

Community Facilities Capital Development Major Policy

2016

1.0 MAJOR POLICY AIM AND OBJECTIVES

- 1.1. To provide a transparent and consistent policy that clearly defines Council and community group responsibilities towards the capital development of Council owned or managed community facilities.
- 1.2. To ensure efficient and effective use of Council and community resources to maximise the capital development and use of Council community facilities.

2.0 DEFINITIONS OF TERMS BEING USED

- 2.1 A community facility is defined to mean any built facility that is Council owned or managed and used by the community.
- 2.2 Capital development is defined to mean any change to a facility through capital replacement, improvement or new infrastructure improvement.
- 2.3 A community group is defined to mean any not for profit group that formally uses a Council owned or managed community facility to undertake its activities e.g. sports clubs, senior groups, community groups, cultural groups etc.

3.0 MAJOR POLICY STATEMENT AND PRINCIPLES

Major Policy - Purpose

This policy is a Major Policy, in accordance with the Governance (Major Policy Consultation) Local Law No.3. Council considers this policy to be of major significance, and has committed to a public and transparent consultation process that provides an opportunity for people affected, to address the Council.

Major Policy - Mandatory Consultation

Council, before creating, amending, modifying or revoking this Major Policy, will undertake a community consultation process as set out in the Governance (Major Policy Consultation) Local Law No.3.

Major Policy - Additional Consultation

Council may undertake additional consultation in accordance with Council's Community Engagement Toolkit.

- 3.1. The provision of Council owned or managed community facilities is a fundamental role of Council.
- 3.2. The capital development of community facilities must be consistent with Council's Mission, Vision and Values, in line with the Community and Council Plans as well as relevant strategic documents.
- 3.3. The following themes derived from the Brimbank Community and Council Plans underpin this Community Facilities Capital Development Policy:
 - a) **Clarity** where the processes in the policy are easily understood by users and Council officers.
 - b) **Collaboration and consultation** to determine the community's needs and priorities in accordance with Council's expectations and capacity to support.
 - c) **Consistency** where the policy is consistently applied.
 - d) **Efficiency** where the policy is easy to administer.
 - e) **Mutually** agreeable relationships between Council, community groups and external stakeholders.
 - f) **Optimal** utilisation of Council facilities to meet a broad array of community needs that are sustainable and afford desirable physical and mental health, social and economic benefits.

- g) **Participation** where the capital development process recognises user groups that are involved in community building and development activities and / or engage people from disadvantaged or marginalised communities including females, people with a disability and newly arrived and culturally diverse communities.
- h) **Partnership** where both Council and the community recognise the importance of the partnership they have in the delivery of a variety of opportunities to the Brimbank community.
- i) **Social justice** where Brimbank individuals and groups are afforded fair treatment and a just share of benefits of living in the municipality.

4.0 SPECIFIC REQUIREMENTS

- 4.1. The capital development of community facilities may be funded through:
 - a) Council funded capital development.
 - b) Community group contributions to Council funded capital development.
 - c) Council funded minor capital development.
 - d) Community group funded capital development.
 - e) Joint funded capital development.
- 4.2. Council will deliver an annual capital works program that will be informed by Council's Long Term Financial Plan.
- 4.3. Council will invest in core standard infrastructure on Council owned or managed land, as detailed in relevant Council Facility Standards.
- 4.4. Proposals for non-core or an increase above the relevant facility standards must be submitted through a formal application process. The applications will be assessed according to set criteria in line with Council policies and strategies and must meet all relevant standards. These criteria at a minimum are:
 - a) Capacity of site to accommodate amenity and relevant strategic documents.
 - b) Community group funding available.
 - c) Compliance with relevant statutory requirements.
 - d) Integration with existing infrastructure.
 - e) Project support of facility co tenants (as required).
 - f) Risk to Council for additional expenses due to extra works.
 - g) Site design and constraints.
 - h) Project specific criteria as determined by Council as required.
- 4.5. Community groups contributing to capital development must enter into a formal agreement with Council. In addition, for projects with the community group contribution:
 - a) Under \$100,000 the community group must provide to Council 100% of the contribution prior to the contract being awarded.
 - b) Between \$100,001 and \$500,000 the community group must provide to Council 50% of the contribution prior to the contract being awarded and 50% at the completion of the project. The community group will need to provide Council a copy of their bank account demonstrating the community group has sufficient funds to cover all project costs and provide a bank guarantee.

- c) Over \$500,000 the payment terms will be negotiated on a case by case basis.
- 4.6. Council approval is required for:
 - a) All alterations to Council facilities.
 - b) Community groups to apply for any facility improvement related grants before the application is lodged.
- 4.7. Council will not guarantee loans for community group funded capital developments.
- 4.8. The acceptance of a community group contribution towards capital development of any community facility will not:
 - a) Promote the project in the priority order identified in Council’s strategic documents.
 - b) Imply any ownership, exclusive use or control of the facility by the community group.
 - c) Entitle the community group to claim any compensation from Council should the community group move from the Council facility for any reason.
 - d) Change the terms of tenure which are defined by other Council Policy.
- 4.9. Council will manage at the appropriate level all capital developments on Council owned or managed land.
- 4.10. Maintenance responsibilities of all capital developments will be clearly outlined in tenancy agreements.

5.0 POLICY IMPLEMENTATION

The Chief Executive Officer may approve the development and subsequent review of Operational Guidelines as required, to assist in the implementation of this policy.

6.0 RELATED COUNCIL POLICY

Community Facilities Hire, Licences and Leases Agreement Major Policy

Community Facilities and Reserves Allocation Major Policy

Sports Facility Hire, Licences and Leases Agreement Major Policy

Amendment of Major Policy

This Major Policy can only be made, amended, modified or revoked, in accordance with the requirements of the Governance Major Policy Consultation Local Law No. 3.

Rev	Reviewed Date	Reason for Amendment	Next Review Date

Date Designated by Council as Major Policy - 20 September 2016
 Date Amended/Modified by Council -

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