Brimbank City Council

Draft Community Facilities Capital Development Policy

December 2025

Brimbank City Council respectfully acknowledges and recognises the Wurundjeri and Bunurong peoples as the Traditional Custodians of this land and pays respect to their Elders past, present and future.

Contents

1 POLICY PURPOSE 4
2 POLICY SCOPE 4
3 DEFINITIONS 4
4 STATEMENT OF POLICY PRINCIPLES 5
5 SPECIFIC REQUIREMENTS 6
6 ROLES AND RESPONSIBILITIES 9
7 POLICY IMPLEMENTATION 10
8 POLICY OWNERSHIP 10
9 APPROVAL 10
10 RELATED POLICIES & LEGISLATION 10

POLICY PURPOSE

The purpose of this policy is to clearly define Council and community group responsibilities towards the capital development of Council owned or managed community facilities and to ensure efficient and effective use of Council and community resources to maximise the capital development and use of Council community facilities in a manner that is safe and meets Council standards.

POLICY SCOPE

2.1 This policy applies to

- All Council-owned or managed community facilities within the Brimbank municipality.
- Community groups, organisations, third parties and individuals who use or wish to contribute to the capital development of Council community facilities.

2.2 This policy does not cover

- Privately owned facilities or those managed by other government entities.
- Operational management and day-to-day maintenance of community facilities.
- Allocation of facility usage times or scheduling of activities within community facilities.
- Funding for programs or services delivered within community facilities.
- Capital developments on non-Council owned or formally managed land.

DEFINITIONS

For the purposes of this policy, Council adopts the following definitions:

Term	Definition
Community facility	Any built facility that is Council owned or managed (such as Education Department land where a formal Joint User Agreement is in place) and used by the community.

Capital development	Any change to a facility through capital replacement, improvement or new infrastructure improvement.
Community group	Any not-for-profit group that formally uses a Council owned or managed community facility to undertake its activities e.g. sports clubs, seniors groups, community groups, cultural groups, early years manager, independent neighbourhood house, community organisation etc.
Third party	An external provider that Council deems as appropriate to provide funding or input into Council owned or managed capital developments e.g. another level of government, NGO or public/ private entity.

STATEMENT OF POLICY PRINCIPLES

The following themes derived from the Brimbank Community Vision 2050 and the We Are Brimbank - Council Plan 2025-2029 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 range 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 marginalized 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 for the Brimbank community.

i) **Social Justice** where Brimbank individuals and groups are afforded fair treatment and a just share of benefits living in the municipality.

SPECIFIC REQUIREMENTS

5.1

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) Community group funded capital development.

d) Joint funded capital development with a third party.

5.2

Council will deliver an annual capital works program that will be informed by Council's Asset Plan, Financial Plan and other strategic documents including but not limited to the Sports Facility Development Plan, Community Services and Infrastructure Plan, Climate Emergency Plan and Service Plans.

5.3

Council will invest in core standard infrastructure on Council owned or managed land, as detailed in relevant Council Facility Standards and informed by asset condition and fit for purpose assessments, service needs and community needs.

5.4

Proposals from community groups for non-core facilities 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, strategies and objectives including the Municipal Public Health and Wellbeing Plan, Gender Equality Act 2020 and must meet all relevant standards. These criteria at a minimum are for consideration, noting proposals that are consistent with these may still not be supported and any support is entirely at the discretion of Council:

a) Capacity of site to accommodate amenity and be consistent with relevant strategic documents.

b) Evidence that community group funding is available and committed 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 lifecycle assessments and commits to all costs over 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.

5.6

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, project management, type of agreement with Council and other conditions will be negotiated on a case-by-case basis.

5.7

Projects may be subject to permits, external approvals or additional fees and the proponent may be liable for some or all of these at Councils discretion.

5.8

Community groups must apply to Council:

a) For approval for all alterations to Council facilities.

b) Prior to lodging any external grant application for an improvement to a Council facility and must allow sufficient time for review and response from Council.

