

Section 4



Club Responsibilities

The Melton Shire Council recognises the strong spirit within its leisure community. Council is committed to encouraging community participation, through the provision of public recreation facilities and their use. To ensure these facilities are maintained to an appropriate standard, it is important that each user understands their role and responsibilities.

Council has developed a number of methods to assist clubs to manage the expectations of the community and maintain their facilities. Legal agreements, insurances, risk and club management templates and Council officer support are some of these tools.

This section outlines the basic requirements for managing your club's responsibilities in relation to the usage agreement the club has with Council.

4.1 Types of Usage Agreements

To ensure that community facilities are maintained to an acceptable standard, Council establishes formal legal agreements with clubs. These agreements provide opportunities to build partnerships with user groups and promote a clear understanding of the relationship between clubs and Council by defining the rights and responsibilities of the facility users.

Council uses three types of legal agreements. They are outlined below:

- 1. Licences** - Licences are the most common type of agreement with sporting clubs. Provided on a seasonal basis, licences are designed to ensure access to facilities (pitches, ovals, wickets, etc) at the appropriate time of year (i.e. AFL in winter, cricket in summer). Clubs operating under a licence agreement are required to keep the facility clean and tidy. Most maintenance responsibilities are undertaken by Council and these are outlined in your seasonal agreement.
- 2. Casual Usage** - Casual usage agreements are used for clubs, leagues, associations or other users who require 'one-off' usage of Council facilities. Casual usage of sports facilities can be arranged by contacting a Leisure Services Officer on 9747 7200. An example of 'one-off' use would be the hire of a synthetic pitch for training or the hire of a community hall for a presentation night.
- 3. Leases** - This type of agreement is generally provided over a longer term than seasonal licences. Leases place significant responsibilities on clubs to maintain facilities. In addition to undertaking internal and external maintenance works, clubs operating under a lease are required to pay the full cost all utilities (i.e. gas, electricity, water). Clubs who would have a lease arrangement with Council include some Lawn Bowls and Golf Clubs.

More Information

- www.melton.vic.gov.au/leisure
- Contact Leisure Services 9747 7200
- Come into Council's Customer Service Centre at **Melton** - 232 High Street, Melton or **Caroline Springs** - 193 Caroline Springs Boulevard, Caroline Springs

4.1.1 Seasonally Allocated Facilities

Most sports clubs within the Shire operate from season to season on a license agreement. Leisure Services send the application forms to clubs approximately two months prior to the commencement of the season.

For the current seasonal allocations dates for this year, see **Section 3 - Key Dates Calendar**.

Use of facilities for training will be dependent on the availability of suitable venues. Council will place priority on ground or venue use for competition and may limit the use of facilities for some purposes.

Clubs wishing to use fields or venues outside of the competition periods agreed with Council must complete an Application for Casual Use of Grounds, indicating the specific days and times required. Finals, pre-season training and practice matches must be applied for using the Application for Casual Use of Grounds.

Leisure Services bases all ground / venue allocations on the following:

- All requests will be considered and every effort made to accommodate.
- Clubs with historical associations to a ground or venue are given priority based on previous seasonal allocation.
- Track record of meeting all club responsibilities as per user agreement.

SEASONS

Winter 1 April - 31 August

Summer 1 October - 28 February

NOTE - *From 1 September to 30 September and 1 March to 31 March each year, Council completes its annual maintenance program. This may have some implications for preseason training, but is essential in order to provide the best possible surface for competition throughout the year.*

IMPORTANT - *Facility improvement works must not be undertaken by any club or organisation operating on a licence agreement unless approved in writing by Council. For more information regarding facility improvements or upgrades, go to section 7.2 Grants.*



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4.1.2 Casual and Leased Facilities

Casual Use of Facilities

Schools, clubs and organisations can hire community facilities on a casual basis for 'one-off' events such as presentation nights, fundraising events or alternative training surfaces (e.g. synthetic pitch) or as agreed.

