

11 August 2006

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

Dear Sir or Madam,

Please find attached Bankstown City Council's submission to the Inquiry into Sportsground Management in NSW and a schedule of Council's fees and charges relating to the use of sportsground facilities in the City.

Council welcomes the opportunity to provide input into what is a vital issue for local communities throughout the state. I trust that the attached submission will assist the Committee in its deliberations in this area.

Should you require any further information, please feel free to contact Council's Policy Analyst on (02) 9707-9490.

Yours sincerely,

Mr Richard Colley
General Manager
Bankstown City Council

Bankstown City Council

**Submission to the NSW Legislative Assembly Standing
Committee on Public Works Inquiry into
Sportsground Management in NSW**

Bankstown City Council welcomes the opportunity to make a submission to this Inquiry. The Bankstown community is one that has a long history of strong and active participation in local sporting activities. The provision of sportsground facilities is therefore a vital issue for the community.

Council takes great pride in managing a large number of sportsground and passive recreation facilities. However, there are a number of issues that are providing some unique challenges to Council in delivering this vital community service.

The following submission outlines these issues according to the Terms of Reference detailed in the Committee's *Call for Submissions*. These are:

1. Adequacy of provision of quality sportsgrounds to meet community needs across NSW;
2. Cost and revenue arrangements including capital upgrades;
3. Environmental concerns associated with sportsground management;
4. Effectiveness of current administration of sportsgrounds by various providers including councils, state government (including schools) and private operators;
5. Impact on health outcomes and social cohesion, particularly in disadvantaged communities;
6. Traffic, noise and other direct impacts on residential amenity;
7. Affect of litigation and insurance costs on financial viability; and
8. Access to open space for active and passive recreational users.

Council trusts that the issues, arguments and suggestions presented in this submission will assist the Committee in its deliberations.

1. Adequacy of provision of quality sportsgrounds to meet community needs across NSW

1.1 Current usage of sportsground facilities in Bankstown

Over many years, the Bankstown community has maintained a strong and active interest in participating in sport and recreation activities. The great majority of sportsgrounds and facilities throughout the City are used heavily throughout the entire year on weekdays, weeknights and on weekends. Regular users include structured sports associations who organise participation in a variety of competitive sports; local schools; and casual users participating in unorganised activities.

Although a wide variety of age groups regularly play sport in Bankstown, it is predominately young people under the age of fifteen who partake in active sporting activities. Participation has historically been stronger amongst boys and men, though both girls and women remain heavy users.

It should also be noted that there is very strong demand for and participation in passive recreation activities throughout the City. This issue is discussed more at length in section 8 of this submission.

1.2 How Council is meeting current community needs and demand for sportsground facilities

Bankstown City Council provides infrastructure and facilities for various sports and physical activities including 39 sports complexes with 173 winter and 147 summer fields. These fields cater to a variety of sports, including soccer, netball, rugby league, cricket, baseball and hockey, to name just a few. These fields typically comprise of various built facilities and amenities including change rooms, seating and clubhouses.

The 39 sports complexes include swimming centres, athletics fields, indoor basketball facilities, and a golf course. Council also maintains top-class, elite sports facilities including the Olympic Dunc Gray Cycling Velodrome and the Memorial Oval Cricket Field.

Council is also responsible for maintaining 293 parks and reserves for passive recreation. These are discussed further in section 8 of this submission.

1.3 Changing demands and pressures on sportsground facilities in Bankstown

There are a number of factors currently affecting the level and nature of demand for sportsground facilities in Bankstown, providing some interesting challenges for Council.

Most significantly, there has been an overall increase in the number of people participating in organised sporting activities across an ever-increasing variety of sports. This has come about partly as the result of various sports associations promoting participation throughout the community, and partly by Council itself heavily promoting sports participation as a public health measure.

While this development is welcome, there are of course a finite number of sportsground facilities available in the City, leading to increasing competitive demands for usage from various sporting associations. The issue is exacerbated by the growth in different types of sports, as different codes often require different goalposts, field sizes and other such arrangements, making the sharing of grounds difficult. Added to this is the trend towards longer seasons amongst both summer and winter sports codes.

There has been especially increased demand amongst girls and women to participate in organised sporting activities. While this is once again a very

welcome development, it has contributed significantly to the overall increase in demand mentioned above. It has also meant that Council has had to upgrade built facilities to cater for the needs of women, such as providing additional change rooms.