Should community groups fail to seek Council permission for alterations to facilities Council retains the right to undertake works to return the asset to the prior condition and charge community groups for the full cost of the works.

Should community groups fail to seek approval prior to lodging external grant applications Council retains the right to direct community groups to not accept funds from the external provider.

5.9

Council will not guarantee loans for community group funded capital developments however may, at its discretion, request bank guarantees for some projects.

5.10

The acceptance of a community group contribution towards capital development of any community facility will not:

a) Raise 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) Oblige Council to find or fund alternate premises during the period of works.

d) Entitle the community group to claim any compensation from Council should the community group move from the Council facility for any reason or have their use reduced or limited.

e) Change the terms of tenure which are defined by other Council Policies however Council may pay regard to the community group's investment in considering future tenure.

5.11

Council has discretion to decide the level at which capital development on Council owned land is managed. Council may determine that projects with a low level of risk can be delivered by the community group with minimal Council oversight while projects with a higher level of risk will be subject to a higher level of oversight or delivered by Council.

On request following completion, community groups must provide required documentation including as built drawings, warranties, operational and maintenance manuals, commissioning certificates, defect liability period information and any other information requested by Council.

5.12

Maintenance responsibilities of all capital developments will be clearly outlined in tenancy agreements or a formally agreed maintenance schedule.

Community groups must plan for and be able to afford any additional maintenance or other costs as a result of works requested or funded by the community group. Council will not take on maintenance costs and responsibilities for facilities developed at the request of community groups.

ROLES AND RESPONSIBILITIES

6.1 Council

Council is responsible for:

- Developing and managing the annual capital works program
- Investing in core standard infrastructure as per Council Facility Standards
- Assessing and approving proposals for non-core or above-standard facility improvements
- Managing all capital developments on Council owned or managed land whether that be through the determined level of oversight or direct delivery.
- Approving all alterations to Council facilities
- Reviewing and making a decision on community group external grant applications related to facility improvements prior to their submission to external parties including clarifying and communicating tenant and user obligations and responsibilities.

6.2 Community Groups

Community Groups are responsible for:

- Submitting formal applications for non-core or above-standard facility improvements
- Entering into formal agreements with Council for capital development contributions
- Providing required funding contributions as per the specified payment terms
- Seeking Council approval before applying for any facility improvement related external grants.
- Adherence to maintenance responsibilities as outlined in tenancy agreements

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.

POLICY OWNERSHIP

Responsible Director: Lynley Dumble

Responsible Officer: Ashley Fleming

Directorate: Community Wellbeing

Unit: Leisure and Community Facilities

APPROVAL

Date:

RELATED POLICIES & LEGISLATION

- Sports Facility Development Plan
- Community Services and Infrastructure Plan

- Community Facilities Hire, Licences and Leases Agreement Policy
- Community Facilities and Reserves Allocation Policy
- Sports Facility Hire, Licences and Leases Agreement Policy
- Gender Equality Act 2020

INTERNAL USE ONLY

Version	Version notes	Adopted	Review
1	Original version approved by council	20 September 2016	1/05/2025
2	Update to new format and removal of Major Policy status following sunsetting of the Governance (Major Policy Consultation) Local Law 3	30 June 2025	
3			

Brimbank City Council

Telephone 9249 4000
Email info@brimbank.vic.gov.au
Post PO Box 70, Sunshine, VIC 3020

Hearing or speech impaired?

- TTY dial **133 677**
- Speak & Listen **1300 555 727**
- **www.relayservice.gov.au**, then enter **03 9249 4000**

NATIONAL RELAY SERVICE

Find us on Facebook, Twitter and YouTube

www.facebook.com/brimbankcouncil

www.twitter.com/brimbankcouncil

www.youtube.com/brimbankcitycouncil

Interpreter **131 450**
Local call costs apply