

Australian Capital Territory

Public Pools (Pool Fees) Guidelines 2019 (No 1)

Notifiable instrument NI2019–321

made under the

Public Pools Act 2015, section 17 (Pool fees guidelines-category 1 facilities)

1 Name of instrument

This instrument is the *Public Pools (Pool Fees) Guidelines 2019 (No 1)*.

2 Commencement

This instrument commences on 1 July 2019.

3 Determination

The pool fee guidelines for category 1 facilities are as provided in the Schedule to this instrument.

4 Revocation

This instrument revokes the *Public Pools (Pool Fees) Guidelines 2018 (No 1)* NI2018-278.

Yvette Berry MLA
Minister for Sport and Recreation

14 May 2019



ACT
Government

Chief Minister, Treasury and
Economic Development

POOL FEES GUIDELINES

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1. PURPOSE

The Pool Fee Guidelines (the Guidelines) are issued under section 17 of the *Public Pools Act 2015* (the Act) for Category 1 facilities and apply to those facilities where a fee determination has not been made under section 54 of the Act. For the purposes of the Act, a Category 1 facility under section 7 is a facility that is owned by the Territory and open to or used by the public (whether or not on payment of money).

These Guidelines apply to the following Category 1 facilities:

- a. the pool facility known as the Manuka Swimming Pool (MSP) situated in the division of Griffith, Canberra City district;
- b. the pool facility known as the Canberra Olympic Pool (COP) situated in the division of Parkes, Canberra City district;
- c. the pool facility known as the Dickson Swimming Pool (DSP) situated in the division of Dickson, Canberra City district;
- d. the pool facility located in the complex of buildings known as the Lakeside Leisure Centre (LLC) situated in the division of Greenway, Canberra City district; and
- e. the pool facility located in the complex of buildings known as the Gungahlin Leisure Centre (GLC) situated in the division of Gungahlin, Canberra City district.
- f. The pool facility located in the complex of buildings known as the Active Leisure Centre (ALC) situated in the division of Wanniasa, Canberra City district.

The purpose of the Guidelines is to provide a framework to inform the annual setting of the maximum fees for Category 1 facilities. The Guidelines are designed to increase choices and provide improved value to all Category 1 facilities by ensuring fees are structured in a way that maximises participation, including minimising barriers to participation, consistent with the Active 2020 strategy (Specifically, Strategic Framework Objective 1 - Maximising community engagement (participation) in sport and active recreation to create a more active community with access to quality facilities and sport and recreation programs), whilst also recognising the costs involved in constructing, operating and maintaining pool facilities.

The Guidelines give consideration to external market providers, the financial sustainability of ACT Government pool facilities and the provision of services to the community.

Key elements of maximising value are to provide quality service and increased options, to support those least likely to participate. These elements are described further in the following guiding principles:

1.1 Guiding Principles

Principle 1 - Reducing Cost and Increasing Value as Reward for Increasing Commitment

A range of low commitment options will be provided for customers who may not be certain about the type of activity they wish to incorporate into their lifestyle, or other uncertainties related to financial security, home and work address changes and other things that may change their lifestyle. Low commitment options include single (casual) visits, multi-passes and low commitment (minimal upfront cost, flexible condition) memberships. Formulas for membership products will ensure that longer terms of commitment have a diminishing cost and increasing added value.

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Principle 2 - Equity and Social Justice

The Guidelines aim to minimise barriers to participation. This has a direct benefit of supporting people who are least likely or able to participate and an overall community benefit of making it easier for everyone to participate.

Principle 3 - Maintain Service

To balance the needs of the community while recognising the costs associated in constructing, operating and maintaining safe, healthy and quality pool facilities.

Principle 4 – Support Community Centre-Based Pool Groups

Incorporated community not for profit pool groups which have lane hire agreements with Category 1 facilities will receive discounted entry and lane hire in recognition of the social, health and physical activity benefits that they provide to the community.

1.2 Scope

These Guidelines apply the maximum fees to be applied to core services that are common to Category 1 facilities, and also to site-specific services, such as dive pool hire at the COP.

These Guidelines do not apply to non-core services (i.e. gym only memberships).

2. OBJECTIVE

The objectives of the Guidelines are to:

- provide a rationale for the consistent application of fees across Category 1 facilities and services;
- provide guidelines to ensure pool fees are set at appropriate levels, provide relative value and support the sustainability of the service;
- ensure consistent terminology and definition of all pool services offered at Category 1 facilities;
- ensure a consistent method for setting fees for pool services including calculation of discount rates, approval and notification;
- enable operators to trial new products and services to suit market and community need;
- enable operators and ACT Government to budget more accurately over a longer timeframe;
- ensure users are given appropriate advance notice of fee increases; and
- ensure an incremental approach to fee increases with consideration of, and relative to, increasing costs of providing the service, fees for comparable leisure facilities/services provided by others and government policy.