The general increase in participation is also being driven by the increase in the number of young people in Bankstown. The proportion of Bankstown's population under the age of 18 is higher than the Sydney statistical average, and actually grew between the 1996 and 2001 censuses. As mentioned above, young people under the age of 15 are generally more likely to participate in organised sporting activities. In addition, this growth in the number of young people has led to increased demand for casual use sporting facilities aimed at youth, such as skate parks and basketball courts.

Council is proud of having a reputation in Sydney for providing high-class sports facilities at very affordable and reasonable rates (see sections 2 and 4). However, the downside of this is increasing demand for usage of Council's sportsgrounds by clubs and associations based outside of the City, adding to overall levels of demand.

Another factor increasing usage levels is the growth in demand for more casual types of organised sport, which is being driven primarily by young professionals who want to be involved in types of physical activity that require a minimum commitment of time and provide opportunities to socialise. Popular sports in this category include soccer, touch football and Oztag. This trend has increased demand for and use of sportsground facilities and fields particularly on weeknights.

Bankstown is home to a large and increasing culturally and linguistically diverse (CALD) community. According to the 2001 Census, 35% of the City's residents were born in an overseas country (up from 33% in 1996) and 46% speak a language other than English at home (up from 40% in 1996). This gradual change in Bankstown's population is creating increasing demands for different types of sporting activities and facilities. In addition, some CALD groups have reported feeling unwelcome at mainstream sporting clubs and associations and have, in some instances, sought to create new, ethnic-based clubs. This in turn creates additional demand and competition for the finite number of sportsground facilities in Bankstown.

Bankstown is also home to a large and growing elderly population. This is creating additional demands for passive recreation. This issue is discussed in section 8 of this submission.

Finally, the overall population of Bankstown is continuing to grow. Council has estimated that the City's population will grow by 8,765 in the period 2005-2011. In addition, Bankstown has been nominated as a Centre for growth in the NSW Government's Sydney Metropolitan Strategy. This anticipated population growth will continue to fuel demand for access to sportsground facilities.

1.4 How Council is planning to meet changing community needs

The above factors are increasing community need for more overall sportsground facilities, changes to existing sportsground infrastructure, and changes to the manner in which sportsground facilities are administered and services delivered. Council is working and planning to meet these needs in a number of ways, although increased cost pressures are making this difficult (revenue arrangements are discussed at length in Section 2), as are other issues discussed at length in various sections of this submission.

Section 94 contributions are one tool at Council's disposal to cope with the increased pressure placed on existing facilities by overall population growth. Council's *Bankstown Citywide Section 94 & 94A Development Contributions Plan* commits Council to using portions of development contributions for open space land acquisition and sporting facilities embellishment to improve existing and proposed open space resources, increase the flexibility in the types of sport that can be accommodated and expand the hours of operation of sporting facilities. However, section 94 funds are raised only through new development and are designed only to meet needs arising from population growth. So while to some extent accommodating the basic recreation needs of new residents arriving in the City, these funds go nowhere near to meeting the overall increased and changing needs and demands for sportsground facility use arising from the various factors discussed above.

Council is also planning to meet changing community needs through implementation of the *Active Bankstown Strategy*. The Strategy commits Council to providing appropriate and relevant facilities for the community of Bankstown through providing continuing access to existing facilities and by developing new facilities. These commitments are currently being met through Council's sport and recreation financing program. The details of this, including Council's capital works program, are discussed in Section 2.

The *Active Bankstown Strategy* also commits Council to supporting local clubs and associations and facilitating physical activity opportunities in partnership with other appropriate bodies, including educational, community, private and government. Over many years, Council Officers have developed a strong rapport with the various sporting clubs and organisations that exist in Bankstown. This has included providing a quarterly newsletter to keep clubs and associations updated with key Council initiatives, and organising sports forums for community sporting organisations. These relationships have proved invaluable in planning for current and future sporting needs in the community, and in delivering on those needs.

Council is also working to meet the sporting needs of its culturally and linguistically diverse (CALD) residents. Recently, Council has commenced planning a project to promote participation in organised sport within certain CALD communities. This followed findings through Council research showing that young people from some communities partake in lower amount of physical activity than other members of the wider community. Council has

also funded the *Women Make Waves* program, allowing women-only swim sessions at a Council swimming facility.

