sports Lights .....                                       | 12 |
| 22.   Line Marking .....  | 12 |
| 23.   Vehicles.....   | 13 |
| 24.   Portable Soccer Goals.....                                | 13 |
| 25.   Covering of Synthetic Cricket Wickets.....                | 13 |

|     |  |    |
|-----|--|----|
| 26. | Goal Posts .....   | 14 |
| 27. | Goal Posting Padding.....  | 14 |
| 28. | Scoreboards.....   | 14 |
| 29. | Capital Works .....  | 14 |
| 30. | Cricket Nets .....   | 14 |
| 31. | Utilities.....   | 14 |
| 32. | Obstacles .....  | 14 |
| 33. | Recycling & Waste .....  | 15 |
| 34. | Hard Rubbish Collection .....  | 15 |
| 35. | Dumped Rubbish .....   | 15 |
| 36. | Other Equipment/Furniture .....  | 15 |
| 37. | Gas Bottles.....   | 15 |
| 38. | Security .....   | 15 |
| 39. | Emergency Evacuation .....   | 16 |
|     | CLUB OPERATIONS.....   | 16 |
| 40. | Pre-season Training .....  | 16 |
| 41. | Storage of Equipment.....  | 17 |
| 42. | Out of Season Storage .....  | 17 |
| 43. | First Aid Kit.....   | 17 |
| 44. | Pavilion Inspections and Audits.....                                     | 17 |
|     | FEES & BONDS.....  | 17 |
| 45. | Seasonal Fee .....   | 17 |
| 46. | Keys and Locks.....  | 17 |
|     | PROMOTIONS.....  | 18 |
| 47. | Signage.....   | 18 |
|     | COUNCIL CONDITIONS & REPRIMANDS.....                                     | 18 |
| 48. | Notice of Damage and Maintenance.....                                    | 18 |
| 49. | Alterations, Additions and Repairs to the Sportsground and Pavilion..... | 19 |
| 50. | Seasonal Handover .....  | 19 |
| 51. | Cancellation of Use.....   | 19 |
| 52. | Termination of Use/Disciplinary Action .....                             | 19 |
| 53. | Shared Facility .....  | 19 |
|     | CLUB DECLARATION .....   | 20 |

## **Introduction**

The City of Port Phillip aims to provide appropriate sport and recreation facilities within the City for all residents, and encourages active and inclusive participation. Council acknowledges and values the role played by other providers within City of Port Phillip, such as sporting clubs and community organisations. Council recognises the importance of working in partnership with these organisations and relevant state sporting bodies to achieve great sport and recreational outcomes for the Port Phillip community.

## **Scope of 'conditions of use' document**

The document applies to:

- The allocation of facilities made available through application for seasonal tenancy of sportsgrounds and pavilions;
- Facility Maintenance;
- Requirements of clubs.

This document applies to all sportsgrounds and pavilions, owned and/or controlled by the City of Port Phillip, including associated areas such as adjoining open space and car parks, which are used for sporting and recreation purposes.

## **Objectives**

To provide a comprehensive and easy to understand document which details the responsibilities of Council, sports clubs and other users – a document that can be given to new committee members, or any affiliate of the club, to give an understanding of how to work with Council.

## **Definitions**

### **Casual Agreement**

Informal use of a facility by a person or group, on a once-off or irregular basis or club use outside of allocated times.

### **Competition**

A fixture of a game between two teams.

### **Junior**

Any team entered into an under 17's or lower section of competition.

### **Licence Agreement**

A form of permissive use of a facility for an agreed period. This agreement will not give the Licensee the right of exclusive usage. A licence allows exclusive use of the sports ground at specific times only; use of pavilions may not be exclusive and at all other times the facility can be used by others and may be booked through Council. Licences will be issued for a maximum of three years and are generally applicable where there is more than one club/user group using the facility.

### **Lease Agreement**

A contract for the exclusive use of a specific facility for an agreed period. Leases enable user groups to gain the advantage of long term tenancy in order to facilitate capital investment, development or enable joint management of facilities.

## **Pavilion**

For the purpose of this document, “Pavilion” refers to the pavilion/s allocated to the seasonal club and specified in Councils facility permit. This will outline the times that the club is permitted to use the pavilion/s and will be issued prior to the commencement of the season.

## **School Use**

Permission for a school to use a sports ground during school hours.

## **Seasonal Permit**

A seasonal permit (recreational facility permit) is issued for each sporting season - summer, winter and the pre-season training period - for use of sports grounds and Pavilions located in the City of Port Phillip.

## **Sports ground**

An area of open space provided specifically for the purpose of conducting formal sport or encouraging informal recreation activity.

## **Summer Allocation**

| October – 28 February inclusive per year

## **Winter Allocation**

| April – 31 August inclusive per year

## Contact with Council

### Key Contacts

Clubs first point of call should be the City of Port Phillip Sport & Recreation Liaison Officer.

