

**Holroyd City**

*Built Around People*

**Submission  
No 51**

***Holroyd City Council***

www.holroyd.nsw.gov.au

The Gateway to Western Sydney  
*Engineering Services*

Our Reference:

HC-17-01-6/02

Contact:

W. Evans

Telephone:

9840 9885

17 August 2006

The Committee Manager  
Standing Committee on Public Works  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Sir/Madam

### **INQUIRY INTO SPORTSGROUND MANAGEMENT IN NSW**

I refer to your letter dated 7 July 2006 requesting a submission from Council regarding key factors influencing sportsground management and advise as follows

The importance of physical activity and the provision of recreational open spaces is well documented. They have a direct impact on health, mental, physical and the general wellbeing of the community. It is vital that they be efficiently managed to ensure the best possible outcomes for the entire community.

According to the ABS 2001 Census, the Holroyd Local Government Area includes many disadvantaged groups. These include:

- 14% of residents are aged 65 and over.
- 36% of residents are from a CALD background.
- Approximately 16,552 people with a disability live in the LGA.
- Approximately 5,000 families receive less than \$500 income per week.
- 16.8% of the population are younger people.
- Western Sydney Area Health which includes Holroyd has a higher percentage (52.1%) of people who are considered to be obese. The NSW percentage is 47.3%. Childhood obesity has been listed as a priority in Council's City Health Plan. The strategy to address this is to "support establishments of groups and programs to increase physical activity options".
- Holroyd is experiencing an influx of newly arrived migrants and refugees.

There is concern that sporting organisations/ facilities management committees have a heavy emphasis on providing sport activities/ exercise for mainstream abled groups. Facilities and committees that manage them may not be set up, such that, access or be knowledgeable/ trained to encourage use by minority/ disadvantaged groups (as listed above).

*All Communication to be addressed to*

General Manager, Holroyd City Council, 16 Memorial Avenue, (PO Box 42), Merrylands NSW 2160  
DX 25408 Merrylands. Ph: 02 9840 9840. Fax: 02 9840 9734 TTY: 02 9840 9988

Email: [hcc@holroyd.nsw.gov.au](mailto:hcc@holroyd.nsw.gov.au)

ABN 20 661 226 966

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Council recently organised training for sporting organisations and groups to educate them on how to adapt/ provide physical activities suitable for those with a disability. These sessions were poorly attended, especially by local sporting groups/ management committees. There is a real need to educate, train and encourage committees which manage sportsground facilities on how to ensure sporting grounds and activities are accessible and inclusive and that they have the potential to be relevant to cater for the needs of the disadvantaged groups identified.

The majority of Council's sportsgrounds are managed through the appointment of Section 355 Committees who undertake the care, control and management of the parks in accordance with Council's overarching Section 355 Constitution for controlling the Committees. A copy of the Section 355 Committees Constitution and Council's 2006/ 07 fees and charges for hiring of sporting fields is enclosed for your information.

The impact of the 2002 Civil Liability Act has reduced the number of litigated claims by plaintiffs. A growing concern from an insurance perspective is the long-term effect of the drought and hardening on the respective surfaces.

Sporting field surfaces in the current weather conditions and the subsequent watering restrictions imposed onto Council have led to the deterioration of the sporting fields. A vast number of Councils fields are experiencing a thinning of the grass cover, weed infestation, divots and irregularities and will require substantial funding for their rejuvenation. The concern is that one day Council may be confronted with the issue of field closures so as to ensure public safety and reduce liability.

Impacts of sportsgrounds near residential zoned areas are traditionally noise, traffic congestion, parking, antisocial activities and lighting. The parking demand during sports activities is normally quite high resulting in over spill of parking on local streets impacting on residents parking, access and noise. Traffic congestion also occurs on narrow streets where parking is permissible on both sides. When there are parking facilities near sportsground, antisocial activities often occur after hours. Request for upgrading field lighting is another key issue raised by the users of sportsgrounds.

