



Cardinia Shire Council

## **Recreation Reserve Management and Usage Policy**

Prepared by:

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## 1. PURPOSE

To provide a consistent and sustainable approach to the management and usage of Council recreation reserve facilities that is equitable, easily understood and maximises available resources.

## 2. DEFINITIONS

**Casual Usage** - Casual usage is typically a 'one off' allocation of Council's sports fields and pavilions. However casual use may be for a number of dates provided that the use is not on a consistent and regular basis.

**Committees of Management** – Section 86 Committees appointed by Council or DSE appointed committees, undertaking the management and maintenance of recreation reserves.

**In-competition sports** - Traditional seasons for competition of sport, e.g. AFL, netball and soccer competition during winter season and cricket competition during summer season.

**Lease Agreement** – A lease agreement is a right to use the property exclusively on an on going basis for the term of the agreement.

**Licence Agreement** – A licence agreement is a right to use the property on dates and times specified, but is not ongoing exclusive access.

**Pavilions** - Buildings associated with sports fields to support the provision of activity.

**Seasonal Usage** - Seasonal Usage is either 1 April – 30 September (winter season) or 1 October - 31 March (summer season).

**Recreation Reserve Facilities** – Open space containing facilities for active recreational opportunities, such as ovals, courts and pavilions.

**Sports fields** – Recreation reserve area used for active recreation, such as AFL, soccer, cricket, equestrian, netball, fitness activities etc.

## 3. OBJECTIVES

The goal of this policy is to provide a management and usage module for the Shire's recreation reserve facilities. The policy aims to:

- Support Committees of Management at reserves;
- Provide a consistent approach for usage of reserves;
- Minimise the Shires risk exposure; and
- Provide user groups with a tenure for usage of facilities.

## 4. BACKGROUND

In May 2001, Council adopted a 'Reserves Policy' outlining the responsibilities of Council and reserve Committees of Management including maintenance agreements, usage arrangements and funding.

Further to this policy, in 2004, Council adopted the 'Management of Community and Recreation Facilities Policy' outlining Council's approach to the management of community and recreation facilities within the Shire. To date this policy has provided Council with a direction for the implementation of management arrangements across Council's vast array of community and recreation facilities. This policy outlined

management of Council's recreation reserve facilities will be by the appointment of committees of management. With the current and impending construction of new recreation reserves within the Shire, particularly through the growth corridor, Council needs to consider the changing demographic of the Shire, volunteering trends and the capacity of sport and recreation groups to undertake management of reserves and the implications this may have on the current management module.

This policy supersedes the Reserves Policy, reference to recreation reserve facilities in the Community and Recreation Facilities Policy and relates to the future management of recreation reserves and facilities within the shire through a sustainable module that acknowledges the valuable contribution of volunteers.

## **5. POLICY**

### **5.1 Management of Facilities**

To provide a framework for management of the Shire's recreation reserve facilities, three (3) categories have been established defining the type of management, length of agreement and criteria for eligibility.

#### **(a) Lease Agreements**

Where community groups have exclusive access to recreation facilities, eg. tennis and bowls facilities and show the capacity to undertake management, Council will enter into a lease agreement for management and use of these facilities. The length of lease agreements will be for a period of five (5) years. Council may extend this period due to extensive capital investment into the facility by the user group.

#### **(b) Committees of Management**

Committees of Management for reserves will be appointed by Council as a *Section 86 Committee as per the Local Government Act*, through a Deed of Delegation. This is the Shire's preferred option for management of reserves owned by Council.

Committees of Management will be required to enter into licence agreements with reserve users as per section 5.2 of this policy and fees and charges applied should not exceed those outlined in Council's recreation reserve facilities fees and charges schedule.

Council will provide Committees of Management (including Department of Sustainability and Environment appointed committees) with an annual grant for maintenance of the recreation reserve facilities. Grants will be provided as per Council's recreation reserve facilities fees and charges schedule.

#### **(c) Shire Management**

Where new facilities have been constructed or a Committee of Management does not exist Council will directly manage and maintain these facilities, until such time as the capacity within the community is evident and a Committee of Management is established to manage and maintain the reserve.

### **5.2 Usage agreements**

Allocating usage of sports fields and pavilions located on reserves where a Committee of Management *does not* exist will occur by way of a licence agreement (previously referred to as a Facility User Agreement) between Council and the user group. Committees of Management will also enter into licence agreements with reserve users for use of recreation reserve facilities.

Once sporting and recreational club/group allocations have been completed, priority of use will be given to schools or school sporting associations from within the Shire, followed by external schools (located

outside of Cardinia) and casual bookings. Usage fees will be applicable for use of recreation reserve facilities.

#### **(a) Annual Licence Agreements**

This type of use is non-exclusive and allocated on a consistent basis at specific dates and times during a one year period. Typically annual licence agreement will apply to facilities that have an annual schedule of activities. To be eligible to enter into a licence agreement for use of Council's recreation reserve facilities user groups must be a registered business or incorporated identity, as per the Associations Incorporation Act 1981 and have Public Liability Insurance to the value of \$10,000,000 or as otherwise determined by Council's insurers.

#### **(b) Seasonal Usage**

This type of use is non-exclusive and allocated on a consistent basis at specific dates and times during a seasonal period. Typical use would be Tuesday and Thursday evenings for training and Saturday/Sunday afternoons for competition. This allocation also includes club events and representative matches. To be eligible to enter into a licence agreement for use of Council's sports fields and pavilions, user groups must:

- Be a registered business or incorporated identity, as per the Associations Incorporation Act 1981;
- Have public liability insurance to the value of \$10,000,000 or as otherwise determined by Council's insurers; and
- Not be in arrears with fees and charges or payments stipulated in an agreed repayment plan.

When allocating seasonal usage of sports fields and pavilions the following guidelines will be used to assess applications requesting access to the same facility:

- Sports field suitability assessment has been undertaken and the sport/activity is suitable from a risk perspective for the size of the sports field and surrounds;
- Applicants history within the Shire;
- Applicants association with the requested facilities;
- Capacity of alternate facilities to accommodate the sport;
- In-competition sport;
- Not for profit user group;
- Financial contributions towards sports field improvements during the last three (3) years; and
- Requested use for targeted communities.

#### **(c) School Usage**

School usage refers to use of Council's sports fields and pavilions by schools or school sporting associations located within or external to Cardinia Shire.

Schools must hold current public liability insurance to the value of \$10,000,000 or as otherwise determined by Council's insurer.

Priority will be given to schools located within or school sporting associations servicing the Cardinia Shire area.

Applications for school usage will be assessed on a case by case basis.

#### **(d) Casual Usage**

Casual use applicants must hold current public liability insurance to the value of \$10,000,000 or as otherwise determined by Council's insurer.

When allocating casual usage of Council's sports fields and pavilions the following criteria will be considered:

- Applicant's history within the municipality;
- Applicant's history of use and treatment of requested facilities; and
- Not-for-profit organisations will have preference above commercial agencies.

Applications for casual usage will be assessed on a case by case basis.

#### **(A) RELATED DOCUMENTS**

- Management of Community and Recreation Facilities Policy 2004
- Planning principles for access and joint-use of Council reserves co-located with education sites