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3. BACKGROUND

An independent review of ACT Government pool fees in 2016 investigated fees of pool facilities, benchmarked against the fees of other comparable Council/State/Territory owned pool facilities and reviewed the process for setting the fees for other public services in the ACT.

The review identified that the fees at ACT Government pool facilities were below the ACT and national average. The review also found that fees have not increased at the same rate as staff costs and the cost of utilities, which make up over 70% of pool facility expenses.

A previous independent review of fees in 2013 identified that, in the absence of overarching guidelines for pool fees, a number of inconsistencies had occurred in the fee schedule across each of the ACT Government pool facilities. The report made the following recommendations to improve the rigour associated with the process for setting fees:

- The development and implementation of pool facility fees guidelines.
- The development of a defined and transparent methodology in setting all fees for ACT Government pool facilities.
- The application of a standard maximum fees structure across all ACT Government pool facilities.
- Capacity for private pool operators, engaged by the ACT Government under a facility management agreement, to set 'non-core' fees where an active market is present.

The ACT Government has previously addressed the last point above. These Guidelines aim to address the first three points from the 2013 review.

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4. DEFINITIONS

The following fee definitions apply to all Category 1 facilities listed in Section 1:

<i>Standard</i>	a person aged 16 years and over
<i>Concession</i>	applies to a child, holders of Health Care Cards, Veterans Cards, Full Time Student Cards and Seniors.
<i>Child</i>	a person aged 3 - 15 years of age
<i>Senior</i>	a person over 60 years of age and holds a valid ACT Seniors Card
<i>Pensioner</i>	applies to a person holding a Pensioner Concession Card.
<i>Toddler</i>	a person under 3 years (applies to swimming only)
<i>Family</i>	a maximum of four people, one of which must be an adult (to a maximum of 2 adults) and the remainder Children/Toddlers.
<i>Centre Based Community Club Members</i>	applies to members of centre based community not for profit sport and recreation clubs, which have a lane hire agreement in place with the Category 1 facility.
<i>Disability</i>	applies to holders of Disability Support Pension (DSP) Cards, Totally and Permanently Incapacitated (TPI) Cards or any person with a disability who is able to establish disability status (i.e. through a disability pension card, or a special school card which identifies the individual as having a disability).
<i>Companion</i>	a paid or unpaid assistant or carer, who accompanies a person with a Disability who is a Companion Card holder.
<i>Spectator</i>	a person who is accompanying / watching a school carnival or event at the facility, but is not using the pool facilities. The spectator category does not apply for casual entry / recreational swimming.
<i>Crèche</i>	Temporary care provided within the facility to a child of a parent/guardian who is a member of the facility and is using the pool/health club services.
<i>Non-member Crèche</i>	Care provided within the facility to a child of a parent/guardian who is not a member of the facility, but is using the pool/health club services.

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5. REPORTING REQUIREMENTS

5.1 Annual Review

The operators of each Category 1 facility are obligated to undertake an annual fees review which will consider adjustments based on the Wage Price Index (WPI) – Australia original indexes as at December of each year. Any proposed adjustments above WPI will require Cabinet approval. The fees review will be required to adhere to the Guidelines.

5.2 Proposed Fees Schedule

The ACT Government sets the maximum amount that may be applied to all core fees for Category 1 facilities and the operator sets all non-core fees. The ACT Government will consider the proposed fees schedules and business cases before advising each of the operators of the fees to apply from 1 July of the following financial year (and 1 October for the seasonal Category 1 facilities).

Any new fees which are related to the aquatic facilities (i.e. pools and water play parks) must be put to the Territory for determination whether it is a core or non-core fee, prior to it being implemented.

6. REVIEW OF FEES

6.1 Comparative Analysis

To inform the Cabinet process for any increase in fees above WPI, the ACT Government will complete a comparative analysis of the fees with other local and like pool facilities around Australia. The comparative analysis must consider a minimum of five pool facilities, which are not Category 1 facilities.