Office hours are 9am – 5pm Monday to Friday (excluding public holidays).

| Contact Person  | Key Responsibilities  |
|---|---|
| Sport & Recreation Liaison Officer<br>9209 6728<br><a href="mailto:recreation@portphillip.vic.gov.au">recreation@portphillip.vic.gov.au</a> | <ul style="list-style-type: none"><li>• Allocation of sports grounds</li><li>• Administration of seasonal permits</li><li>• Maintenance requests for buildings and grounds</li><li>• Grants information &amp; support</li><li>• General assistance for clubs &amp; public</li></ul> |
| Events Officer<br><a href="mailto:eventpermits@portphillip.vic.gov.au">eventpermits@portphillip.vic.gov.au</a>                              | <ul style="list-style-type: none"><li>• Family day, club launches etc.</li></ul>  |
| After Hours Council Assistance Hotline<br>9209 6777   | <ul style="list-style-type: none"><li>• Emergency after hours issues</li></ul>  |

### Communication between the Seasonal Club and Council

To ensure efficient communication is maintained with Council, clubs will appoint a key representative as the Council Liaison (it is suggested this be a Committee office bearer such as the President or Secretary). This representative will be the primary contact with Council staff. Council's Sport & Recreation Liaison Officer should be notified immediately of any change to the representative or contact details. Most correspondence from Council (including updates on ground conditions, maintenance issues, tenancy issues throughout the season) will be sent via email so it is vital that the contact has readily accessible email access. It is expected that the club representative will pass on all information to relevant club personnel.

## Conditions of Use

### CLUB GOVERNANCE

#### 1. Incorporation

The seasonal club must be incorporated under the *Associations Incorporation Reform Act 2012* and comply with the requirements of the Act.

#### 2. Seasonal Allocation

Sports ground and/or pavilion use shall be deemed to be granted by Council when the seasonal club has:

- Completed in full and provided all the information requested in Council's Application Form for seasonal use of sports grounds and pavilions.
- Provided a copy of the following:
  - 1) Clubs current financial statement (showing revenue & expenditure).
  - 2) Clubs Public Liability Insurance Policy or Certificate of Currency, which confirms that the coverage is adequate (minimum of \$20 million) and current.
  - 3) Liquor Licence (If applicable)
  - 4) Food Act Registration Permit (If applicable)
  - 5) Signed Conditions of Use document and returned it to the Sport & Recreation Liaison Officer.
- Returned all keys issued in any previous seasons.
- Paid all charges levied by Council from previous seasons.
- Paid all costs related to any damage from previous seasons.
- Forwarded all team competition fixtures.
- Provided a copy of their Risk Management Plan
- Provide participation data to the Sport and Recreation Liaison Officer

#### 3. Nature and Purpose of Pavilion Use

The seasonal club has the right to occupy and use the sports ground and pavilion during the dates, days and times specified in Council's facility permit. This permit does not imply exclusive use of the sports ground or pavilion by the seasonal club.

The seasonal club shall use the sports ground and pavilion solely for the following purposes:

- To conduct home and away matches in accordance with days and times approved by Council;
- To conduct training sessions in accordance with days and times approved by Council;
- To conduct club related social and administrative activities in accordance with days and times approved by Council. No events on Council land/buildings are to continue past 10.00pm Sunday to Thursday or 12.00am on Friday and Saturday (subject to times outlined on the clubs facility permit),
- Council does not warrant that the sports ground and pavilion are suitable for any particular purpose. It is the responsibility of the seasonal club to make its own inquiries and judgement as to suitability prior to each separate use of the sports ground and pavilion.

#### 4. Liquor Licence

The seasonal club must not permit the sale of alcohol on the sports ground or in the pavilion without obtaining the appropriate Liquor Licence. Seasonal clubs must obtain written consent from Council before submitting an application to the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

The seasonal club must obtain written consent from Council's Sport & Recreation Unit before applying for any licence or permit under the *Liquor Control Reform Act 1998*, including any variation, removal, transfer, surrender or release from such licence or nominating any person to be a licensee. Council may grant or withhold this consent at its absolute discretion, taking into account pertinent amenity considerations and the best interests of the local community.

Council will only support liquor licence applications appropriate to the times allocated in the seasonal permit and applications that observe the following times and conditions:

- Monday to Friday – a starting time of no earlier than 6:00pm with a closing time of not later than 10:00pm (Friday 11:00pm);
- Saturday and public holidays – a starting time of no earlier than noon with a closing time of not later than 12:00am;
- Sunday – a starting time of no earlier than noon with a closing time of not later than 10:00pm;
- Clubs are required to display their liquor licence in the facility;
- Other mandatory signage as advised by VCGLR must also be on display.

Council requires State Sporting Associations (SSAs) and community sporting clubs to responsibly manage and reduce the risks associated with the consumption of alcohol in the sport and recreation setting. Council recognises the vulnerability of young people, less than 18 years of age, to alcohol-caused harm and advocates measures that lessen the risk, such as:

- No consumption of alcohol at junior sports;
- Not overtly promoting alcohol in venues where young people participate;
- Educating youth as to the risks of alcohol to health and performance.

#### 5. Tobacco Act - No Smoking

From 1 April 2014, the Victorian State Government updated the *Tobacco Amendment Act 2013* to prohibit smoking in public places. Under the updated legislation smoking is not permitted within:

- 10 metres of outdoor children's playground equipment;
- 10 metres of outdoor skate parks;
- 10 metres of outdoor sporting venues during organised underage sporting events.