Urban consolidation policies have resulted in increased emphasis on meeting housing demand within established urban areas. This in turn has resulted in significant difficulty in ensuring adequate provision in "key demand areas". Holroyd is a good example of this. It is an established area, where new housing, and therefore new demand for sportsgrounds, is the product of redevelopment of existing residential land or industrial "brownfields".

As a result, ensuring adequate provision for an increasing population is difficult due to

- Acquiring sufficient land for sportsgrounds is problematic, given the fragmented land ownership in established areas and given landowners/ developers seeking to maximise yield from "brownfield" sites.
- Increasing cost of land even when vacant, due at least in part to its increased development potential under urban consolidation policies.
- Low net population growth in any one area and development contributions planning rules (under Section 94 of the EP&A Act) mean that only a small proportion of costs is attributable to new development. This and rate-capping limit Council's ability to improve provision of sportsgrounds, either through new facilities or improvement of existing facilities.

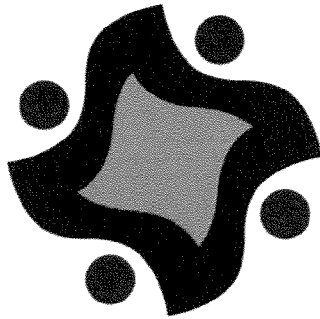


Industrial “brownfields” in Holroyd currently or soon to undergo residential development are Holroyd Gardens (330 dwellings), part of the Neil Street Precinct (1,000 dwellings) and the former Boral and CSIRO lands at Pemulwuy (2,025 dwellings). A further 800 dwellings are also forecast to be provided through mixed-use redevelopment within Merrylands Town Centre. Unfortunately, no suitable sites for new sportsgrounds have been identified within these sites and areas.

Should you have any further enquires concerning the submission, please contact Council’s Manager of Parks and Buildings, Mr Warwick Evans on 9840 9885.

Yours faithfully

D. Trezise  
GENERAL MANAGER



**Holroyd City**  
*Built Around People*

**SECTION 355 COMMITTEES  
CONSTITUTION**

# SECTION 355 COMMITTEES CONSTITUTION

## 1. PURPOSE

The purpose of the Parks Committees established under Section 355 of the Local Government Act 1993 is to provide care, control and management of Council parks and facilities in accordance with the policies and procedures adopted from time to time by Council.

## 2. ADMINISTRATIVE MATTERS

### i) MEMBERSHIP

- Open to the residents and ratepayers of the City of Holroyd.
- Persons who are not residents and ratepayers of the City of Holroyd may be accepted for membership of a Committee subject to application and approval by Council.

### ii) COMMITTEE MEMBERS

- Thirteen maximum, including three Ward Councillors (automatically), with each sporting body being entitled to two members each. Membership over 13 allowed only with Council's approval.
- Sporting body be defined as a sporting club or association that is the principle organisation/entity and a user of the facility or park.
- At least one member must be a local resident, live in close proximity to the park and not be a member of any sporting body using the facility or park.
- With the exception of Ward Councillors, no committee member shall hold an executive position on more than one Park Committee.

### iii) TERM

- Two years with the expiry date being three months after General Election of Council and two years from that date.

### iv) OFFICE BEARERS

- Committee to elect President, Vice-President, Secretary and Treasurer, for a two year term.
- Office Bearers must be residents or ratepayers of Holroyd.
- Office Bearers are to be representative of every user of the park as far as practicable.
- Office Bearers who are not residents and ratepayers of the City of Holroyd may be accepted as an Office Bearer subject to application and approval of Council.

