

# Community Contribution Project Guidelines

**Please read these guidelines before completing a Community Contribution Project Request to Undertake Works.**

## Introduction

Council provides many services to the community. The majority of these are supported by infrastructure in the form of buildings, recreational facilities, and public amenities.

Community groups, sporting clubs and other groups may wish to enhance local facilities and seek Council approval to proceed with improvements to a facility at their own cost. This is called a Community Contribution Project.

## Guideline objectives

These guidelines:

- Outline what a Community Contribution Project is;
- Explain the process for organisations to propose a Community Contribution Project and key determinants that projects must align with to meet Council support; and
- Outline Council's expectations of sporting clubs and community groups when taking on a Community Contribution Project.

## What are Community Contribution Projects?

Community Contribution Projects allow Council to work with organisations to enhance facilities or donate assets to the community to an agreed standard and service level. This supports a consistent and transparent approach to the capital development of Council's community facilities. All work should be consistent with any Plans of Management and Masterplan relevant to the site.

The following examples are types of projects that may be considered subject to Council approval:

Air conditioning	PA systems
Building works	Scoreboards
Drainage	Seating – bench
Electrical works	Seating – tiered
Floodlighting	Shade structures
Flooring	Shelter structures
Footpaths	Storage sheds
Kitchen items	Stormwater
Landscaping	Kitchen exhausts

## Scope

These guidelines relate to proposed facility enhancement projects that are funded by a sporting club or community group. This does not include requests for work that fall within Council's maintenance or capital works programs.

## Application process

Council supports sporting clubs and community groups to propose Community Contribution Projects and contribute towards the enhancement of sporting and community facilities.

Prior to submitting an application, it is recommended that you contact a Council Officer to discuss the proposal by emailing [recreation@penrith.city](mailto:recreation@penrith.city) or calling 4732 7777. Undertaking of projects or works to any Council owned infrastructure is subject to Council approval.

To apply to undertake community contribution projects, organisations are required to submit a Community Contribution Project Request to Undertake Works available via the [Penrith City Council Website](#) to be assessed by Council. Projects satisfying the necessary requirements will be invited to submit any additional details and documentation required. Projects must be fully funded by the applying organisation.

Applications that are incomplete will not be considered. This includes applications which do not contain all relevant and required supporting documentation. If a Development Application is required, this will be considered under the DA for approval.

**Minor works (cost estimated to be less than \$30,000)**

1. Contact a Council Officer to discuss the proposal prior to submitting application.
2. Application received (including drawings indicating the location and design of the works).
3. Design drawings reviewed by the relevant Council departments.
4. Council provides feedback and may request additional information if required.
5. Detailed plans submitted and reviewed if required.
6. Council will undertake Part 5 Development documentation including a Review of Environmental Factors if required.
7. Approval and Landowners Consent from Council to commence works. If a development application is required, a fee will be charged for Landowners Consent as per Council's [Fees and Charges](#).
8. If a Development Application is required, the applicant will submit a [Development Application online](#).

**Major works (cost estimated to be greater than \$30,000)**

1. Contact a Council Officer to discuss the proposal prior to submitting application.
2. Application received (including relevant drawings indicating the location and design of the works).
3. Design drawings reviewed by the relevant Council departments.
4. Council provides feedback and may request additional information if required.
5. Business case to be developed and reviewed.
6. Concept plans to be developed and reviewed.
7. Due diligence feasibility assessment to be undertaken.
8. Detailed plans to be developed and reviewed.
9. Council will undertake Part 5 Development documentation including a Review of Environmental Factors if required.
10. Approval and Landowners Consent from Council to commence works. If a development application is required, a fee will be charged for Landowners Consent as per Council's [Fees and Charges](#).
11. If a Development Application is required, the applicant will submit a [Development Application online](#).

**Note:** Further development consent may be required depending on the type of works.

### **How long will the application process take?**

A Council Officer will be in contact with you regarding this application within four weeks. The decision of whether the applicant can proceed with proposed works will be at the discretion of Council.

## **Community Contribution Projects and Public-Private Partnerships (PPP)**

When assessing all applications, Council will determine if the project falls into the category of being a [Public Private Partnership](#) as per the Office of Local Governments Public-Private Partnership Guidelines. A Council Officer will advise if this is the case. All Public Private Partnerships must follow the process and associated requirements as set out in the [Public Private Partnership \(PPP\) Guidelines](#).

## **Approval of Community Contribution Projects**

An evaluation panel comprised of Council Officers will assess each application. An assessment against these guidelines is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including any statutory power or discretion of the Council relating to the assessment of environmental impacts or development applications.

The evaluation panel will assess the proposed project on the following criteria:

- The applicant clearly demonstrates the need for the project and the level of benefit to the community.
- The applicant demonstrates alignment with Council's strategic priorities.
- The applicant has provided the required project documentation and can demonstrate the ability to deliver the project.
- The applicant can demonstrate the ability to meet financial requirements of project. This includes project contingencies, design, project management and any approval costs.

For an application to be assessed, all supporting information must be provided. This includes but is not limited to designs, site maps, cost estimates, etc.