The ban applies during all organised underage sporting events, training, and practice sessions. It includes outdoor sporting venues to which the public ordinarily has access to, for example, ovals and courts located in public parks and reserves. For further assistance and clarification clubs can call the Tobacco Information Line on 1300 136 775.

Smoking is not permitted in sports pavilions at any time.

## 6. Food Handling, Storage and Preparation Areas

All businesses, organisations, individuals and community groups selling food or drink in Victoria must be classified according to the highest level of risk their food handling activities pose.

Food businesses **must** follow the *Food Act 1984* safety regulations and requirements for your classification, regardless of the type of business or group they are.

The classification system is risk based, so that regulation is matched to the food safety risk that different food business activities pose to public health.

The fact sheet on the City of Port Phillip website provides more information about the different classes and requirements for permanent and temporary registrations.

The fact sheet can be found at [http://www.portphillip.vic.gov.au/Fact\\_Sheet\\_-\\_Food\\_Permit.pdf](http://www.portphillip.vic.gov.au/Fact_Sheet_-_Food_Permit.pdf)

Council officers are required to conduct an annual inspection of all Class 2 and 3 premises. Class 2 premises must have a Food Safety program in place and a Food Safety Supervisor who is trained and able to train other staff. There is a basic online video training course that all people who handle food should complete. The video can be found at:

<https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-safety-training-skills-knowledge/do-food-safely>

Is it important that Councils Health Services Unit have accurate contact information including contact person, postal address, email address and phone number so they can organise inspections.

Clubs should contact Council prior to starting to sell food so they can be advised on their class and provided assistance. An inspection of the premises is required prior to registration being granted.

Please contact the City of Port Phillip's Health Services Unit on 9209 6777 so that Council can assist you throughout the process and ensure your classification is correct and the right form is completed. Further information is available at [http://www.portphillip.vic.gov.au/public\\_health.htm](http://www.portphillip.vic.gov.au/public_health.htm)

## 7. Contents Insurance

City of Port Phillip does not provide contents insurance on any pavilion or club room, clubs are expected to maintain contents insurance at their own expense.

## 8. Public Liability

The seasonal club must at all times during the term of this agreement be the holder of a current Public Liability Policy of Insurance, which covers it in respect to all of its activities including seasonal competitions and events, the subject of the use of Council's facility, and be for an amount of at least \$20 million. A Certificate of Currency is to be provided at the commencement of each season to City of Port Phillip.

## 9. Risk Management

To ensure that appropriate Risk Management practices are in place during the use of sportsgrounds and pavilions, all sports clubs must:

- Comply with all laws and regulations applicable to their use and operation;
- Remain Incorporated at all times;
- Ensure that the use of the facilities is for community sport and recreation only and not for any unlawful purposes or private functions;
- Not engage in or display offensive behaviour/material throughout the use of Council facilities;
- Ensure that no nuisance is caused to members of the public. This includes but is not limited to nuisance related to noise, vehicles, behaviour, stray balls, patrons and visiting teams;
- Ensure that the pavilion and sportsgrounds used are left in a safe manner after each use;
- Provide and maintain a First Aid Kit(s) and equipment for use at the sports ground and pavilion in accordance with the requirements specified by their affiliated Association/League;
- Use Council provided signage to notify other park users of the sporting activity in progress. If applicable, the club must ensure that this is included in their 'Risk Management Plan';
- Be the holder of a current Public Liability Insurance Policy (minimum of \$20 million coverage for any one single event) that covers both club and Council for all claims of injury or damage arising out of Club negligence;
- Increase their Public Liability Insurance Policy to a greater sum if reasonably required to by Council;
- Not engage in any behaviour that jeopardises or voids their insurance policy;
- Follow all other Council processes and regulations as outlined in this document and Council correspondence to the sports club contact;
- Be registered with, and included in the draw of a state or regional sporting association i.e. AFLVIC, FFV, VicSoccer, VBA, VTCA, WSUCCA, RVBA, VTA, SECA or equivalent;
- Have an emergency evacuation plan supplied by Council on display in your club's pavilion;
- Conduct risk assessments on grounds and pavilions, for example conducting pregame ground inspections and signing off a checklist as per the relevant association guidelines.

## 10. Community Grants/Funding and Training Opportunities

Councils Community Grants program aims to work together with funded groups and organisations to meet identified community needs, support local networks, promote and encourage participation in community life, facilitate innovation and promote access, inclusion and acceptance of diversity. Community organisations (including sports Clubs) are invited to apply for funding up to \$10,000.

Council hosts information sessions each year and sports Clubs are encouraged to attend an before submitting an application. The sessions will provide information and advice as well as the opportunity to discuss your application with Council staff. More information is available at [http://www.portphillip.vic.gov.au/community\\_grants.htm](http://www.portphillip.vic.gov.au/community_grants.htm)

Council also runs free and low-cost training sessions to build the capacity of local community groups and non profit organisations. Bookings are essential. To keep up to date with upcoming training opportunities, please visit [http://www.portphillip.vic.gov.au/community\\_training.htm](http://www.portphillip.vic.gov.au/community_training.htm) regularly. The Sport and Recreation Liaison Officer will also send training opportunities to your Clubs nominated Council contact.

