# Leisure Minor Capital Works Grant Scheme

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| Policy Number: | 2005/11 | Directorate: | Community Services |
| Approval by: | Council | Responsible Officer: | Coordinator Leisure Services |
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1. Purpose

The Leisure Minor Capital Works Grant Scheme (the Scheme) provides funding to leisure and sporting organisations who wish to undertake facility improvement projects on land owned or managed by Council which is utilised for leisure and sporting purposes.

The purpose of the Leisure Minor Capital Works Grant Scheme Policy is to provide a consistent process within Council on the type and level of funds that Council may award to a given project under the Leisure Minor Capital Works Grant Scheme.

1. Context

The Leisure Minor Capital Works Grant Scheme Policy was developed to identify a consistent process within Council for the allocation of financial assistance to leisure and sporting organisations that seek to develop new or upgrade existing leisure and sporting facilities.

The Policy aims to facilitate the development of new and/or improved leisure facilities upon Council land, and encourage community involvement in the development of leisure and sport initiatives in partnership with Knox City Council.

1. Scope

This Policy applies to all leisure and sporting organisations that have an occupancy agreement for the use of Council land for leisure and sporting activities.

The Policy provides guidance to Council and the community with regards to planning and development of infrastructure improvements relating to leisure and sporting activities.

The Policy does not remove Council’s responsibilities or obligations under a number of legislative and policy documents including those set out in Item 4 below.

1. References

**4.1 Community & Council Plan 2017-2021**

Goal 1. We value our natural and built environment

Goal 6. We are healthy, happy and well

Goal 7. We are inclusive, feel a strong sense of belonging and value our identity

**4.2 Relevant Legislation**

* Disability Discrimination Act 1992
* National Construction Code

**4.3 Charter of Human Rights**

* This policy has been assessed against and complies with the charter of Human Rights.

**4.4 Related Council Policies**

* Sporting Reserve and Facility Development Guidelines
* Sporting Club Financial Contributions Towards Reserve Developments
* Breach of Tenancy Agreement for Sporting Clubs
* Reserve Strategic Development Plans
* Untied Funding Policy
* Sustainable Buildings Policy

**4.5 Related Council Procedures**

* Leisure Minor Capital Works Grant Scheme Procedure
* Seasonal/Annual Tenancy Licence Agreement
* Knox Council Integrated Risk Management Process
* Knox Leisure Plan 2014 – 2019
* Knox Access and Inclusion Plan 2016
* Knox Open Space Plan 2012 - 2022

1. Definitions

Detail any definitions within the policy.

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| --- | --- |
| Abandonment of Grant | means where a funded organisation has not provided formal advice to Council that the grant will no longer be required due to changes in funding source or other circumstance before the deadline specified in this Policy. |
| Committee | means the Leisure Minor Capital Works Grant Scheme Committee comprising two Councillors who are appointed during the Mayoral Year. |
| Council | means Knox City Council, whether constituted before or after the commencement of this Policy. |
| Council Land | means land and/or buildings managed by Council for the benefit of the Knox community. |
| Leisure | means activities that are generally less structured and have less emphasis on competition than does sport. |
| Leisure and Sporting Organisations | means any not for profit legal entity that provides leisure or sporting opportunities for the Knox community, whether, active, passive, structured or unstructured. |
| New installations | means facilities and equipment which are either not currently provided at the facility or where the existing provision has reached its end of life. |
| Occupancy Agreement | means formal agreement between Council and a community group specifying the conditions of occupancy of Council land. This may take the form of a lease, licence, or seasonal licence . Casual hire arrangements are not included. |
| Outstanding Debt | means a debt with Council which is outside 90 days and where an agreed repayment plan is not in place, or where the debtor is consistently not meeting the terms of the agreed repayment plan. |
| Rescinded Grant | means where a funded organisation has formally advised Council that the grant will no longer be required due to changes in funding source or other circumstances before the deadline specified in this Policy. |
| Scheme | means r the Leisure Minor Capital Works Grants Scheme. |
| Sport | means Structured leisure activities of a physical nature. |
| Withdrawal of Grant | means The removal of Council’s grant offer under this Scheme to the funded organisation. |