2. Cost and revenue arrangements including capital upgrades

2.1 Current cost arrangements at Bankstown City Council

Meeting the various community needs outlined above requires a significant funding commitment from Council. As the table below demonstrates, while Council generates some revenue from its sportsground facilities (an issue discussed at length below), it spends a great deal more in operating expenses.

Table - Operational Expenses, Capital Investment and Income Relating to Parks and Reserves and Sporting Fields in the Bankstown LGA

	2001/02	2002/03	2003/04	2004/05	2005/06
Expenses					
Parks & Reserves	2,905,660	3,237,884	3,721,018	4,562,871	4,747,561
Sporting Fields	3,123,176	2,803,221	3,015,876	4,129,028	4,024,460
TOTAL	6,028,836	6,041,105	6,736,894	8,691,899	8,772,021
Capital					
Parks & Reserves	299,492	1,808,212	1,455,577	2,304,699	538,079
Sporting Fields	586,868	650,609	2,427,390	2,565,874	1,752,198
TOTAL	886,360	2,458,821	3,882,967	4,870,573	2,290,277
Revenue					
Parks & Reserves	44,617	646,284	463,624	201,395	164,287
Sporting Fields	670,482	621,336	726,142	1,132,930	1,035,247
TOTAL	715,099	1,267,620	1,189,766	1,334,325	1,199,534

As can also be seen in the above table, Council also invests a significant amount of funds annually in a forward capital works program. This program ensures that Council is able to meet the changing needs and demands described in section 1, as well as maintain and replace ageing infrastructure (this issue is discussed further below). Typical capital costs include resurfacing playing fields, providing floodlighting, upgrading amenities, installing irrigation systems, installing fencing and building and upgrading car parks.

2.2 Current revenue arrangements

Council meets the above expenses primarily through general rate revenue. However, a number of other revenue sources are also drawn upon to provide additional funding towards managing the City's sportsground facilities.

Council recoups some costs through fees and charges for sportsground hire. Fees are charged to users on both a casual and annual or seasonal basis. Since 2000, Council's policy has been to set all fees and charges according to a 'user pays' principle, whereby prices are set so that fees reflect the true costs of providing the service, less the amount Council is willing to subsidise as a community service obligation. In line with this approach, Council Officers estimate that sportsground hire fees are subsidised by around 80%-90% of the true cost of operating the facilities. However, users are required to directly pay for the costs of providing floodlighting. It should also be noted that Council provides sportsground facilities free of charge to all schools in the City. Revenue is also generated through the leasing by sporting clubs and organisations of facilities such as stadiums and clubhouses.

As discussed in section 1, Council's *Bankstown Citywide Section 94 & 94A Development Contributions Plan* dedicates a significant portion of funding towards open space land acquisition and sporting facilities embellishment. According to this plan, for the period between 2005 and 2011, \$3.2 million in development contributions will go towards funding new open space land acquisition. \$6.2 million in development contributions will also go towards sporting facilities embellishment. Council is further contributing to this program by matching these funds from general rate revenue and by undertaking a program of open space rationalisation.

Council is also able to fund some capital works expenditure through NSW Government grants administered by the Department of Sport and Recreation. Council applies annually for funding under the Capital Assistance Program to provide assistance with meeting the costs of the forward Capital Works Program. Although Council is often successful in having projects approved under this program, grants average only \$9,000, which in 2005/06 provided Council with a total of just \$169,500 in funding towards its massive capital works program. Unfortunately, Council has been much less successful in recent years in applying for more generous funds under the Regional Sports Facilities Program, which provides grants of between \$30,000 and \$200,000. Last year, Council applied for funding for two projects, totalling \$607,000 in grant funding. Neither application was successful.

In some instances, sporting clubs and organisations have contributed towards the cost of capital upgrades at sporting facilities they frequently use. This has assisted Council in meeting the costs for various capital upgrades such as resurfacing playing fields, upgrading amenities and providing floodlighting.

2.3 Issues impacting on costs and revenue raising

There are a number of issues impacting on the cost of managing the City's sportsground facilities. Some of these issues relating to changing community needs have been discussed in detail above and in section 1. These include increased demand resulting from increasing active participation, especially amongst girls and women; population growth, especially amongst the young; demand from outside users; changing sports participation patterns, including

demand for more casual active participation; and meeting the needs of different CALD communities.