Sports Clubs are always welcome to contact the Community Grants and Funding Officer on 9209 6777 or email [grants@portphillip.vic.gov.au](mailto:grants@portphillip.vic.gov.au) for additional help.

## **11. Inclusive Club Environment**

Regardless of background and preferences. Inclusive clubs ensure that all members have an equal opportunity to participate. Sports clubs are important to local communities and can be uniquely placed to encourage positive contact and cooperation between people from a range of different backgrounds and abilities. Being inclusive means welcoming everyone. Council can support your Club in creating an inclusive environment, contact Councils Sport and Recreation Liaison Officer to seek assistance.

## **GROUNDS & PAVILIONS**

### **12. Shared Use**

Council retains the right to authorise shared or casual use of the sports ground and/or pavilion by any other club, community group, or organisation, and the seasonal club shall permit any club, community group, or organisation authorised by Council in writing to use the sports ground and pavilion in accordance with the extent of Council's permission.

Clubs are responsible for keeping the facility neat, clean and presentable for other users at all times. If another group is going to use the facility the Club will be informed by Council.

### **13. Changes to Allocations**

Council reserves the right to change any allocation at any time due to scheduled pavilion/ground works, ground conditions, risk assessment and other possible safety issues. Where possible, Council will offer an alternate sportsground however clubs should have a backup venue that can be organised at short notice in the event that an allocation needs to be changed for training or competition. Competition fixtures will take precedence over training and casual bookings on sportsgrounds. Sportsgrounds may be closed for training and casual use to improve the condition of the playing surface for competition fixtures. Where grounds are required to be closed, Council will endeavour to provide clubs with as much notice as possible and work with the Club and association on alternate options.

### **14. Scheduled Games**

The seasonal club shall notify the Sport & Recreation Liaison Officer of any changes to the schedule/fixture for home and away matches and training days immediately.

### **15. Subletting**

A sports club that is allocated a facility by way of Licence Agreement is not permitted to sublet any part of a sports facility, including a ground and/or any part of the pavilion, as set out in the Permit or Licence Agreement. Non-compliance may result in Council withdrawing the allocation.

### **16. Finals**

Clubs should inform the Sport and Recreation Liaison Officer of the potential for finals training and matches to be played at venues in advance. Clubs wishing to use facilities for the purpose of training for finals and finals matches must submit a Finals Ground Request via email to the Sport & Recreation Liaison Officer a minimum seven days prior to the first date of finals. This allows Council to ensure that the clubs allocation for training purposes throughout the finals period can be continued. This is to ensure that the clubs liability is covered should any incident occur, double bookings are not made and maintenance work does not conflict with ground use.

To host finals matches at Council facilities, a written application must be submitted from the Club to the Sport and Recreation Liaison Officer. If Council has not been notified of intended finals use and

maintenance has commenced in preparation for the upcoming season, the Club runs the risk of the ground not being available, or paying costs for reinstating the ground if this option is available.

Use of grounds for finals matches and training will take precedence over requests for pre-season training and practice matches. Council will send confirmation of the request and provide a permit.

### **17. Pavilion Use outside Normal Season**

The seasonal club shall not be charged for use of the pavilion and associated social facilities (where available) for the purposes of conducting their Annual General Meeting and one (1) other nominated social event/presentation, provided that these activities are held within four (4) weeks of either end of the season, and the seasonal changeover process or incumbent tenant is not adversely affected. Clubs need to fill out a casual booking form and return it to the Sport and Recreation Liaison Officer to obtain a permit. Bookings outside of the above circumstances will be treated as a casual booking and a charge will apply.

### **18. Times of Pavilion Use**

- Monday to Thursday – a starting time of no earlier than 4:00pm with a closing time no later than 10:00pm;
- Friday – a starting time of no earlier than 4:00pm with a closing time of no later than 11:00pm;
- Saturday and public holidays – a starting time of no earlier than 8:00am with a closing time no later than 12:00am;
- Sunday – a starting time of no earlier than 8:00am with a closing time no later than 10:00pm.

Please note that Council's pavilion use times override any times permitted in a Clubs liquor licence.

### **19. Noise Restrictions**

The noise level generated by the seasonal clubs activities at the sporting ground and Pavilion must, at all times, comply with the City of Port Phillip Local Laws, and the Environment Protection Authority acts and guidelines. Amplified music can be used, provided the relevant permit is sought and issued by Council, without these permits no external speakers are to be used. Sirens and public address systems, including mobile and handheld units, can be used between the hours of 9am and 6pm and must not be heard outside the confines of the park. Sirens and public address systems must be pointing away from residences at all times.

Clubs are responsible for ensuring all members and guests of the Club do not disturb the local amenity. Clubs are expected to adhere to the requirements of the Environment Protection (Residential Noise) Regulations 2008 as set out in EPA Publication 1254, Noise Control Guidelines and ensure that noise from their activities does not cause a disturbance during the prohibited hours. Further information on noise can be obtained from the EPA website at [www.epa.vic.gov.au](http://www.epa.vic.gov.au).

