COMMUNITY FACILITIES CAPITAL DEVELOPMENT POLICY

OPERATIONAL GUIDELINES

The Community Facilities Capital Development Policy will be implemented using the following guidelines to ensure the aims of the policy are met.

Community facilities capital development will be funded in four main ways as follows:

1.0 COUNCIL FUNDED CAPITAL DEVELOPMENT

1.1 Council funded capital development will deliver core standard community infrastructure standards with priorities determined by Councils facility related strategic documents (eg.. including but not limited to Sports Facility Development Plan, Community Services and Infrastructure Plan, Asset Plan and Climate Emergency Plan). The assessment criteria at a minimum, that determines the project priority order for the community infrastructure programs are:

- **a.** Compliance with relevant statutory requirements.
- **b.** Current facility condition
- **c.** Number of people who will directly benefit
- **d.** Program specific criteria
- **e.** Consistency with Council adopted policy positions and objectives.

1.2 Council officers will develop relevant project documentation based on Council's core standards for infrastructure, project budget and annual Capital Works approval processes.

1.3 Council officers will seek and manage external funding as appropriate with the Sports Facility Development Plan and Community Services and Infrastructure Plan priority orders determining the projects to seek funding support.

1.4 Council officers will consult with user groups as required on the design and scope of the work.

1.5 User group nominated representative sign agreed design and scope of works as required.

1.6 Council officers will follow Council's Procurement Guidelines in sourcing appropriate contractors to under the works, approving the contracts and managing the project.

1.7 Maintenance of capital developments are governed by Tenancy Agreements, with any increase in cost and/ or scope as a result of community group requested projects to be captured in updated maintenance schedules to avoid these costs being borne by Council.

1.8 If a project is not listed in Councils facility related strategic documents, Council Officers will assess and prioritise the project using the relevant assessment criteria.

2.0 COMMUNITY GROUP CONTRIBUTIONS TO COUNCIL FUNDED CAPITAL DEVELOPMENTS

In addition to the process outlined above, the following applies for community group proposals for non-core Council infrastructure or an increase above Brimbank Core Facility Standards

2.1. Proposals for non-core Council infrastructure or increases above Brimbank Core Facility Standards must be 100% funded by the community group and submitted to Council through a formal application process including the following as a minimum:

- **a.** Detailed Project Proposal
- **b.** A copy of their bank account demonstrating the community group has sufficient funds to cover all project costs.
- **c.** Letter of support from facility co tenants
- **d.** Specifications as required by Council.

2.2. Proposals will be assessed against the following criteria in line with Council policies and strategies including the Municipal Public Health and Wellbeing Plan as a minimum:

- **a.** Capacity of site to accommodate amenity and relevant strategic documents.
- **b.** Evidence of community group funding is available and confirmed for works and all related costs.
- **c.** A formal quote for the works, noting that Council project management and quality assurance fees may be applied on top of the quoted price.
- **d.** Compliance with relevant statutory requirements, Council standards and consistent with relevant Council policies.
- **e.** Integration with existing infrastructure.
- **f.** Project support of facility co tenants if the facility is shared by another tenant (as required).
- **g.** Consideration of how the proposal will meet the different needs of women, men and gender diverse people to create better and fairer outcomes and ensure all people have equal access to opportunities and resources.
- **h.** Consideration of how the proposal will support equitable access by addressing the needs of priority populations, including women, men and gender diverse people, people with disability, Aboriginal and Torres Strait Islander communities, LGBTQIA+ communities, and culturally and racially marginalised communities, through the application of universal design, culturally safe and inclusive practices, accessible communication, and consideration of financial disadvantage.
- **i.** No risk to Council for additional expenses due to extra works.
- **j.** Site design and constraints.
- **k.** Community group has identified mandatory lifestyle assessments and committed to cover all costs of the life cycle of the asset including operational maintenance and renewal/ removal at end of useful life.
- **l.** Project specific criteria as determined by Council as required.

2.3. Depending on the size of the project, Council Officers will create two design options for the project. Option one will be Council's core standard and option two will be Councils core standard plus clearly show what the community group contribution will fund based on their application.

2.4. Council Officers will obtain a Quantity Surveyors Report (QS) on the design/s to confirm the final cost for the community group contribution. If the community group accepts the cost of the community group funded components based on the QS, the community group must enter into a formal agreement with Council and make payment as per below, prior to Council going to quote or tender.

2.5. For projects with the community group contribution:

- **a.** Up to $100,000 the community group must provide Council 100% of the contribution prior to Council going to quote/tender.
- **b.** Over $100,000 and up to $500,000 the community group must provide to Council 50% of the contribution prior to Council going to quote/ tender 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 projects costs and provide a bank guarantee. Alternatively, all contributions can be paid prior to Council going to quote/ tender eliminating the need for a bank guarantee.
- **c.** Over $500,000 the payment terms, project management, type of formal agreement with Council and other conditions will be negotiated on a case-by-case basis.

2.6. Council will not accept in kind contributions (volunteer labour or donated goods or services) as an alternative to a full cash contribution to capital works.

2.7. Council officers will go to quote or tender on the agreed design depending on project size as per Councils Procurement Policy.

2.8. Council officers will evaluate quotes or tenders as per its established processes and select the successful contractor based on established criteria.