v) **DUTIES OF COMMITTEES**

- In providing the care, control and management of the parks and facilities, specific duties include:
  - To ensure widest use of facilities and equal opportunity to all bodies. Hours of use to be fixed to ensure conflict of interest does not occur.
  - Work towards implementation of Plan of Management as prepared by Council, with funds raised and any specific allocations made by Council, upon application being made. Other work not permitted.
  - Report annually to Council on uses made of grounds, improvements effected, and submit a program of works proposed to be carried out by the Committee for the following year.
  - Report damage of facilities to Council promptly for insurance purposes.
  - Advise hirers they are responsible for damage, which may lead to loss of use, if not repaired.
  - Furnish Council in advance a timetable of uses granted, to facilitate preparation of the grounds.

vi) **MEETINGS**

- Meetings will be held at least every 3 months (minimum 4 per year), with an Annual Meeting in the month of December each year, unless otherwise approved by Council. The Annual General Meeting must be advertised in Council's Corporate Page.
- Meetings will be held at the Park or Council Chambers. Committee Members will be notified by the Secretary in writing 7 days prior to the meeting.
- Meetings will not be held on the first, second and third Tuesday of the month.
- Meeting dates and times for the ensuing twelve (12) months will be determined at the Annual General Meeting and forwarded to the Manager of Administrative Services for the information of Councils.

vii) **QUORUM**

- A Quorum will be half the number of Committee Members plus one.

viii) **MINUTES**

- Minutes and other documents, including financial reports, must be kept by the Committee for a minimum period of five (5) years.
- Accurate written record of decisions will be kept of all meetings with copies submitted to Council in draft form within 30 days.
- The Minutes when adopted will be forwarded to the Council within seven (7) days.
- The Minutes, addressed to the General Manager, may be forwarded to the Council electronically through the Manager of Administrative Services.

### 3. USE OF GROUNDS

- In hiring parks and facilities, the Committee will abide by the following rules and conditions:
  - Council will set ground fees for ground usages. In setting fees Council will consider any recommendation from Park Committees.
  - In allocating use of grounds, due consideration should be given to the rights of long term users, the need to cater for the local community, and the need to provide opportunity for use by as many sporting bodies as possible.
  - The Park Committee will ensure all recreation facilities are accessible to local residents.
  - Public application for ground usage to be invited when necessary.
  - Park users will confirm and submit applications for usage annually.
  - Applications for the use of park facilities for profit by private enterprise will be determined by Council in consultation with the Park Committee.
  - Reasonable access is to be given to schools within the City area. These schools are to have priority of use over schools not within the City.

### 4. FINANCIAL MATTERS

#### i) *ACCOUNTS*

- Accounts are to be kept to the satisfaction of the General Manager and in accordance with the requirements of Accounting Standards applicable to Local Government.
- Finalised accounts are to be submitted to the Council for annual audit each year for consolidation in Council's Annual Statement of Accounts. The Committee financial year runs from 1 April to 31 March. Accounts must be submitted within two months from 31 March each year.

#### ii) *EXPENDITURE OF FUNDS*

- Funds are to be applied solely towards maintenance, improvement and embellishment of the park and facilities.
- The Council's guidelines in regard to procurement of goods and services are to be strictly adhered to.
- Any expenditure in excess of \$2,500, or such amount as determined by Council from time to time, proposed by the Committee is to be referred to Council for approval prior to commitment.
- A summary of works and costs thereof undertaken by the Committee is to be submitted to Council quarterly.

#### iii) *FUNDS*

- All funds raised are the property of Council.

iv) *INVESTMENT AND BANKING OF FUNDS*

- Funds may be lodged in Council's Trust Fund, to be returned on request of the Committee, or be kept in Savings/Cheque Bank Account or Interest Bearing Deposits established by the Committee.
- All withdrawals of funds must be authorised by two Committee Member signatories.

v) *CONTRIBUTIONS BY CLUBS OR COMMUNITY GROUPS TOWARDS FACILITIES*

- Any contributions are to be accepted on the understanding that such contributions are not for exclusive use, and become Council property after three (3) years.

vi) *SURCHARGE*

- Committees are subject to the surcharge provisions of the Local Government Act 1993 for illegal expenditure.

vii) *GST*

- Committees are required to submit an annual statement of GST collected and incurred during the Committee's financial year. Such statements are to be submitted along with the Committee's financial accounts. Pro formas of the statement can be obtained from Council's Financial Services Section.