1. Council Policy
   1. **Eligibility**

Leisure Minor Capital Works Grant Scheme submissions will be assessed if the following eligibility requirements are met. Applicants must:

* Be a not for profit organisation and legal entity established under the Associations Incorporations Reform Act 2012, the Corporations Act 2001, or in another form considered appropriate by Knox City Council;
* Have an occupancy agreement to use Council land and/or buildings for leisure and sporting activities and programs;
* Be eligible under Council’s *Breach of Licence Agreement for Sporting Clubs Policy* (for seasonal and annual tenants) or be meeting all requirements of their occupancy agreements (for lease and licence holders);
* Have no outstanding debt with Council;
* Have no outstanding paperwork relating to any other Council grant scheme;
* Have met the Conditions of Funding specified in section 6.3 relating to Leisure Minor Capital Works Grants awarded in the last two (2) years;
* Have not had a withdrawal of grant from Council in the last two (2) years;
* Have not abandoned a grant from Council in the last two (2) years.

Project proposals will also require the applicant to:

* Provide a minimum of one quotation and the required public liability insurance coverage ($20M) for the proposed work;
* Provide a copy of the most recent annual financial statement and the last three bank statements received, to provide evidence of the required financial contribution; and
* Have consulted with the nominated Leisure officer before applying.

**6.2 Exclusions**

Grants will not be provided to:

* Fund ongoing administration and/or operational costs;
* Purchase personal sporting goods, electrical appliances or other portable equipment which is not permanently located at the facility;
* Projects which are eligible to be funded under Council’s Community Development Fund;
* Projects which have been funded under any other Council funding program;
* Projects where work has already commenced or been completed; or
* Works to existing, new, or temporary bar facilities.

Applications for improvements that exceed the nominated standards defined by the Guidelines for Developing Sporting Reserves Policy (GDSRP) will not be considered for funding.

Where the GDSRP do not cover the activity of the applicant, the project will be considered as within the nominated standards. Should this occur, Council officers will consult with the State or National Governing Body, and refer to their adopted standards.

**6.3 Conditions of Funding**

Grants allocated are subject to the following conditions:

* All funded projects must be carried out by a registered practitioner with the required qualifications and insurance.
* Successful applicants are responsible for obtaining and making payment on the appropriate building, planning and environmental health permits, where applicable. Building permits can be obtained from Knox City Council or a private provider.
* Successful applicants must ensure adequate legal and insurance requirements are met, including, but not limited to, public liability insurance of $20M incorporation and permits.
* Successful applicants must utilise the funding only for the purpose for which the funds were granted and complete projects within the financial year the funding was allocated, unless an alternative written agreement is approved by Council to vary the timeframe.
* Council must be acknowledged in all publicity and promotional material relating to the project including programs, flyers, advertisements, billboards, banners, and newsletters. This includes all forms of print media, online media (i.e. website, social media), infrastructure (i.e. signage) and broadcasting (i.e. radio). The Council logo must be used in the correct format as supplied.
* Successful applicants must provide all requested documentation, enter into a Funding Agreement and where relevant, a Construction Agreement, before they are eligible to commence any works or receive the allocated grant funds.
* All Goods and Services Tax (GST) registered leisure and sporting organisations must provide proof of registration to Council prior to commencement of the project.
* Successful applicants must either have an Australian Business Number (ABN) or provide a Statement by Supplier (SbS) declaration.

**6.4 Funding Ratios**

Council and leisure or sporting organisation contributions for the Leisure Minor Capital Works Grant Scheme will be determined by the type of project being undertaken. The following table indicates the funding ratios applicable to each category. Council contributions will be in line with the funding ratios to a maximum of ten thousand dollars ($10,000) for any one project.

