

9.2.4. ECDEV - Council Owned Golf Course

Report by Director of Economic Development & Environment

Summary

This report provides Council with the current position on the potential re-opening of the Lithgow Golf Course given the current Public Health Order.

Commentary

Council officers have been in communication with a Lithgow Golf Club seeking the possible re-opening of the Lithgow Golf Course. Proposed Golf Club Management actions have been considered and, despite some reservations, with appropriate measures put in place the re-opening of the course can be supported. However, there is one hurdle remaining that would not impact on privately owned golf courses. Lithgow appears to be in a fairly unique situation in that Lithgow City Council actually owns the golf course and the club situated upon it. The council leases the course and clubhouse to the golf club. Through its arrangement with the golf club the council also provides plant and labour for the ongoing maintenance of the golf course.

There have been various developments in relation to opening golf courses in recent weeks and whilst the opening of a golf course is not prohibited in NSW per se, Lithgow's situation is unique in that the course is owned by the council. This brings a problem in relation to its potential re-opening through the provisions of the relevant Public Health Order. Clause 7(1)(n) of the Public Order requires the closure of 'Community Facilities.' Subclause 6 defines 'community facilities' as:

Community facility means a building or place (other than educational establishment, hospital, retail premises, place of public worship or residential accommodation)-

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community.*

The 'place' is owned by the council (a public authority); is controlled by the council in some aspects (i.e. ongoing maintenance); and leased to a non-profit organisation for overall control. There is concern that allowing the reopening of the facility would constitute a breach of the public health order. Given that other privately owned and operated golf courses have reopened this is perhaps an anomaly which has not been foreseen.

Council has sought advice through the Office of Local Government on the issue. The enquiry has been passed on the Office of Sport but given it is not of wider concern to a number of Local Government Areas, in contrast to the waste facility issue, it may not proceed quickly. At face value it appears that opening the golf course would be a breach of the public health order. It is suggested that the solution may rest with a specific exemption to the public health order. With this in mind, it is suggested that Council seek the assistance of the Member for Bathurst to make representations to the Minister for Health to grant an exemption to the Public Health Order as it relates to the Lithgow Golf Course.

With an outcome from Council's request to the Minister for Health for an exemption to the Public Health Order, Council may be better placed to formalise a decision on the re-opening of the facility. Should re-opening be deemed appropriate, conditions may be placed on the operation of the facility, in the name of public health and support of stakeholder objectives as such. Conditions could include:

1. No sharing of golf carts and carts are to be disinfected before and after use;
2. Standard intervals between tee times are to be doubled;
3. Absolute maximum of two players per group and club is to utilise one starting tee only;
4. Strict adherence to the minimum 4 square metre distancing rule;

5. No presentations at the conclusion of competitions;
6. Ensure contact with golf-related infrastructure is minimised;
7. Leave the doors to Pro Shops open and enforce limitations on the maximum number of people allowed in the Pro-Shop. The club house remains closed and no food or alcohol to be sold;
8. Implement new modified Rules of Golf to ensure that flag sticks and bunker rakes aren't touched;
9. Reduce hole depth wherever possible;
10. Ensure personal hygiene standards are maintained at the highest level, including hand washing and eliminating of hand shaking;
11. Ensure that all people on the premises are aware that they are not to attend the golf club if they feel ill, or have been in contact with someone who is;
12. Use of cash is eliminated, payment by card only; and
13. Relevant signage be installed and maintained to ensure awareness of the above conditions.

Policy Implications

Nil.

Financial Implications

- Budget approved – N/A
- Cost centre – N/A
- Expended to date – N/A
- Future potential impact – N/A

Legal and Risk Management Implications

Primarily the subject of this report.

Attachments

Nil

Recommendation

THAT Council seek the assistance of the Member for Bathurst, Mr Paul Toole, to make representations to the Minister for Health, the Hon Brad Hazzard MP to grant an exemption to the Public Health Order as it applies to Lithgow Golf Course being a 'community facility' in the terms of the Order.