To ensure that proposed projects align with Council specifications, it is imperative that applicants consult with Council during the planning process. Council encourages open communication and collaboration to ensure that the proposed project meets Council's required standards.

Where appropriate, Council will provide asset and construction specifications relating to the proposal to ensure consistency in the provision of community assets across the network.

Any proposed projects must consider the needs of other user groups of the site; consultation and agreement will be required as part of all applications. The evaluation panel may invite applicants to a meeting to discuss the application further if required. Council may decline a Community Contribution Project application if they believe the project:

- Does not follow these guidelines.
- Is not suitable for the facility / site.
- May adversely impact other facility users or community members.
- Presents a high risk and / or the risks cannot be mitigated.
- Is not in the interest of the community.
- Does not satisfy the project management requirements.
- Conflicts with the asset maintenance planning for the site.
- Council, in its absolute discretion, does not support the proposal.

Applicants will be notified in writing of the outcome of their application. Once projects are approved, applicants will be provided with specifics of the proposed works to be undertaken, the standard of works required, insurance arrangements, site security, key sign off dates and any special conditions if applicable. 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 application and/or the application of sanctions available under the organisation's hire agreement.

**It is important to remember that:**

- All community funded projects on Council land are subject to Council approval and may be subject to Planning Regulations.
- Not all applications to undertake community contribution projects will be successful.

- Council may not approve applications from applicants with an outstanding debt with Council or clubs in arrears with an agreed repayment plan.
- Council will not approve self-funded projects where an applicant cannot satisfactorily demonstrate it has the capacity to make the contribution.
- Permitted use of community land is also subject to the conditions of the Plan of Management and Master Plans.

**Additionally, applicants must ensure:**

- All contractors comply with any Acts, regulations, local laws, codes of practice and Australian Standards which are in any way applicable.
- The contractors and tradespeople engaged must have a Work Health and Safety (WH&S) Plan, evidence of which is to be provided to Council. The plan must include WH&S risk assessments of the works to ensure the construction will be carried out in accordance with WH&S legislation.
- Person/s undertaking the works hold suitable qualifications, registrations and insurance for the work type being carried out. Evidence of this is required to be provided as part of the application process.
- The applicant shall provide a public liability insurance policy for an amount in respect of any one occurrence of not less than \$10 million and must provide evidence that their current policy covers them for undertaking capital or maintenance work for the duration of the project. If not, the applicant must take out a specific policy for the project to ensure they are appropriately covered.
- All works must be carried out by a qualified tradesperson who has a public liability insurance cover of \$20 million and all other appropriate insurances.
- The works meet any relevant Building Code of Australia and Australian Standards.
- Where appropriate, an Installation Certificate is to be provided for all work undertaken and an Operation & Maintenance Manual must be supplied to Council once the works have been completed.

**At a minimum, Council will expect the following:**

- The applicant must nominate a representative to act as Project Manager and Council liaison. The Project Manager should be available to deal with any issues that arise from the project and should be available to follow up Council queries.
- If a building permit is required for the works, works are to be undertaken to permit conditions and all application fees are to be borne by the committee, tenant, etc.
- Any damage to the existing building due to works must be rectified at no cost to

Council.

- Any rubbish/construction spoil created by the works shall be removed and disposed of at no cost to Council.
- Contributions will not result in an applicant being offered improved terms to an occupancy agreement such as discounted fees and charges or a longer tenure.
- Contributions from applicants will not imply ownership or control over a sport and recreation facility or infrastructure asset nor guarantee a club exclusive use of or access to a facility.
- All facility enhancement projects carried out through this process are to become property of Penrith City upon practical completion. This will form part of the agreement.

## Maintenance

At the completion of the project, Council will identify those items that are Council's responsibility to manage and maintain, and those items that are the occupant's responsibility to manage and maintain.

## Agreement termination, suspension and/or amendments to projects

Council may cancel or suspend a project if it considers a significant breach of the approved design and building permits has occurred, or where a compliance request has been disregarded.

The applicant will incur all costs associated with any rectification works.

Where the scope of a project changes after a project is approved, a written request to amend the project must be made, and a new application may need to be submitted.

## Funding responsibilities

Evidence of the applicant's ability to meet the financial requirement of the project must be provided as part of the application process. This is to ensure the works can be completed. Evidence can be in the form of a bank guarantee, bank statement or a letter of guarantee from the organisation's governing body. Council will not act as guarantor for any financial contributions or commitments made by an applicant.

All project budgets should include a minimum contingency of 15 per cent.

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 applicant.

## Site considerations

Council, to the best of its ability, will provide any site information that may be relevant to the works. Pre-works site assessments (e.g., Dial Before You Dig - DBYD, utilities requirements, easement constraints) are the responsibility of the principal contractor to complete before commencing the works.

## Handover

- All certification of compliances must be provided and acquittals of expenditure for insurance purposes and other documents that are specified through the process.
- Council will not be responsible for any unauthorised and/or illegal works.
- Applicants will be responsible for all costs associated with any remedial works required.
- All building and facility improvements will remain the property of Council and cannot be removed in part or in full.

## Further Information

Requests for further information can be directed to: [recreation@penrith.city](mailto:recreation@penrith.city)