Council also has to meet additional capital and maintenance costs as a result of the ageing of sportsground facilities. Like many other 'middle-ring' established urban cities, Bankstown was developed primarily during the immediate post-Second World War period. Accordingly, a significant portion of Council's built infrastructure dates for this period, and much of it is reaching the end of its life. Added to this is the issue of the declining quality of playing field surfaces, which is discussed in more detail in section 3. Replacing and upgrading ageing and deteriorating sportsground facilities is therefore creating quite a unique cost challenge for the City.

The issue is exacerbated by the increasing demands of state-level sport associations, who are constantly developing new fields and amenities standards that affiliate clubs must conform to in order to participate in leagues and competitions. Council has historically provided tremendous support for local teams through the provision of high quality sportsground facilities. Accordingly, local teams and clubs often place pressure on Council to come up with the funds to provide such upgrades.

An example is Soccer NSW, who in July 2005 released their *Report into the Structure of the NSW Premier League Competition*. This Report recommended, amongst other things, that teams participating in the NSW Soccer Premier League have access to venues with expanded seating, upgraded lighting and media and corporate VIP facilities. These standards were developed with absolutely no consultation with Council, who in Bankstown own and maintain facilities for the Bankstown City Football Club. There have been similar instances with state level cricket, netball and hockey bodies instituting different standards for playing fields and amenities.

Council also faces a significant problem in confronting the issue of vandalism. In addition to regular instances of petty vandalism, such as graffiti, there are instances in Bankstown of vandals driving vehicles onto fields and even into sportsground buildings, burning synthetic cricket wickets and destroying tennis courts. This creates significant costs for Council. For example, graffiti clean up costs across the City were \$461,000 in 2005/06.

Compounding all of these cost pressures is the inadequacy of grant funding provided by the NSW Government. As discussed above, Council draws some revenue from Department of Sport and Recreation Capital Assistance Program. Funds garnered through this program, however, are a pittance in comparison to the overall costs of maintaining and upgrading sportsground facilities in Bankstown. It is also questionable whether the size of these small grants even covers the administrative costs involved in applying for them in the first instance. Given Council's failure in recent years to access funds under the more generous Regional Sports Facilities Program, it is therefore submitted that the Government consider focussing its fiscal energy away from the Capital Assistance Program and instead expand access to the Regional Sports Facilities Program.

Many of the cost pressures described in this submission are a result of State Government policies. These include the effect of water restrictions on the quality of playing fields, the influence of growth strategies like the Sydney Metropolitan Strategy on overall population growth, and the effect of anti-discrimination legislation requiring equitable access to sportsground facilities to all residents regardless of gender, race or disability. In addition, it is submitted that the presence of well-maintained sportsground facilities encourages active participation in sport, creating overall health benefits for the community, and therefore reducing health costs for the State Government. This issue is discussed further in section 5.

In consideration of these and the above factors, Council is therefore strongly of the view that the NSW Government needs to provide more overall financial support to local councils to assist with the managing, maintenance, upgrading and embellishment of sportsground facilities.

This needs to be considered within the wider context of the current financial challenges confronting local government generally. Councils throughout NSW face an immense challenge in maintaining a growing infrastructure burden from a limited revenue base. According to the Final Report of the recently commissioned Independent Inquiry into the Financial Sustainability of Local Government in NSW (the Allan Inquiry), overall underspending on infrastructure renewal has been of the order of \$400-\$600 million per annum. The Inquiry also found that it would cost over \$6.3 billion to restore local government infrastructure assets to a satisfactory condition, and that a further \$14.6 billion is needed to replace existing assets over the next 15 years.

Sportsground facilities make up a significant portion of this overall infrastructure burden. Once again, the NSW Government needs to provide more funds to local government to ensure that council can continue to provide this vital community service in a satisfactory and high quality manner.

3. Environmental concerns associated with sportsground management

3.1 The effect of drought and water restrictions

The quality of sportsgrounds in Bankstown has been seriously affected in recent years by the dual effects of water restrictions and drought conditions. Fields are generally of much poorer quality than they were several years ago, with dry playing surfaces deteriorating quickly. The issue is exacerbated by the overall increased demand and use of sportsground facilities outlined in section 1, as already damaged and dry grounds rarely have the opportunity to recover from heavy usage. The trend towards longer winter and summer playing seasons is having a particularly pronounced impact in this regard.