**5. HIRING ARRANGEMENTS**

- All hirings must be in accordance with the rules and conditions set by Council from time to time.
- All hirers are required to complete the hiring form provided to the Committee by Council.
- Particular regard is to be given to complying with the insurance requirements of Council.

**6. PLAN OF MANAGEMENT**

- The Council establishes a Plan of Management for each Park through the public consultative process in accordance with the Local Government Act 1993.
- Committees are required to implement the requirements of the Plan of Management and in so doing submit an action plan to Council for this purpose.
- The Committee's action plan is to be reviewed annually to ensure that it continues to meet the requirements of the Plan of Management.



## **7. LIMITATIONS IMPOSED BY COUNCIL**

- The following limitations are imposed by Council on the delegation of powers given to the Committees:
  - Committee office bearers and ordinary members of Committees are to be approved by Council.
  - Fees for use of Park facilities are to be approved by Council annually.
  - The Constitution for Section 355 Committees are not to be varied without Council's approval.
  - The Committee is not to deviate from the Plan of Management without Council's express written approval.
  - Payment to Committee members is not permitted.

## **8. COMPLIANCE**

- Committees are required to comply with the rules and conditions set by Council from time to time.
- In the event that rules and conditions are not complied with, Council retains the right to dissolve a Committee.

## **9. RESOLUTION OF DISPUTES**

- The Facilities Management Committee will be the final adjudicator in relation to any dispute arising from the care, control and management of Council's parks and facilities under the auspices of a Park Committee.
- The Consultative Committee in so doing may delegate this role to the General Manager from time to time.

## **10. TENNIS COURTS**

- A set of procedures is appended to this Constitution to be complied with by both Committees and Sub-Committees responsible for managing tennis courts.
- The terms of the Constitution shall apply to the operation of tennis court sub-committees.

# **APPENDIX TO SECTION 355 COMMITTEES** **CONSTITUTION**

## **TENNIS COURT PROCEDURES**

### **1. PURPOSE**

The purpose of this document is to provide operational procedures to Parks Committees and Sub-Committees managing tennis courts.

These procedures are to be read in conjunction with the Section 355 Constitution.

### **2. AVAILABILITY AND USE OF COURTS**

In allocating courts, consideration should be given to the rights of long term users, the need to cater for the local community and the need to provide the opportunity for use by as many users as possible.

Up to 50% of available court time is to be made available for permanent/long term hirers. The other 50% of available court time is to be made available to casual hirers.

Court hours are from 7.00am to 10.00pm – Monday to Sunday.

Reasonable access for schools within the City area is to be given.

No unauthorised use of tennis courts is permitted. In this regard, courts must be secured (ie, locked up) when not being used.

Where conflict on use exists, the Facilities Management Committee will be the final adjudicator. The Consultative Committee may delegate this role to the General Manager from time to time.

### **3. REGISTER OF HIRINGS**

A register of all hirings is to be kept, both permanent and casual, with a separate list of current permanent hirers and their allocated day, times and courts.

The hiring register is to be annually submitted to Council along with the financial accounts and GST statements.

### **4. COURT HIRE FEES**

Court hire fees are to be in accordance with Council's annually adopted Fees and Charges.

A key bond, in accordance with Council's annually adopted Fees and Charges, is to be taken for any key given to a hirer.

Tennis Court Committees be requested to annually comment on Council's proposed tennis court fees for the upcoming financial year.

## **5. METHOD OF PAYMENT**

Permanent hirers are to pay monthly in advance. Should payments fall two months in arrears the Tennis Court Committee have the right to cancel the permanent booking.

Casual hirers are to pay prior to their casual booking.