## 20. Events

Clubs are reminded that use of a sports facility is for its dedicated purpose only. Any other events are not included in a licence agreement and must be applied for separately. This includes any match that is not part of the Clubs fixture of competition. Any such events, extra matches or other usage requires written permission (Recreation Facility Permit) from Council. Functions held in pavilions that are outside of the Clubs allocated times also require permission from Council. This includes, but is not limited to: trivia nights, fundraising nights, Christmas parties and club breakups. Booking of these events will fall under a casual booking and attract a casual hire rate. Requests for casual bookings need to be made at least ten days in advance.

The use of inflatables (ie jumping castles) is not permitted on sportsgrounds under a sportsground allocation. Inflatables and other infrastructure require an event permit. Clubs wishing to have infrastructure as part of key events must apply for an Event Permit and cover all permit fees. Event applications are required three months in advance and will require Clubs to provide such items as event plans, site maps and risk assessments. Application forms and further information can be found at <http://www.portphillip.vic.gov.au/event-permit-applications.htm>

## 21. Sports Lights

Floodlights are only to be used for the purposes of winter season training and are not permitted to be used for summer training. Clubs are not permitted to use floodlights for any other purposes such as social functions or pre-season training.

Council will consider individual requests to use floodlights for special occasions, such as twilight or night matches. Any use of the floodlights for matches or other non-training events must be approved by Council prior to the start of the season. Night fixture requests will only be considered if there is compliant sports lighting at the reserve as outlined in the relevant Australian Standards.

Training lights must be turned off by 9pm every night of the week. Any club that is found using sports ground lights beyond this time may jeopardise future use. If Council is called out after hours to turn off sports ground lights, all costs for the call out will be charged to the club. Any exception to these conditions requires the approval of Council.

All installation and maintenance work to sportsground lighting will be carried out by Council. Any lighting installed by clubs may be removed by Council at the clubs expense.

Council conducts a yearly maintenance check in March.

## 22. Line Marking

Council is responsible for carrying out initial line marking of sporting grounds and playing areas at the commencement of the season in line with the guidelines of the relevant sports State and/or National Sporting Association and Council requirements. Sporting body guidelines will have a minimum run-off area from the edge of playing field to any hard surface. This is usually a 3m minimum at community sport level but may be more to ensure safety. When pitches/grounds are located alongside each other, a minimum of 6m may be required. The run-off area beyond the playing area needs to be free of any obstacle (eg. Drains, fences, coaches and player benches, paths, floodlight poles, etc) and clubs are responsible for ensuring suitable and safe practices and adherence to these requirements.

After the initial line marking takes place, clubs are responsible for ongoing marking of the ground/s and having their own paint. This approach to line marking is common across many Councils within Victoria. Council takes no responsibility for the maintenance or replacement of paint machines, or the ordering/purchasing of paint to mark the lines.

Only line marking products recommended for use on turf are permitted. Under no circumstances are products such as herbicides, diesel, oil or lime to be used to mark lines, as this causes long term damage to the sporting grounds and constitutes a significant safety risk to the playing surface. Costs associated with the reinstatement of damaged turf caused by the use of prohibited products will be charged back to the responsible club. Clubs wishing to paint anything additional to playing field lines on the surface of grounds (e.g. logo) must seek Council's written permission.

Initial line mark will only be performed by Council on a permanent sportsground. Popup fields or temporary fields that are approved by Council are to be marked by the tenant Club/s that are using the field. Council will continue to mark the lines for the cricket pitches centre wicket and cricket training nets.

Line marking machines have been gifted to the tenant Clubs (one per pavilion). These machines have been provided fully maintained (new battery, charger, nozzles etc if required) to clubs and subsequently the ongoing maintenance (or replacement) of these machines is the responsibility of the tenant Clubs at each pavilion.

Clubs are encouraged to plan and budget for the paint, and future maintenance/replacement of the line markers. Councils Sport and Recreation Liaison Officer can assist Clubs if they require contacts for suppliers of paint or new line markers. Clubs should liaise with their other co-tenants to arrange shared line marking and/or purchasing of paint, etc.

This new process commences for the start of the 2018/19 summer season (1 October 2018) and then continue for all future summer and winter seasons.

## **23. Vehicles**

The Seasonal Club must ensure that no vehicles are driven onto the sports ground or surrounding parkland. Vehicles may only access specified and designated car park areas. Any damage to the sports ground or surrounding areas by vehicles of Seasonal Clubs members or patrons or opposing teams will be rectified by Council at the Seasonal Club's cost. The only exception to this is emergency vehicles. Ambulance locks are installed at each sports reserve by Council, make sure your Club is aware of the lock location/s so ambulance vehicles can enter reserves if called upon.

## **24. Portable Soccer Goals**

All clubs wishing to use Portable Soccer Goals must first obtain the written approval of Council. All Portable Soccer Goals must comply with Australian Standards (AS 4866.1.2007). Portable goals that are not secured are not permitted as they do not provide sufficient stability and pose a risk to public safety. In addition, all Portable Soccer Goals must be stored in an appropriate and safe manner, and are not to be chained to fences in or around the reserves. Clubs are to remove and store all posts during the offseason.