Clubs who have a seasonal lease agreement with Council must request additional use of their facilities by completing the Melton Shire Council 'Casual Use of Grounds' application form prior to the date of the proposed activity. This form can be found on the enclosed CD Rom or at www.melton.vic.gov.au/leisure

The application form also contains a number of key terms and conditions for casual use of community facilities including insurance, indemnity, the cancellation policy and appropriate facility use. It is important for first time casual users to familiarise themselves with these conditions. If you are planning on using the facility for a large event, a permit may be required. **For more information see Section 8.1 Events and Festivals Permits.**

For clubs who already lease a Council facility and pay a fee, Council offers a discount on the hire of other community facilities for club use (i.e. Community Hall for presentation night).

Leased Facilities

Clubs that hold a lease for a Council facility must abide by the terms and conditions of the lease. This includes meeting maintenance responsibilities. Maintenance responsibilities are clearly outlined in the mutually agreed lease.

In addition, utility accounts, such as water, electricity and gas should be paid by the due date as specified on the invoice or as outlined in individual agreements.

Facility improvement works must not be undertaken by any club or organisation operating on a lease agreement unless agreed in writing by Council.

For more information regarding facility improvements or upgrades, go to section 7.2 Grants.

More Information

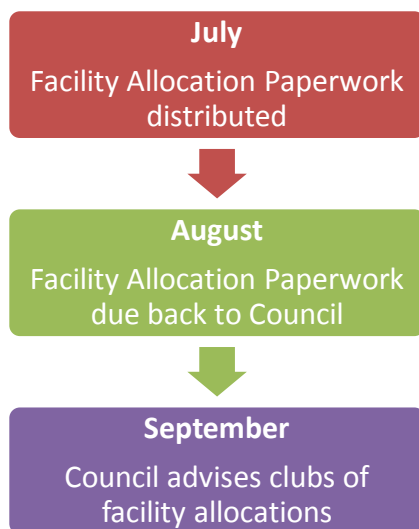
To request a Melton Shire Council 'Casual Use of Grounds' Application form, contact the Leisure Services Officer on 9747 7200 or visit www.melton.vic.gov.au/leisure

4.2 Seasonal Agreement - Specific to Outdoor Clubs

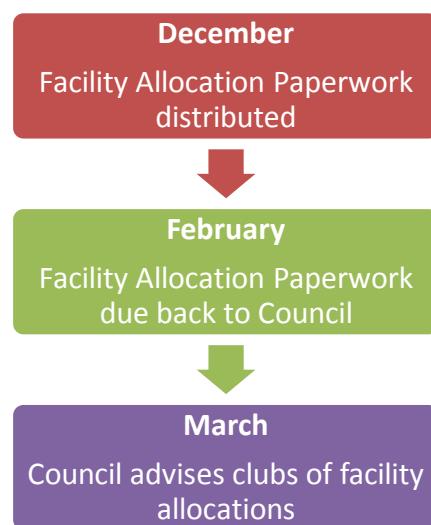
Most sports clubs operate on a seasonal agreement with Council for the use of their facilities (playing surfaces and clubrooms).

Each season, Council's Leisure Services Department will send a new application for seasonal allocation to your club. A committee member will need to complete the application form, attaching relevant documents required and return it to the Leisure Services Officers by the due date. Clubs whose competition season extends the whole year will receive applications during December.

Summer season (1 Oct – 28 Feb)



Winter Season (1 Apr – 31Aug)



See Sections **4.1.1 Seasonally Allocated Facilities**, **4.2.1 Seasonal Allocations Checklist**, **4.2.2 Fee Breakdown and Formula** and **Section 3, Important Dates to Remember** for more information.

4.2.1 Seasonal Allocation Checklist

To maintain your clubs seasonal agreement with Council, the following documents should be provided when renewing the allocation each year:

- Existing Users**
Application for Ground Allocation form posted, emailed or faxed to Council Leisure Services Officer.
- Prospective Users**
Contact Council's Leisure Services Officer on 9747 7200 to discuss your club's requirements.
- Proof of Incorporation**
A current copy of your club's certificate of incorporation. Certified copies of the club's certificate of incorporation can be obtained by visiting Consumer Affairs Victoria (1300 361 673 or www.consumer.vic.gov.au). The maximum cost for this service is approximately \$60.00.
- Public Liability Insurance Certificate**
A current copy of your club's public liability insurance policy. Most State Sporting Organisations i.e. Tennis Victoria, Netball Victoria, provide public liability insurance as part of the club's affiliation cost. If you are unsure, check with your club's peak body.
- Latest Club Annual Report (including financial statements)**
A copy of the minutes of your club's last Annual General Meeting and any financial statements for that financial year.
- Details of the current Committee**
List the current office bearers, their roles and contact details. This will be used for internal Council purposes only.
- Public contact details (Sport and Recreation Club Online Directory Form)**
Details of the contact person who can provide a first point of contact for enquiries from the community. This information will assist in the promotion of your club.
- Business Plan (optional)**
A Business Plan is a great way to decide on the direction your club. Business Plans can be detailed or basic depending on the size and situation of your club. Business Plans are generally required if your club is applying for funding for programs or capital works. For more information and a sample template business plan, go to Section 14.2 Business Plan or the enclosed CD Rom or visit www.melton.vic.gov.au/leisure.
- Competition fixture for your association or league (if applicable)**
- Food Registration Certificate (if applicable)**
- Liquor Licence Number (if applicable)**

4.2.2 Fee Breakdown and Formula

Clubs operating under a Council tenancy or license agreement are required to pay an annual fee for the use of facilities managed by Council. The Local government industry standard for setting fees and charges is to recoup between 2 and 5 percent of managing recreational assets for the benefit of the wider community. The fee contributes to the maintenance and general upkeep of the facility.

Council's fee structure is separated into units based on the club's use of the facilities available at a particular site. One unit holds the same value and is indexed annually by CPI at the commencement of each new financial year.

The annual licence fee payable is divided into four and each club is billed each quarter (i.e. March, June, September and December). Remember if your club is on a seasonal lease or agreement, you will need to ensure you can pay these fees even when the club may not be operating (i.e. in the off-season). The Unit Cost Formula is provided in this section and is also provided each season with the club's first invoice.

Some concessions are provided to clubs who are in their first two years of operation, to clubs who service junior members only, to clubs in areas with a low population and in other special circumstances as negotiated with Council.

If your club holds a liquor license, charges a gate fee or does not pay for your own utilities additional units will be included in your fees. A guide to the Unit Cost allocation formula is provided below. An example of how a fee may be calculated is also provided.

SPORTS GROUNDS (Units per Season)			
	Competition	Training	Examples
Oval (senior size) For Cricket Use (lower load on ground)	4 Multiply by 0.6	2 N/A	<ul style="list-style-type: none"> ▪ MacPherson Park ▪ Melton Rec. Reserve ▪ Diggers Rest Rec.
Medium ground For Cricket / Baseball (lower load on ground)	3 Multiply by 0.6	1.5 N/A	<ul style="list-style-type: none"> ▪ Soccer Pitches ▪ Junior Ovals ▪ Rugby pitches
Other grassed area or playing surface	1	0.5	<ul style="list-style-type: none"> ▪ Equestrian ▪ Motor sport/ aero club ▪ Greyhound club
Lawn Bowls	Multiply by 0.6	N/A	<ul style="list-style-type: none"> ▪ Synthetic rinks

Courts				Building	
	Unit per Season	Training	Examples		Units for Each Group
Tennis	0.5 per court	0.25	Melton West	Larger than 320sq. metres	2
Netball	0.25 per court	0.25	Blackwood Drive	Less than 320sq. metres	1
Cricket Net	N/A	0.50			
CFA Track	0.25	0.25			

Additional Uses	
	Units Per Year
Liquor License	1
Charged Entry Fee	2
Training Lights	1 (where Council pays utilities)
Competition Lights	2 (where Council pays utilities)

Special Allowances

New and specific areas with lower population	
Rockbank	No. of Units divided by 2
Diggers Rest	No. of Units divided by 2
New groups (1 st year establishment)	No. of Units divided by 2

Juniors	Number of units applicable
Where sharing with seniors	Divided by 4
Where juniors using alone	Divided by 2

Note: Special allowances will be applied on the one greatest allowance applicable. Ground Rental for a specific user group = Allocated units for 12 month use x Unit cost.