GST compliant receipts are to be issued for all payments received.

## **6. MINIMUM HIRE PERIODS**

The minimum hire period for both casual and permanent hirers is one (1) hour.

## **7. USAGE OF AVAILABLE STORAGE FACILITIES**

Storage sheds/kitchens/etc must be made available to permanent hirers at the fee established in Council's annually adopted Fees and Charges.

Tennis Court Committees have the discretion to make storage sheds/kitchens/etc. available to casual hirers at the fee set in Council's annually adopted Fees and Charges.

## **8. SIGNAGE AT TENNIS COURTS**

All requests (from Tennis Court Committees or permanent hirers) for signs to be erected at Council Tennis Courts must be submitted for Council approval.

## **9. CONTRIBUTIONS BY PERMANENT USERS/TENNIS CLUBS TOWARDS FACILITIES**

Received on understanding not for exclusive use, and become Council property after, three (3) years.

## **10. PAYMENT OF COUNCIL RATES, WATER, ELECTRICITY, TELEPHONE COSTS**

Tennis Court Committees to be responsible for water, electricity and telephone costs associated with the tennis court complex.

Council to be responsible for any council rates associated with the tennis court complex.

## **11. COURT MAINTENANCE**

Tennis Courts are to be cleaned regularly and kept in a safe operating condition. Any damage to the courts or related equipment is to be reported to Council immediately.

# HOLROYD CITY COUNCIL – 2006/2007 ADOPTED FEES & CHARGES

DEPARTMENT		ENGINEERING SERVICES			2006/2007		
NO.	TITLE OF FEE OR CHARGE	PRICING PRINCIPLE	BASE FEE	GST	FEE Including GST	% Change	
41.	<u>Driveway Restoration (Vehicular Entrance)</u> <ul style="list-style-type: none"> <li>Concrete</li> <li>Residential (130mm thick)</li> <li>Medium duty (150mm thick)</li> <li>Heavy duty (200mm thick)</li> </ul>	A/M/Q	\$234.45/sq.m \$251.50/sq.m \$350.32/sq.m	10%	\$241.46/sq.m \$259.05/sq.m \$360.82/sq.m	2.99 3.00 3.00	
42.	<u>Driveway – Quotations</u> <ul style="list-style-type: none"> <li>Footpath</li> <li>Residential</li> <li>Medium duty</li> <li>Heavy duty</li> <li>Layback</li> <li>Sawcutting (per crossing) +20% for med or heavy</li> <li>Stormwater adj.</li> <li>Bitumen infill (associated with crossing)</li> <li>Crossing to be increased by 10% for reconstruction of existing driveway.</li> <li>Note these rates only apply when concrete work is currently being undertaken on a Council project within the street.</li> <li>Council does not quote for isolated jobs. This work is to be carried out by owner's contractor under Council supervision (refer to road restorations)</li> </ul>	A/M/Q	\$49.91/sq.m. \$61.86/sq.m. \$73.86/sq.m. \$85.82/sq.m. \$106.50/lin.m. \$118.59/lin.m.  \$33.86/lin.m. \$52.86/lin.m.	10% 10% 10% 10% 10% 10%  10% 10%	\$56.55/sq.m. \$70.10/sq.m. \$83.70/sq.m. \$97.20/sq.m. \$120.65/lin.m. \$134.35/lin.m.  \$38.35/lin.m. \$59.90/lin.m.	3.01 3.01 3.03 2.96 2.99 2.99  2.95 3.01	
43.	Street Sign on existing pole Street Sign plus new pole	A/M/Q	\$232.73 \$363.64	10% 10%	\$239.73 \$374.55	3.01 3.00	
44.	<b>Sports &amp; Playing Fields</b> Class "A" Parks McCredie Park Merrylands Park (Main Oval) Ringrose Park	C/M/R	Fee determined by S355 Park Committee in accordance with Council Policy	10%	Fee determined by S355 Park Committee in accordance with Council Policy	TBA	