## **25. Covering of Synthetic Cricket Wickets**

Council will be responsible for the covering and uncovering of synthetic cricket wickets on sports fields at change of season. This will be undertaken during the period between the end of one season

and the commencement of the next season, depending upon contractor schedules and the weather conditions at the time.

It is the responsibility of Seasonal Clubs that will participate in finals to contact the Sport & Recreation Liaison Officer so remedial works do not commence on your allocated ground in preparation for the forthcoming season. If this contact is not made and Council covers or uncovers wickets, there is no guarantee that the ground will be ready for play and costs will be attributed to the Club should any be incurred.

## **26. Goal Posts**

The maintenance, installation and removal of goals is the responsibility of Council. Goal posts will be installed commencing the week after cricket finals and prior to the commencement of the following season. Goal posts will be removed after the completion of all winter sports on sportsgrounds in City of Port Phillip.

## **27. Goal Posting Padding**

Clubs are responsible for the provision and erection of goal post padding and nets on goal posts. Some peak sporting associations and governing bodies provide recommendations in respect to goal post padding. Clubs should check with their governing body for all safety specifications in relation to their sport.

## **28. Scoreboards**

Clubs need to discuss the proposal with the Sport & Recreation Liaison Officer for the construction of new scoreboards at sporting fields. Clubs will pay all the costs and take on responsibility of ongoing physical and software maintenance of scoreboards. A planning and/or building permit may be required for any structure. Use of the scoreboard by other user groups will be considered.

## **29. Capital Works**

Clubs are not permitted to undertake capital work improvements, alterations or modifications to facilities unless approved by Council in writing. Approval for new and temporary structures such as coaches boxes, fences, nets or pavilion modifications must be gained from the Sport & Recreation Team in writing. Detailed plans for proposed works need to be submitted and a planning permit and/or a building permit may be required.

## **30. Cricket Nets**

Nets are allocated to Cricket Clubs as part of the seasonal licence. Please contact Councils Sport and Recreation Liaison Officer if nets are in need of repair. Council is responsible for the installation and maintenance (including line marking) of synthetic surface and fencing within cricket nets.

## **31. Utilities**

Clubs are responsible for paying all utility charges related to their seasonal use (gas, electricity, water etc.). Clubs will be invoiced directly by Council for the amount owing if they are not the account holders.

## **32. Obstacles**

It is the responsibility of the Seasonal Club to ensure that no obstacles or other club property are left on the sports ground or outside the Pavilion, surrounds or car park. In the event that obstacles or property are left outside, Council will remove the items at the Seasonal Clubs expense.

### **33. Recycling & Waste**

The Seasonal Club shall:

- Remove all food and rubbish from the licensed premises following use by members and its guests;
- Ensure that all rubbish is placed into the existing bins at the licensed premises (not the park bins) and if the existing bins are full, dispose of any excess rubbish at its own cost;
- Deposit all recyclable waste from the licensed premises in the recycling bins provided;
- Ensure bins are left in a suitable kerbside location on the day that the residential service is being conducted in the area prior to collection;
- Ensure bin cages are kept clean and tidy and bins are stored at all times when not in use.

If the Seasonal Club fails to dispose of rubbish in accordance with this condition, Council will remove rubbish at the Seasonal Clubs cost.

Clubs are responsible for ensuring that all waste generated from the use of the reserve is cleaned by the end of the match day or training session. The number of bins allocated is at the discretion of Council.

### **34. Hard Rubbish Collection**

Council does not provide hard rubbish collection for clubs. It is the clubs responsibility to dispose of any unwanted hard rubbish items at their own expense. For more information on hard rubbish visit [http://www.portphillip.vic.gov.au/hard\\_green\\_waste\\_collection.htm](http://www.portphillip.vic.gov.au/hard_green_waste_collection.htm)

### **35. Dumped Rubbish**

Rubbish dumped on Council land should be reported to Council. It is an offence to dump household or commercial rubbish into a litter bin or at a reserve.

### **36. Other Equipment/Furniture**

Clubs must seek permission from Council before bringing in any other equipment, including furniture and whitegoods, to the Pavilion. Council will assess each case individually, based on intended purpose of use and necessity of the equipment at the site. Clubs electrical items should be tested and tagged by a qualified electrician prior to use in a Council building and on an annual/seasonal arrangement.

Council will not take responsibility for maintenance or costs associated with such equipment. The Seasonal Club must remove their unused or broken equipment as requested by Council.

### **37. Gas Bottles**

Clubs are NOT permitted to store BBQ or LPG gas bottles inside pavilions. Such bottles can be stored in external ventilated cages where provided.