An example of the calculation method is as follows:	
Total number of units for Oval = Competition (4 units) + Training (2 units) + Building (1 unit) + Liquor Licence (1 unit) = Total (8 units)	
Unit cost = \$325.00 (2011/12) (increased by CPI on 01 July each year)	
Total seasonal licence fee payable = \$325.00 x 8 units = \$2,600.00	
Quarterly Invoices Issued by Council	
March	\$650.00
June	\$650.00
September	\$650.00
December	\$650.00

4.3 Use of Facility in Addition to Agreed Seasonal Allocation

Clubs who have a seasonal lease agreement with Council must request additional use of their facilities by completing the Melton Shire Council 'Casual Use of Grounds' Application form prior to the date of the proposed activity.

To request a 'Casual Use of Grounds' Application form, contact the Leisure Services Officer on 9747 7200 or email csu@melton.vic.gov.au

Some examples of when your club may be required to request casual hire of a sports ground are:

- Using one of the Shire's synthetic pitches for training
- Scheduling pre-season training
- Using alternative grounds if your club's home ground falls below the 68% rating for the use of turf ovals.



More Information

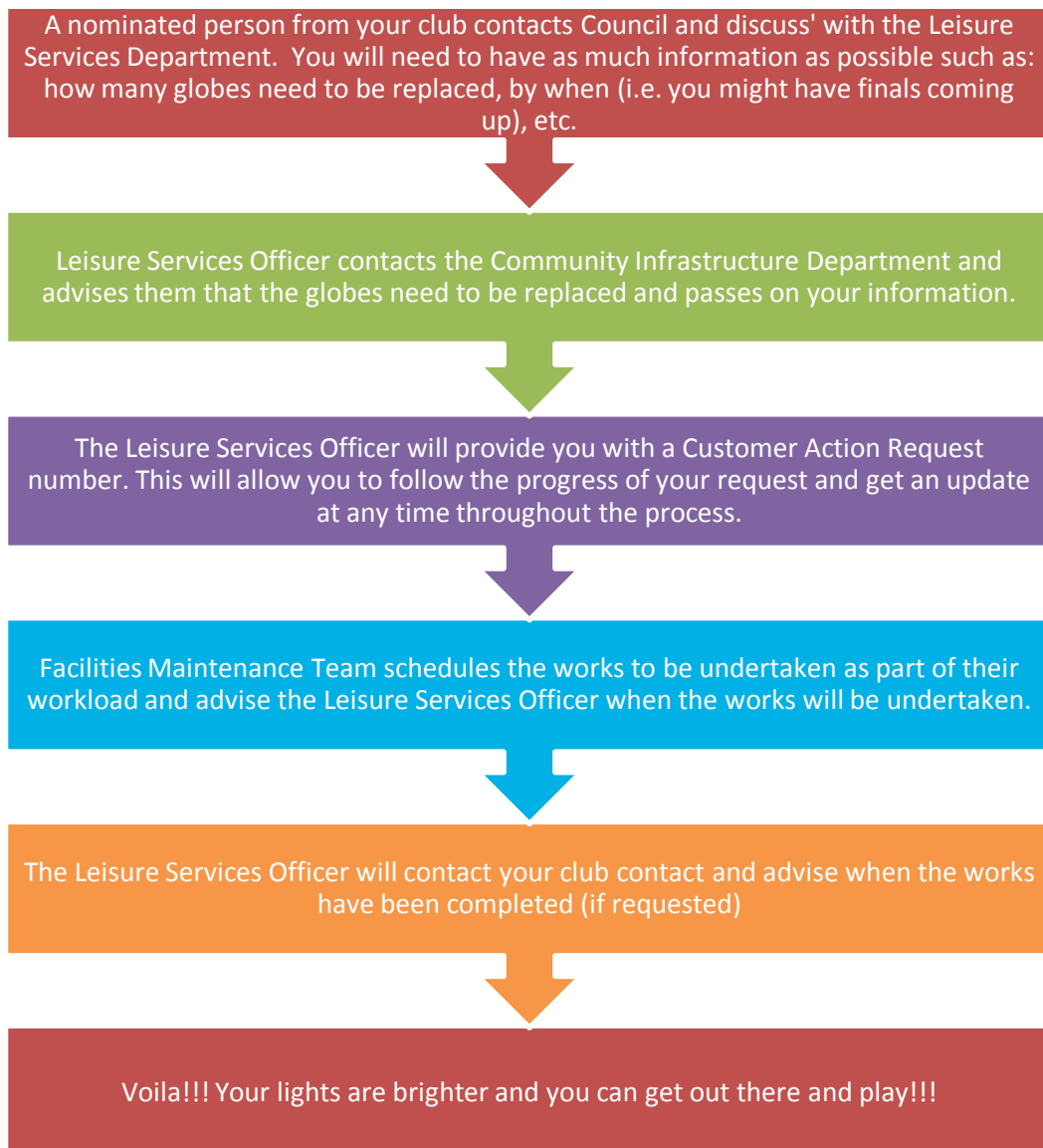
- www.melton.vic.gov.au/leisure
- Contact Leisure Services 9747 7200
- Come into Council's Customer Service Centre at **Melton** - 232 High Street, Melton or **Caroline Springs** - 193 Caroline Springs Boulevard, Caroline Springs