# HOLROYD CITY COUNCIL – 2006/2007 ADOPTED FEES & CHARGES

DEPARTMENT		ENGINEERING SERVICES		2006/2007			2005/2006	
NO.	TITLE OF FEE OR CHARGE	PRICING PRINCIPLE	BASE FEE	BASE FEE	GST	FEE Including GST	% Change	
44. Ctd	<p><u>Class "B" Parks</u>                      Alpha Park                      Bathurst Street Park                      C V Kelly Park                      Daniel Street Park                      Darling Street Park                      Freame Park                      Gipps Road Sporting Complex                      Girraween Park                      Greystanes Sportsground                      Guildford West Sportsground                      Harold Read Park                      Holroyd Sportsground                      Jones Park                      King Park                      Long Street Park (adj. amenities)                      M J Bennett Reserve                      Merrylands Park (except main oval)                      Nemesia Park                      Pendle Hill Park                      Roberta Street Park                      Sydney Smith Park                      Tait Street Park                      Ted Burge Sportsground                      Tom Uren Park</p> <p><b>Note: Minimum fee set by Council but final fee determined by S355 Committee.</b></p> <ul style="list-style-type: none"> <li>• Heavy use, i.e. exclusive use of field for season, to include some training evenings (per field per season)</li> <li>• Medium use, i.e. use of field for season may include some training evenings or a weekday competition.</li> <li>• Light use (i.e. social day games)</li> </ul>	C/M/R	Fee determined by S355 Park Committee in accordance with Council Policy	Fee determined by S355 Park Committee in accordance with Council Policy	10%	Fee determined by S355 Park Committee in accordance with Council Policy	TBA	
		A/M/R	\$931.82 (min)	\$959.10 (min)	10%	\$1,055.00 (min)	2.93	
			\$559.09 (min)	\$577.28 (min)	10%	\$635.00 (min)	3.25	
			\$134.55 (min)	\$138.19 (min)	10%	\$152.00 (min)	2.70	

# HOLROYD CITY COUNCIL – 2006/2007 ADOPTED FEES & CHARGES

DEPARTMENT		ENGINEERING SERVICES			2005/2006		2006/2007		
NO.	TITLE OF FEE OR CHARGE	PRICING PRINCIPLE	BASE FEE	BASE FEE	GST	FEE Including GST	% Change		
44. Ctd	<u>Class "C" Parks</u> Pitt Park Fairfield Road Park • Heavy use • Medium use • Light use  <u>Synthetic Cricket Wicket</u> • Senior Team per season • Junior Team per season  <u>Netball Court</u>  <u>Basketball Court</u>  <u>Rifle Range (Hyland Road)</u>  <u>Cycle Track (Merrylands Oval)</u>  <u>Floodlights</u> Determined by S.355 Committees and charged to users (includes electricity and maintenance charge)	A/M/R	\$836.36 (min) \$451.82 (min) \$90.91 (min)  \$232.73 (min) \$125.45 (min)  \$101.82/court/annum  \$149.09/court/annum  \$204.55/session/ week/annum  \$400.00/session/ week/annum  Fee determined by S355 Park Committee	\$863.64 (min) \$463.64 (min) \$93.64 (min)  \$240.00 (min) \$129.10 (min)  \$104.55/court/annum  \$154.55/court/annum  \$210.91/session/ week/annum  \$411.82/session/ week/annum  Fee determined by S355 Park Committee	10% 10% 10%  10% 10%  10%  10%  10%  10%  10%	\$950.00 (min) \$510.00 (min) \$103.00 (min)  \$264.00 (min) \$142.00 (min)  \$115.00/court/annum  \$170.00/court/annum  \$232.00/session/ week/annum  \$453.00/session/ week/annum  Fee determined by S355 Park Committee	3.26 2.62 3.00  3.12 2.90  2.67  3.65  3.11  2.95  TBA		