### **38. Security**

Clubs shall ensure that the pavilion is securely locked after use. The Club is responsible for closing and locking all doors and windows, turning off water taps and all lights on the sports ground and in the Pavilion when leaving. The Club shall notify Council of any breach of security immediately and provide copies of the police report. The Seasonal Club must obtain the consent of Council before installing monitored security systems at the sports ground and Pavilion and abide by the Council more information is available at <http://www.portphillip.vic.gov.au/default/CCTV%20Policy.pdf>

### **39. Emergency Evacuation**

Clubs must ensure that all officials and players are familiar with each sporting facility layout, particularly in regard to the location and access to entry and exit gates. Clubs must ensure that an appropriately trained club official is responsible for implementing an Emergency Evacuation Procedure where deemed necessary by the Club. Council will provide each Pavilion with an official evacuation plan which must be displayed in the Pavilion and followed in the event of an emergency. If a Pavilion does not have an evacuation plan, the Club must contact Council immediately to arrange one.

## **CLUB OPERATIONS**

### **40. Pre-season Training**

Clubs are not guaranteed access to pre-season training facilities as sportsgrounds need to be individually assessed to determine their capacity. Where possible, Clubs will be allocated their home ground for pre-season training and matches. If a club's home ground is unavailable, Council will endeavour to provide an alternative venue. Clubs should not plan any activities until they have received approval from Council.

Facility allocations for pre-season training and practice matches are available for:

- Winter Pre-season: January, February and March;
  - Summer Pre-season: August and September.
- Given the limited number of sportsgrounds available during pre-season, there is often a need to share existing sports grounds for pre-season allocations. Council will endeavour to provide all Clubs with equal access to sportsgrounds, regardless of code or level of competition. To limit the impact on the in-season tenant club, pre-season training will not include the use of the Pavilion. A maximum of two sessions per week for any sportsground will be permitted subject to the condition of the ground and incumbent tenants allocated use.

In addition to the information the Clubs pre-season permit, all pre-season training and practice matches are booked under the following conditions:

- Council reserves the right to suspend the use of sportsgrounds/cricket nets if substantial rain has fallen/is falling, if it is deemed unsafe or cannot sustain its current use, or to refuse an application for additional use;
- All patrons of the pre-season Club are not permitted to encroach upon the turf cricket wicket tables, synthetic cricket wickets, winter goal mouths and high worn areas and rotate locations of training around different areas of the ground/s;
- Training may only take place within valid daylight hours (no access to sportsground lighting);
- Flat soled shoes are to be worn at all times. No football, soccer or other sport specific shoes are to be worn;
- No goals are to be installed or removed on the sportsground by Clubs or associates.

Any club using ground(s) and/or facilities without written Council approval will be subjected to exclusion from future use and monetary penalties (see '51. Termination of Use/Disciplinary Action').

#### **41. Storage of Equipment**

The Seasonal Club shall be permitted to store, for the duration of the usage period, items of equipment in the storage space provided by Council (if any). Within 72 hours of the conclusion of the usage period, the Club shall remove all of its equipment from the Pavilion (if any). If the Seasonal Club breaches this condition, the Seasonal Clubs equipment will be removed by Council at the Seasonal Clubs cost, and Council will accept no responsibility for storage, loss or damage that may result to the equipment.

#### **42. Out of Season Storage**

Where a Seasonal Club wishes to permanently store equipment out of season, an entitlement to storage space must be reviewed by the Sport and Recreation Liaison Officer and other user groups. If approved by Council, the Seasonal Club must ensure all equipment is stored in an orderly fashion, which still allows access to the area.

#### **43. First Aid Kit**

The Seasonal Club must provide and maintain a First Aid Kit/s and equipment for use at the sports ground and pavilion in accordance with the requirements specified by their Affiliated Association.

#### **44. Pavilion Inspections and Audits**

Council, its staff, contractors or agents may access facilities at any time to inspect the building and/or to undertake repairs. Pavilions will be audited and inspected on a regular basis by Council to ensure they are being maintained in accordance with Clubs responsibilities. Clubs must ensure that access to every part of Pavilion/club rooms are available at all times.

### **FEES & BONDS**

#### **45. Seasonal Fee**

Clubs are required to pay all fees and charges as per their usage agreement with Council. An invoice will be forwarded to clubs through the allocation period along with a due date for payment. Any club that does not pay by the due date and does not make arrangement for payments will be considered as non-paying. Non-payment of any outstanding fees to Council may result in the withdrawal of allocation for Council facilities. Any Club that believes it has a genuine reason for not meeting its financial obligations should contact Council in writing without delay to set up a payment plan. Where debt collection is required by Council to resolve accounts, the club will incur the full cost of debt collection upon further application for sports ground use.

Fees and Charges are sent to:

- Winter clubs in May of each year;
- Summer clubs in November of each year.

#### **46. Keys and Locks**

Clubs are issued Pavilion keys at the start of their season. Clubs may not cut additional keys or change any of the existing locks on pavilions under any circumstances. Each club will be provided with the number of keys deemed appropriate by the Sport & Recreation Liaison Officer in discussion with the Club contact. Clubs will be responsible for any costs incurred with the loss or non-return of keys allocated to the Club. Allocated keys must be returned to the Sport & Recreation Liaison Officer within two weeks of the end of season. A Council key register sheet will need to be signed by a club member upon collecting and returning keys. Lost keys must be reported to Council immediately.