4.4 Facility Maintenance Responsibilities

Generally it is the club's responsibility to ensure that the facility is kept clean and tidy for the enjoyment of all users. Council will provide most maintenance and replacement services at little cost to clubs, however when damage has been caused by activities of the club or its members, the Club will be responsible for any repair and replacement costs. Clubs are also required to pay for the renewal of items such as chairs, tables, sports equipment, televisions, barbeques etc.

It is the responsibility of sports club's is to report any damage to Council for rectification. **This is outlined in Section 8 of your club's license agreement.**

The following flow chart gives you an idea of the process that takes place after a club notifies Council that their lights aren't working.



4.5 Risk Management

Council undertakes a range of risk management strategies to ensure that Council facilities are safe and welcoming environments for sports clubs and other users.

Clubs should have an understanding of the basic principles of risk management. Risk management not only includes developing practices which minimise the potential for injuries and accidents, but also looks at processes clubs can put in place to protect the operational aspects of their business.

Risk management plans provide the following benefits to clubs:

- Protection of members, friends, participants and volunteers from injury or death;
- Protecting the committee / board from legal liability;
- Possible lower insurance premiums; and
- Increased confidence amongst volunteers, administrators and officials.

Council expects all clubs to inspect their field or court before the start of play to ensure it is fit for use. Risks or hazards to look for include broken glass, syringes, sprinkler heads, moisture content, etc.

Most State Sporting Organisations have developed template risk management plans and pre-match hazard checklists that Clubs can modify for their purposes. For more information, your club should contact your State Sporting Association or peak body, Consumer Affairs Victoria on 1300 55 11 or Vicsport on 9654 3755.

More Information

- Your club should contact your State Sporting Association or peak body, see **Section 11 Useful Contacts and Websites** provides contact information for most State Sporting Organisations
- Consumer Affairs Victoria on 1300 55 11 or
- Vicsport on 9654 3755.

4.5.1 Risk Management Plan

Risk management is an important process to ensure the safety of your club members and the broader community. Council conducts regular inspections of playing surfaces and clubhouses as part of their asset management and planning requirements; however it is important for clubs to understand risk management and the importance of having their own risk/hazard register.

Regularly undertaking hazard assessments in and around your facility can assist in the following ways:

- Help to reduce injuries and accidents
- Ensure compliance with legal and financial obligations
- Help acquire insurance at lower premiums by showing that your organisation is serious about controlling risks
- Help limit potential litigation if you can prove your organisation has taken all reasonable steps to manage risks

Ignoring risks and hazards around your facility could place your members and the general public at risk of injury and may have insurance implications. Even worse, if your club is not incorporated, the liability may fall to individual members of the committee in the event of an accident.

Many State Sporting Organisations have developed templates for clubs to assess their risks and provide examples of what a typical risk register may look like for a standard club. You should contact your peak body if you think this is appropriate for your club.



More Information

- **Section 11 Useful Contacts and Websites** provides contact information for most State Sporting Organisations
- For more information on Risk Management visit VicSport at www.vicsport.asn.au

4.5.2 Suitability of Playing Surfaces and Surrounds

On a day to day basis, it is the Club's responsibility to ensure that playing surfaces such as ovals, pitches and courts are in a safe condition for training and competition.