The following types of projects will be considered in line with the funding ratios specified:

Table 1: Funding Ratios

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| --- | --- | --- | --- |
| **Project** | **Maximum Council Funding Ratio** | **Minimum Organisation Funding Ratio** | **Other Comments** |
| Improvements to the facility’s social area | 50% | 50% | Improvements in accordance with the Sporting Reserve and Facility Development Guidelines Policy. |
| Improvements to sporting pavilions and clubrooms | 50% | 50% |  |
| Sportsfield lighting to Australian Standards | 50% | 50% |  |
| Installation of associated sporting infrastructure  e.g. scoreboards, coaches’ boxes, seating, shade structures, timekeeper, players, scorers or ticketing shelters, goal posts. | 50% | 50% | New installations only in line with funding levels set out in the Sporting Club Financial Contributions Towards Reserve Development Policy. |
| Fencing | 50% | 50% | For playing or practice facilities only. |
| Playing surfaces | 50% | 50% |  |
| Internal sporting facilities and equipment | 50% | 50% | Non-portable equipment permanently located at the facility only |
| Practice facilities | 50% | 50% |  |
| Sustainability improvements | 50% | 50% |  |

Applications for projects which were not funded in previous years can be resubmitted for consideration, subject to the organisation and project meeting all eligibility criteria as detailed in this Policy.

Any application that does not meet the required funding ratio will be assessed at the appropriate funding level.

Council will not fund contingency sums included as part of the application.

**6.5 Application Process**

Grants will be advertised once per year.

All applications need to be completed and returned by the advertised closing date. No extensions to the closing date will be given and any applications received after the deadline are ineligible and will not be assessed. These applications will be noted on the assessment commentary and reported to Council.

Applications that are incomplete will not be considered. This includes applications which do not contain all relevant and required supporting documentation.

Applications which are imprecise may be disadvantaged in the assessment process. Where there is a query regarding information provided, the applicants will be contacted within ten (10) days of the submission period closing to request clarification.

**6.6 Application Guidelines**

**6.6.1 Multiple Applications**

Organisations are permitted to submit one (1) application per funding period for the LMCWGS. Where more than one (1) application is submitted, the club will be consulted to determine which is their preferred application for assessment.

Where there is more than one local branch of a larger regional, state or national body, each local branch within the municipality will be eligible to apply independently provided the branch is recognised by the larger body and all other eligibility requirements are met.

* + 1. **Consultation with Council**

Organisations are required to contact the nominated Leisure officer prior to submitting an application, to discuss the proposed project. The purpose of carrying out these discussions is to ensure that the project scope is in line with Council’s strategic plans for the land, and appropriate planning is carried out prior to the grant being considered. Where relevant, site meetings with Council officers may be required at this stage to agree on the location of new constructions.

Applicants which receive a grant through the Scheme will be required to follow normal Council works approval processes in line with the requirements set out in 6.3 above prior to commencing the project, in addition to receiving in-principle approval.

All applications submitted for consideration will be circulated to Council officers from all relevant departments for comment prior to the formal assessment process.

**6.6.3 In-Kind Support**

Council recognises the important role that volunteers play within leisure and sporting organisations and the contribution that volunteer labour and in-kind support can make to improvement works at leisure and sporting facilities.

Council will accept in-kind support as a proportion of the financial contribution that organisations make to projects funded under the Scheme. A breakdown of in-kind support must be provided during the application process.

To ensure consistency across all organisations, in-kind contributions will be calculated using the hourly rate for non-professional volunteers as defined by Our Community using statistics from the Australian Bureau of Statistics. The current rate is $41.72 per hour. This rate will be reviewed and adjusted annually in accordance with the Australian Bureau of Statistics calculations.

Contributions made by tradespeople providing in-kind support in their area of expertise will be based upon the regular hourly rate of the tradesperson carrying out the works. Council will assess the rate provided to ensure this is fair and reasonable.