A Pavilion may need new keys or locks if a key or multiple keys have been lost to ensure security. The costs associated may be passed onto the Club responsible for losing the keys. Rekeying a facility can be a very costly exercise dependant on the size of the Pavilion.

If a rekey is not required, the club will be charged a replacement fee of \$50.00 per lost key.

## **PROMOTIONS**

### **47. Signage**

#### **Real Estate/Charity Boards**

All real estate/charity boards are erected for the purpose of promoting an event or activity only. There are nine preapproved sites for these boards within Port Phillip, these are available to view at [www.portphilip.vic.gov.au/event-permit-applications.htm](http://www.portphilip.vic.gov.au/event-permit-applications.htm). Signs are permitted to be displayed for a maximum of two weeks at two signage sites for any Club event.

#### **Temporary signage around sportsgrounds**

Removable signage (printed on vinyl for example) is permitted to be displayed at Pavilions or around sportsgrounds including on the sportsground fence on game days or Council approved events. These signs must be removed at the conclusion of the match or event and must not damage the fence or Pavilion.

#### **Permanent signage at pavilions/sportsgrounds**

Clubs are not permitted to erect permanent advertising on Pavilions or sportsgrounds without permission and a permit from Council.

A business sign is permitted up to 3sqm and is defined as a sign that provides business identification information about a business or industry on the land where it is displayed. Business signs are the only type of signage that will be considered and the location will be assessed to ensure no poor visual outcome for the park/Pavilion.

There is further information available on the City of Port Phillip website via <http://www.portphilip.vic.gov.au/apply-for-planning-permit.htm> or you can visit Council offices and speak with the duty planner.

## **COUNCIL CONDITIONS & REPRIMANDS**

### **48. Notice of Damage and Maintenance**

Council will be responsible for undertaking maintenance that is not attributable to the clubs use, neglect or damage. The club will be responsible for maintaining the Pavilion and grounds in equivalent condition as at the commencement of the season and will be responsible for any costs for damage to Council assets. Clubs must inform the Sport & Recreation Liaison Officer as soon as possible if any repairs are required so that a Customer Service Request can be raised and appropriate repairs and maintenance is completed.

Any damage or vandalism that has not been reported may be noted as part of Pavilion and ground inspections and clubs may be held responsible for the cost of required repairs.

#### 49. Alterations, Additions and Repairs to the Sportsground and Pavilion

Clubs are not permitted to modify any part of a Council building or sports ground without the express written consent of Council regardless of the scale of work, i.e. painting, installation of shelves and creating additional storage space. Clubs will be held liable for all costs associated for reinstating Council buildings due to unapproved club modifications.

#### 50. Seasonal Handover

Keys are obtained from outgoing Clubs and issued to the incoming Club during handover. During this time, all clubs that use each facility are to meet with Council Officer/s on site to hand over keys and to complete pavilion inspections. Clubs are not to exchange keys with their cotenants between seasons.

If Council deems the cleanliness of the pavilion unsatisfactory at handover the Club will be instructed to return to the Pavilion to clean to a standard deemed acceptable. Should the Club be unable to bring the pavilion to an accepted standard, Council will engage a cleaning company and costs will be charged back to the offending Club.

#### 51. Cancellation of Use

Council must be notified of any allocation that is no longer required. If Council is not notified the club will be required to pay the charge of that facility for the whole allocation period. Any facility that is not allocated to its full potential may be considered for allocation to another user group.

#### 52. Termination of Use/Disciplinary Action

Council reserves the right to suspend or revoke a Clubs seasonal licence at any time if the conditions of this document are breached.

The following course of action may be applied if a Club or any member or guest is found to have:

- Failed to comply with the sports club User Guide or directions from Council;
- Acted inappropriately;
- Caused damage to Council infrastructure and/or facilities;
- Failed to pay Council fees and charges by the due date and has not organised a payment plan;
- Breached Legislation, Local Laws or regulations.

|                                 |  |
|---------------------------------|--|
| <b>First infringement</b>       | Written warning, usually via email, advising the club of breach and outcomes/recovery costs required as a result of the breach.  |
| <b>Second infringement</b>      | Formal written warning advising the club of breach and outcomes/recovery costs required as a result of the breach. The club will be notified that any further breaches may result in the withdrawal of their allocation. A formal meeting may be arranged between the club and Council.                            |
| <b>Third/Major infringement</b> | Formal written correspondence to the club advising that their allocation has been withdrawn and / or terminated. The club will be notified of any costs to be recovered and process to be followed for vacation of the premises. A formal meeting may be arranged between the club, their Association and Council. |

#### 53. Shared Facility

Clubs sharing a facility are to liaise with the other users to ensure clashes do not occur over training schedules, Pavilion usage, utility payments and equipment storage. To reduce clashes, Council will allocate times and liaise with the other club/s if their hours need to change for any reason throughout the period. Council will make a final determination should clubs be unable to resolve any issue.

## **CLUB DECLARATION**

Yes, the seasonal club has read, understood and will abide by the Conditions of Use.

Signed: \_\_\_\_\_

Name & Position: \_\_\_\_\_

Date: \_\_\_\_\_