The decline in the quality of local playing surfaces has meant that fields are now more likely to be unplayable, undermining the community health and social benefits of active sport participation. It has also deterred many

residents from making active use of local facilities. According to Council's quarterly survey of the City's residents, community satisfaction with local sportsground facilities has declined since about the time of the introduction of water restrictions. Deteriorating conditions have also resulted in many instances in Council having to bear the cost of returfing fields.

3.2 Solutions to the problem

Council is currently investigating the feasibility of overcoming these issues by way of alternative water saving and usage schemes, including water harvesting, using treated sewerage, grey water reuse and water retention basins. Council is also considering installing synthetic surfaces at some facilities.

While it might be true that all of these schemes would deliver longer-term savings through reduced water costs, start-up and installation costs are extraordinarily high. As discussed in section 2, Bankstown Council is already facing a myriad of cost pressures relating to meeting community needs and expectations for local sportsground facilities. This would make it very difficult for Council to meet these high start-up and installation costs. Council understands that there are various grant programs administered by both the NSW and Commonwealth Governments relating to efficient water use, and is therefore currently investigating what funds might be available under such programs to help meet these costs.

4. **Effectiveness of current administration of sportsgrounds by various providers including councils, state government (including schools) and private operators**

4.1 Administration of sportsground facilities by Council

Council is proud of the manner in which it manages its large and diverse range of sportsground facilities throughout the City. As discussed in section 1, Council works closely with various stakeholders, including sports clubs and associations, to plan and deliver access to sportsground facilities across the City.

Sportsground facilities are hired out on casual and annual/seasonal bases at very affordable rates (a fee schedule is attached to this submission). As discussed in Section 2, in line with Council's community service obligation, Council Officers have estimated that these low fees effectively subsidise the total cost of providing facilities by around 80%-90%. In addition, Council does not charge usage fees to local schools. Users are required to contribute directly towards the cost of providing flood lighting at grounds, where it is necessary.

Council also leases out various built facilities, such as clubhouses and stadiums, to clubs and associations for varying periods of time. In many instances, clubs and associations have carried out their own building works improve their enjoyment of the leased facilities.

4.2 Schools

It has been Council's experience that schools rarely allow outside users access to their grounds, and where they do, charge fees well in excess of those charged for the use of Council facilities, thereby not reflecting Council's commitment to its Community Service Obligation in this area. The under use of these facilities represent a missed opportunity for the City in meeting growing demand for sports facilities.

Adding to this problem is a trend amongst many private schools to rely on Council sportsgrounds instead of providing their own open space for students. In doing so, schools are taking advantage of Council's policy of not charging schools fees for the use of council sportsground facilities. Accordingly, newly constructed private schools, such as the Al Sadiq College in Yagoona, which has no grassed open space within school grounds, appear to be built with little regard for the recreational needs of their students. In addition, more established schools, such as La Salle Catholic College in Bankstown, have even sold land containing playing fields for residential development, knowing that their students can use Council facilities for sports activities.

It is submitted that the NSW Government work to alleviate these issues by instituting a statewide policy allowing access to public school grounds at reasonable fee rates, and by requiring private and public schools to provide or maintain a reasonable amount of recreational space on their own grounds.

4.3 Private and other government operators

Private recreation facilities account for a large amount of recreation needs within the City by providing access to sports such as golf, lawn bowls, squash and gym exercise. However, the low socio-economic status of many of the City's residents (see section 5), means that access to such facilities is limited for many.

There are some instances of private owners of sportsgrounds facilities taking similar action to that of La Salle Catholic College (see above) and disposing of land for the purposes of development. Examples include plans for residential development on land next to the Georges River that currently serves as the Riverlands Golf Course. The privately leased Bankstown Airport has also recently removed baseball facilities on its land in Georges Hall. Although the Airport has provided alternative space for a new field, Council has had to bare the costs of rebuilding appropriate baseball facilities and amenities.

Council is also concerned that following the introduction of voluntary student unionism, the Sports Union at the Bankstown campus of the University of Western Sydney (UWS) will no longer be able to maintain its sports facilities. This will not only be a loss to the community as a whole, but may result in students using Council facilities, adding further to local demand.

5. Impact of health outcomes and social cohesion, particularly on disadvantaged communities

5.1 Impact of health outcomes

According to data compiled by the NSW Health Department from the 2002, 2003 and 2004 Adult Health Surveys, 51.3% of the Bankstown population is overweight or obese. This means that Bankstown rates as the third highest region in Sydney in terms of the percentage of its population either overweight or obese. According to the World Health Organisation, escalating rates of obesity throughout the Western World can be attributed to both a rise in energy intake and a decline in physical and incidental activity and a resulting sedentary lifestyle.