Donations of materials and equipment will be provided by the applicant based upon retail cost. Council will assess the calculation provided to ensure this is fair and reasonable.

Applicants including in-kind support as an element of their contribution to the project must provide evidence of the level of support provided as part of the evaluation. Where volunteer labour and in-kind support exceeds the minimum club contribution required under the relevant funding ratio set out in section 6.4, any grant awarded will not exceed the cash contribution required.

Applicants should note that projects carried out with in-kind support are required to adhere to all other conditions set out within this Policy and the Funding and Construction Agreements.

* 1. **Assessment Criteria**

Assessment of all applications will be undertaken by the Leisure Minor Capital Works Grants Scheme Committee, comprising two Councillors who are appointed for the Mayoral Year, and one community representative elected from the Recreation & Leisure Committee.

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council. The panel will make recommendations for consideration and endorsement by Council at the July Council meeting.

Assessment of all applications will be undertaken by the Leisure Minor Capital Works Grants Scheme Committee, comprising two Councillors who are appointed for the Mayoral Year. The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council. The panel will make recommendations for consideration and endorsement by Council at the July Council meeting.

Applications are assessed on the following criteria:

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| --- | --- |
| The application clearly demonstrates the need for the project and the level of benefit to the community. | 30% |
| The application demonstrates alignment with Council’s strategic priorities. | 30% |
| The project addresses a risk or safety issue. | 10% |
| The degree to which the applicant can demonstrate clear financial need. | 10% |
| The degree to which the applicant has provided the required project documentation and can demonstrate the ability to deliver the project. | 20% |

Not all applications submitted may be funded by Council. Decisions regarding funding are made at Council’s absolute discretion and are final. No appeals regarding the allocation of funding will be considered by Council.

* 1. **Grant Management**

**6.8.1 Grant Offers**

Applicants will be notified of the outcome of Council’s decision in August. Successful organisations will be required to confirm their acceptance of the grant no later than 31 August of the relevant financial year.

The indicative schedule of works provided as part of the grant application will be deemed to form part of the organisation’s conditions of funding and failure to carry out projects in line with the timelines provided may result in the withdrawal of the grant.

* + 1. **Grants Ceremony**

Successful applicants will be required to attend an awards night which will be held in line with the timeline in 6.8.6 below.

* + 1. **Funding Agreements**

Successful applicants will be required to enter into a formal Funding Agreement and, where relevant, a Construction Agreement. The expiry date of the Funding Agreement will be no later than 31 May of the financial year for which the grant has been awarded.

Grant recipients are not permitted to commence works until the agreement/s have been signed by both the funded organisation and Council.

* + 1. **Works Approval**

Successful applicants must not commence works to any Council facility without obtaining prior written consent from Council. Failure to obtain approval prior to carrying out works may result in withdrawal of the grant and/or the application of sanctions available under the organisation’s Occupancy Agreement.

Works approval can be obtained by submitting the relevant project documentation in the application, including, where required, building and planning permits, safe work method statements, public liability insurances, plans and drawings and other information as requested depending on the size and nature of the project.

Works which are undertaken without receiving prior approval from Council, which do not meet the standard of works required, must be rectified with all associated costs to be borne by the community group.

* + 1. **Amendments to Projects**

Where the scope of a project changes after a grant is awarded, a written request to amend the project must be made. The Manager Youth, Leisure and Cultural Services will be responsible for determining requests to amend a project.

* + 1. **Payment of Claims**

Grants will be deposited into the nominated bank account of the organisation.

Successful applicants will receive 100% of their grant upon Council’s receipt of the signed funding agreement and associated documentation.

Upon completion of the project, an evaluation form is required to be submitted, including financial and expenditure details, certificate/s of completion, evidence of volunteer hours and in-kind support and confirmation by Council officers that the works have been completed satisfactorily and in line with the original proposal. Evaluation documentation must be submitted within one month of the project completion via smartygrants.