2.9. Council officers will award the contract as per Council processes and will manage the project.

2.10. Maintenance of capital developments is governed by Tenancy Agreements.

3.0 COMMUNITY GROUP FUNDED CAPITAL DEVELOPMENT

3.1. Community group clearly identifies project scope and specifications and discusses project with relevant Council officers to gain approval to submit an application form for formal assessment of the project.

3.2. The formal application must be submitted to Council including the following as a minimum.:

- **a.** Scope of works and project justification
- **b.** Copy of community group bank statement demonstrating community group has sufficient funds to cover project costs, inclusive of a 15% contingency, or if the club plans to apply for external funding to assist in covering project costs, details of the external funding opportunity.
- **c.** Letter of project support from facility co tenants
- **d.** Letter on community group letterhead stating the project, project cost and 100% of the works will be paid for by the community group. In addition that all future costs over the life cycle of the asset including operational maintenance and renewal/ removal at end of useful life are understood and a community group financial responsibility.
- **e.** Plans, specifications as required by Council.
- **f.** Evidence of consideration of project meeting requirements of and where required achieve necessary approvals for Heritage, Native Vegetation, Cultural Heritage, Planning and Building and any other requirements.

g. Consideration of how the proposal will meet the different needs of women, men and gender diverse people to create better and fairer outcomes and ensure all people have equal access to opportunities and resources.

h. Consideration of how the proposal will support equitable access by addressing the needs of priority populations, including women, men and gender diverse people, people with disability, Aboriginal and Torres Strait Islander communities, LGBTQIA+ communities, and culturally and racially marginalised communities, through the application of universal design, culturally safe and inclusive practices, accessible communication, and consideration of financial disadvantage.

i. Quotes from qualified contractor/s with relevant insurances, as required by Council.

3.3. Proposals will be assessed against the following criteria as a minimum:

a. Consistency with Council adopted policy positions.

b. Capacity of Council officers to manage community group funded projects, as required.

c. Capacity of land to accommodate amenity and relevant strategic documents.

d. Community group funding available.

e. Compliance with relevant statutory requirements.

f. Integration with existing infrastructure

g. Project specific criteria as determined by Council officers as required.

h. Project support of co-tenants

i. Alignment with the objectives of the Gender Equality Act 2020 and consideration of how the proposal will meet the different needs of priority populations.

j. Site design and constraints

k. Suitability of contractors

l. Suitability of project specifications and plans

3.4. Consideration for approval with either be undertaken by Council Officers or formally by Council depending on a number of factors including but not limited to the scope and/or cost of works.

3.5. If the application is approved, Council officers will provide written confirmation approving the external funding application or approving the works, the contractor and detailing project conditions including the project management responsibility at Councils sole discretion. If the application is not approved, reasons will be provided to the community group.

3.6. Community groups are responsible for obtaining all necessary permits from Brimbank City Council Building Surveyors or other relevant authorities at their cost.

3.7. Council officers will inspect all completed works to ensure they have been carried out per the approved plans, with any rectification works to be made at the community groups expense to the satisfaction of Council.

3.8. Maintenance responsibilities of the capital development will be determined as per tenancy agreements or by Council officers on a case-by-case basis. If the community group does not undertake maintenance to the required standard, Council will maintain the asset to the required standard and will charge the full maintenance cost to the community group.

4.0 JOINT FUNDED CAPITAL DEVELOPMENTS WITH A THIRD PARTY.

4.1. Council may seek external funding from a third party to jointly fund capital development on Council owned or managed land in line with adopted strategic documents. If successful, the project will be treated as per Item 1.0 Council Funded Capital Development of these guidelines and other requirements determined on a case-by-case basis.

4.2. Community groups may seek external funding from a third party to jointly fund capital developments on Council owned or managed land as follows:

- **a.** After seeking and receiving approval by Council of the proposed project and third-party funding provider.
- **b.** If successful with funding, the project will be treated as per Item 2.0 Community Group Contributions to Council Funded Capital Development or Item 3.0 Community Group Funded Capital Development of these guidelines and other requirements will be determined by Council on a case-by-case basis.
- **c.** Funding Agreements with external providers for projects under Item 3.0 including project management, reporting and acquittals is a club responsibility and Agreements should be directly between the club and external funding provider.

5.0 COUNCIL WILL NOT FUND OR APPROVE THE FOLLOWING

5.1. Council will not fund, seek or approve external funding applications or approve the following:

- **a.** Projects that are not consistent with Council adopted policy positions or objectives.
- **b.** Projects that are not on Council owned or managed land.
- **c.** Projects on Education Department land where there is no formal Joint User Agreement in place that has significant community benefit.
- **d.** Projects proposed by community groups that cannot demonstrate sound financial planning or have a debt to Council that is not being managed.
- **e.** Projects that do not have the support of cotenant/s at the facility unless that lack of support is not deemed reasonable by Council.
- **f.** Purchase of land for non- Council ownership.
- **g.** Projects for community groups that have exclusive membership requirements.
- **h.** Projects that have commenced prior to receiving funding application approval from Council.
- **i.** Routine, cyclical or any type of maintenance works, operating or equipment costs that are community group responsibilities in Tenancy Agreements.
- **j.** Purchase of fixed equipment that does not add value to existing Council assets, assist to increase participation or assist community group operations.
- **k.** Sport field fixed assets deemed by Council to be optional, above Council standards or community group responsibilities as outlined in adopted strategic documents and tenancy agreements, where the components are for the exclusive use of a club or classified as non-essential for the level of competition being played.