Promoting physical activity is therefore of primary concern in the battle against rising rates of obesity. Accordingly, Council's *Active Bankstown Strategy* and *Draft Bankstown City Health Plan 2006-2011* (which is currently on public exhibition), both commit Council to promoting and facilitating participation in physical activity as a primary means of promoting public health. This obviously includes facilitating access to well managed and maintained sportsground facilities.

It is worth noting that according to the National Public Health Partnership, physical inactivity costs at least \$400 million each year in direct health care costs. It can therefore be argued that, as mentioned in section 2, the successful promotion of physical activity actually reduces health costs for state governments. So much so that the Commonwealth Department of Health and Aged Care have estimated that savings of up to \$8 million per year could be possible for every 1% increase in the proportion of the population that is sufficiently active.

5.2 Impact of outcomes in social cohesiveness

During recent consultations held by Officers in relation to formulating a new Multicultural Strategy for the Council, many community stakeholders stressed the important role that sport can play in promoting community cohesiveness. This includes promoting harmony and understanding between different ethnic groups, improving relations between troubled youth and police, and overcoming social isolation for new arrivals in Australia, particularly those with African backgrounds. Council is of the firm view that active participation in sport also brings these benefits to the community, especially in a City like Bankstown that contains concentrations of lower socio-economic residents and is home to a number of different culturally and linguistically diverse groups.

5.3 Impact on disadvantaged communities

Some parts of Bankstown City contain high concentrations of low-income residents. According to the 2001 census, Bankstown has a significantly high share of households in the first two income quartiles (\$0-\$25,480 and

\$25,481-\$46,488) than the rest of Sydney. This has a significant impact in promoting sports activity in the area. Many of our City's poorer residents face cost pressures such as the costs of transport and playing fees that act as barriers to active participation in sporting activities. It should also be noted that Bankstown has an above average number of large families with six to eight children, multiplying sporting costs for many residents. What's more, our poorer residents are typically those that live in rental properties, which are often apartments without access to private open space, which means that they are typically those with the highest need for access to public facilities.

Council works to ensure residents from lower socio-economic backgrounds are able to participate in sporting activities by instituting the low sportsground hire fee structure described in previous sections. Some local clubs provide subsidised costs for participating in a team. In addition, Council's *Sports Brokerage Program* provides grants to younger residents to assist with the purchase of sports equipment or the costs of seasoned registration fees.

It is perhaps these cost barriers preventing many poorer residents from participating in organised and active sport that make passive use of parks and open space so popular in Bankstown. For this reason, Council ensures in planning for open space that there are adequate facilities available to allow participation in passive recreation across the City. This issue is discussed at length in section 8.

6. Traffic, noise and other direct impacts on residential amenity.

For many years, Bankstown has been a strong sporting community. What's more, due to the age of our City and the fact that most of its development occurred in the immediate post-war era, most of our sportsground facilities were built many years prior to the arrival of the vast majority of our current residents. For these reasons, Council receives little in the way of complaints regarding activity that occurs at local sportsground facilities.

The exception from time to time is the issue of parking and road safety. Residents have, on occasion, been upset by the large number of cars present in suburban residential areas in close proximity to sportsground facilities.

In relation to road safety, Council has been particularly concerned about the safety of users of the Kelso Park sports complex, which is located on Henry Lawson Drive in Panania. Henry Lawson Drive is a very busy main road, and the area around Kelso Park gets very busy on a weekend, particularly with large numbers of young children. Council was therefore very disappointed at a decision from the Roads and Traffic Authority in 2004 to not provide funds to build a roundabout on Henry Lawson Drive at the entrance to park. Such a project would have gone a long way to improving safety in this area.

7. Affect of litigation and insurance costs on financial viability

7.1 Council's liability costs and risk management strategies

The costs of litigation and insurance do not provide a large financial impost for Council in the context of sports ground management. This is primarily a result of provisions of the *Civil Liability Act 2002* and established case law that hold sporting activities to be inherently risky activities, thereby limiting Council's exposure to liability in this area.