No grant payments will be made after 31 May of the financial year for which the grant is awarded, unless an extension has previously been approved in writing by Council. The Manager Youth, Leisure & Cultural Services will be responsible for determining requests for extensions.

The grant application process will involve the following:

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| Call for applications | 1 February |
| Closing date for applications | 15 March |
| Assessment period | 16 March – 30 April |
| Officers seek Council endorsement of Committee recommendations | July |
| Grant applicants notified | July |
| Grant acceptance due to Council | 15 August |
| Grant ceremony | October - November |
| Funded period | 15 August - 31 May |

* + 1. **Maintenance of Works**

It is the responsibility of the funded organisation to carry out any required repair or maintenance works for facilities installed or upgraded through this Scheme in line with the maintenance responsibilities set out in the organisation’s Occupancy Agreement, unless otherwise agreed by Council in writing.

* 1. **Budget and Allocations**
     1. **Budget**

Council’s financial contribution to develop and improve sporting facilities is subject to available grant funding and will be determined as part of Council’s budget process.

In circumstance where grant applications exceed the current grant funding budget, LMCWGS projects may be eligible for funding from the Open Space Reserve if the project provides use and or benefit for the club/group and for the greater community/public use.

Council could consider the use of supplementary funding from the Open Space Reserve Fund to contribute to delivery of proposed Leisure Minor Capital Works Grant Scheme projects.

Funding from the Open Space Reserve is to be spent in accordance with the relevant legislation (Subdivision Act) for the delivery of new and upgraded public infrastructure and amenity.

* + 1. In this instance the assessment criteria will be as per 6.7 above **Rescinded and Abandoned Grants.**

Should a grant recipient decide to rescind their grant, they are required to notify the nominated Leisure officer in writing as soon as practicable.

Grant recipients who formally rescind their grant prior to December 31 in the current grant year will be deemed to have met the conditions of funding and remain eligible to apply for the Scheme in future years.

Leisure and sporting organisations who do not formally notify Council by December 31 in the current grant year of their intention to rescind will be considered to have abandoned the grant and be excluded from consideration for any further grant funding from Council in the next two (2) budget years, as per the exclusions in 6.2 above.

Abandoned grant funds will be will be returned to the budget and allocated as set out in 6.9.4 below.

* + 1. **Unallocated Budget**

Any funds unallocated following the assessment of applications and awarding of grants will remain in the budget for further allocation as per 6.9.4 below.

* + 1. **Reallocation of Unspent Funds**

Any funds remaining in the budget following the assessment of applications and awarding grants, or notification of a rescinded, abandoned or withdrawn grant will be allocated in line with the priorities below.

* + - 1. **Contingency**

The funds are to be retained in the grant budget as a contingency sum. Grant recipients are able to apply for additional funding where costs have increased unexpectedly. Applications for additional funds must be in writing and will be assessed by Council officers and recommendations presented to the Chief Executive Officer for approval. Any awards made must be in line with the funding ratios and maximum awards as outlined in 6.4 above.

* + - 1. **Council Run Minor Capital Works Projects**

Where the options outlined in 6.9.4.1 are not available, proposed projects for the purpose of upgrading and improving leisure and sporting facilities for the Knox community will be considered by Council officers and recommendations will be presented to the Chief Executive Officer to determine the projects to proceed.

* + 1. **Unspent Grant Funds**

Formal advice of unexpended funds is required and funds not expended by the grant recipient for the purposes outlined in the application must be returned to Council unless agreement has been reached to use these funds for other approved purposes. Council officers will arrange for the leisure or sporting organisation to be invoiced for any unexpended funds due to be returned.

Should a project be completed under budget, the payment will be reduced to ensure that the amount paid to recipients remains in line with the funding ratios as specified in 6.4 above.

Funds allocated to a grant recipient which remain unaccounted for, or remain unspent and are not returned to Council shall be treated as the same for any debt payable to Council and the grant recipient will be deemed as not meeting the conditions of funding.

1. Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.