Council *requires* (consistent with association/league requirements) that ground inspections are undertaken before play (and documented) and that prior to training an assessment is completed by the club. Assessment may not need to be documented for training but a walk of a ground to ensure there are no hazards is required.

Some State Sporting Organisations have a checklist of requirements that clubs can use to make sure there are no dangers to members, visiting teams and spectators prior to the commencement of play. Contact your State Sporting Association to see if they have this documentation.

Council owned turf ovals and pitches are assessed by an independent consultant on a monthly basis to ensure that they are suitable for play.



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More Information

- **Section 11 Useful Contacts and Websites** provides contact information for most State Sporting Organisations
- See **Section 5.2.1 Playing Surfaces** for more information on turf oval and pitch assessments.

4.5.3 Suitability of Equipment

Sports Clubs are responsible for ensuring that all equipment being used is endorsed by the relevant State Sporting Association and that it meets Australian Safety Standards. Some brands of equipment are banned due to the safety risk they pose, such as non-fixed soccer goals and some basketball / netball rings and backboards.



Image by Rapture Images

More Information

For more information visit the Banned and Regulated Products page on the Consumer Affairs Website www.consumer.vic.gov.au or ask your State Sporting Association.

You can also call Standards Australia on 1300 654 646 or www.standards.com.au

4.5.4 Public Liability Insurance

Public liability insurance indemnifies the insured against legal liability resulting from damage to property, loss of use of property, and death or bodily injury to members of the general public, where the loss, damage or injury to the property or third party was caused by a negligent act on the part of the insured.

Note: *Public liability insurance does not cover breaches of professional duty and is not the same as personal accident injury insurance.*

Owners and occupiers of sporting facilities have an obligation to ensure facilities remain in a safe condition so that persons using or visiting them are not injured. It should be remembered you don't necessarily need to be the owner of the facility to be held responsible for its condition if a person was injured while the facility was under your control.

Council requires that groups leasing or hiring facilities have appropriate public liability insurance (up to \$10,000,000). Clubs are required to provide a copy of their certificate of currency when renewing licences, leases and casual hire agreements.

Many State Sporting Organisations (e.g. Cricket Victoria, Tennis Victoria) provide Public Liability Insurance (and some other important insurance) as a benefit of affiliation. You should contact your Club's peak body to find out if this is provided and request a copy of your certificate of currency.

More Information

For more information on Public Liability Insurance contact Municipal Association Victoria on 9667 5555 or www.mav.asn.au

4.5.5 Building and Property Insurance

Council's Property Insurance covers the following:

- Buildings owned by Council
- Contents owned by Council
- Contents purchased by occupiers which are donated to Council

Council's Property Insurance does not cover cash, club property or property owned by others (e.g. coaches, etc). Clubs should take out property insurance for items owned by the club. Some State Sporting Associations can assist clubs in accessing this insurance through the providers of their Public Liability Insurance.



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Note: There are a number of grant programs available for clubs who have lost essential sports equipment due to damage, theft or other unforeseen circumstances (e.g. Emergency Sporting Equipment Grants). See section 7.2 Grants and Funding for further information

4.5.6 Incorporation

Melton Shire Council requires that all clubs and associations be incorporated in order to access Council sport and recreation facilities.

Some of the advantages of incorporation include:

- Protection of the members and office holders against personal liability for debts and other legal obligations of the organisation.
- The ability to accept gifts, donations or bequests.
- Greater certainty and acceptability to potential contracting parties such as lenders, lessors, employees and suppliers of goods and services.
- The ability to sue and be sued in the name of the association.
- The ability to invest and borrow money in the name of the club.
- Greater eligibility to apply for grants.

New Clubs and Unincorporated Clubs

To become incorporated, a club needs to develop a “Constitution” or a set of rules which will govern its operation. Most State Sporting Associations have templates and information on incorporation for their specific sports and Consumer Affairs Victoria www.consumer.vic.gov.au has samples and fact sheets on incorporation.

If your club requires help to become incorporated, develop a constitution or anything else, contact Council’s Recreation Development Officer on 9747 7200.

More Information

- Recreation Development Officer 9747 7200
- Incorporation - Office of Fair Trading 9627 6200 or www.consumer.vic.gov.au
- Public Liability Insurance VicSport 9654 3755