Council is nevertheless still exposed to a certain level of liability in providing access to sportsground facilities. Accordingly, in line with a policy of prudent financial and risk management, Council requires all long-term and organised users, usually sporting clubs and associations, to be covered by public liability insurance. Council has its own casual users insurance policy to cover casual users who use sportsground facilities less than ten times a year. However, due to the limited nature of Council's liability in this area described above, this has not proved to be a significant financial cost for Council, but one that Council is nevertheless required to meet.

7.2 Broader issues arising from Council's risk management strategies

While having a prudent risk management strategy shields Council from potential claims that would ultimately have to be funded from ratepayers' funds, it has exposed Council to some unwarranted public criticism. This criticism typically takes the form of describing Council requirements for public liability as 'bureaucratic' and 'unreasonable'. For example, earlier this year Council was publicly criticised for requiring groups and individuals who use local sportsground facilities more than ten times per year to have public liability insurance, as per the requirements of Council's own public liability insurance policy. It is submitted that such criticism is unfair when Council is merely trying to protect itself, ratepayers, and the community at large from the costs of uninsured liability and compensable claims, and in doing so, fulfilling its commitment to prudent financial and risk management.

Such criticism can sometimes result in public pressure that unfairly forces Council to take on the cost burden of providing insurance coverage for one-off events. As a recent example, local emergency services organisations, including local police, ambulance and fire brigade services, organised a soccer gala day to raise funds for charity. For whatever reason, these organisations' own public liability insurance did not cover such an event, and so rather than face the kind of undue public criticism described above, Council decided to cover the event at a financial cost to itself rather than insist that the organisers of the event seek their own coverage. While Council does not begrudge contributing to charity financially, and does so regularly through local grants, this seems a rather roundabout way for Council to make such a contribution.

8. Access to open space for active and passive users

Past Council research has shown that the most popular usage of open space in Bankstown involves passive recreation in local parks. Demand for passive recreation in the City is driven by a combination of factors, including Bankstown's ageing population, a high number of families living in lower socio-economic circumstances and the high availability of pristine areas, particularly along the Georges River. In addition, changes in lifestyle mean that more and more people do not have the time to participate and active sporting activities, and therefore revert to passive use.

Council is therefore working to ensure that in addition to managing and maintaining sportsground facilities, access to passive recreational space is made available throughout the City. Council is responsible for maintaining 293 parks and reserves in the City. These contain a variety of facilities for the use of adults, families and children including playgrounds, picnic shelters, BBQ areas and walking tracks. In addition, there is provision for a great deal of passive recreational open space along the Georges River, including the Georges River Walkway/Cycleway, Deepwater Park to Kelso Beach Accessway and the Picnic Point Park to Lambeth Reserve Boardwalk.

A problem for Council in the context of providing access to recreation is the concentration of open space in the west and south of the City. This is a particularly problem as those in the centre and east of the City are typically poorer and living in high-density rental accommodation, and therefore more in need of public recreational opportunities (see Section 5). In addition, these residents are further away from pristine open space along the Georges River, exacerbated by barriers created by the cost of transport. Council is planning to alleviate these issues by engaging in further open space land acquisition and park and sportsground embellishment to meet the needs of the growing number of residents in the centre and east of the City (see sections 1 and 2).

Council is also seeking to provide more open space in the City by providing more multi-use areas through the forward capital works program. An example of such an initiative is the development of Amour Park in Revesby, which will be a large multi-use area that caters for the needs of passive users such as elderly and disabled residents as well as those who partake in active sporting activities.

9. Conclusions

There are a number of challenges confronting Council in managing, maintaining and expanding sportsground facilities in Bankstown. These include changing community needs and demands, increased capital expenditure requirements, deterioration of fields associated with drought and water restrictions, and a lack of assistance from local schools. Bankstown City Council is working to meet these challenges through detailed planning, working closely with appropriate stakeholders such as sporting clubs and associations, and by committing funds through forward capital works programs.

Council is of the firm view that provision of high quality and accessible sportsgrounds facilities has a tremendous public benefit, both in the context of improving public health and social cohesion. The former of these benefits actually results in significant financial benefits for the NSW Government by reducing health and hospitalisation costs in the longer-term. In addition, many of the costs pressures described above have arisen as a result of state government policies and practices.

Therefore, the provision of greater financial support from the NSW Government would not just ensure the ongoing provision of high quality sportsground facilities in Bankstown. It would also guarantee that both the costs and cost benefits of promoting active sport participation through the provision of such facilities is shared fairly between both the local and state levels of government.