6.2 Stakeholder Review

On completion of the comparative analysis, the ACT Government will consult with key stakeholders and the community in relation to any proposed fee increases which are above WPI. The key stakeholders to be consulted include, but are not limited to:

- Category 1 facility operators
- Community swim clubs
- Swimming ACT
- ACT Water Polo
- Triathlon ACT

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7. SETTING OF FEES

Fees will be set on an annual basis and the commencement of new fee schedules is to occur on or after 1 July each year. This is subject to the Sport and Recreation Minister's approval and a four (4) week notice period for any changes to fees.

The fees endorsed by the Minister for Sport and Recreation set out the maximum fees to be applied for the respective service. Lower fees may be offered with the approval of the ACT Government. However, the ACT Government will not share responsibility for any impact on the contract as a result of waiving or discounting fees.

The ACT Government and operators will publicise new fees schedules at least four (4) weeks prior to the date of implementation. This includes direct communication to customers on databases (members and learn to swim customers), display in prominent positions in the facility and promotion via websites and social media as appropriate.

Category 1 facility operators will discuss irregular requests for hire of facilities or activities (i.e. outside normal hours of operation, entire facility bookings, corporate events, etc) with the ACT Government prior to accepting the request or quoting fees.

The Guidelines will be subject to periodic review as may be required.

8. DETAILS

A number of services available at Category 1 facilities are considered core services, where uniform fees apply across all centres. These core services are as follows;

8.1. Pool Entry

Service	Casual	Multi- Visit, 3mth, 12mth and Direct Debit Membership	Membership	Description
Swim	Yes	Yes	Standard, Swim Club, Child/ Senior/ Conc. and Pensioner	Recreational and lap swimming
Full Facility	No	3mth, 12mth and direct debit only	Standard, Conc./Senior and Pensioner	Gym and swim

8.2 Pool Programs

Program	Casual	Multi- Visit, 3mth, 12mth and Direct Debit Membership	Membership	Description
Aqua Aerobics	Yes	Multi-Visit pass only	Standard, Child/ Senior/Conc. and Pensioner	Includes all water based fitness classes as timetabled

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8.3 Lane Hire

Groups	Discounted lane hire	Entry fee	Description
Community, not for profit groups	Yes	Centre based Community Club Member	Centre based swim, triathlon, diving, underwater hockey, underwater rugby and water polo clubs.
Commercial for profit groups	No	Standard, Child/Senior/Conc. and Pensioner	Personal trainers/coaches (excluding learn to swim), national league teams, etc.

8.4 Pool Hire

Groups	Discounted pool hire	Entry fee	Description
Centre Based Community, not for profit groups	Yes	Centre Based Community Club Member	Centre based swimming meets, triathlon, diving, canoe polo, underwater hockey, underwater rugby and water polo games/training.
Commercial groups	No	Standard, Child/Senior/Conc. and Pensioner	Water polo competitions, School swimming carnivals, etc.

8.5 Crèche

Service	Casual	Multi- Visit	Membership	Description
Member Childcare (2 Hours)	Yes	Yes	No	For parents/ guardians who are participating in pool and leisure services and are members of the facility.
Non-Member Childcare (2 Hours)	Yes	Yes	No	For parents/guardians who are participating in pool and leisure services, but are not members of the facility.

8.6 Discounts

Formulas for discounts (to apply from 1 July 2021), relative to the Standard fee are as follows:

Fee Class	Discount
Concession/Child/Senior	70% of Standard fee (pool services only).
Family	75% of the equivalent value for two Standard and two Concession entries. 66% of Concession fee for any additional children.
Pensioner	50% of Standard fee (pool services only).
Disability	Free.
Spectator	33% of Standard casual entry fee
Centre Based Community Club Member Entry	70% of Standard fee (pool services only).
Companion	Free
10 Visit Pass	Equivalent to value of 10 visits less 10% for pool services, excluding Learn to Swim.

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Fee Class	Discount
20 Visit Multi-Pass	Equivalent to value of 20 visits less 20% for pool services, excluding Learn to Swim.

Users cannot combine fee relief for memberships, discounts and concessions.

8.7 Validity Periods of Multi Visit Passes

Visit Pass	Validity
10 Visit Pass*	3 months from date of purchase
20 Visit Pass*	6 months from date of purchase

** Visit passes for Seasonal Category 1 facilities (MSP and DSP) expire at the end of the season in which the visit pass was purchased.*

8.8 Relative Value of Childcare Services

Formulas for discounts relative to Member and Non Member Crèche:

Fee Class	Rate
Member Crèche	Equal to Concession entry fee
Non Member Crèche	Double the Member Crèche fee
Multi Visit Passes	As outlined in table 8.6 above

9. MEMBERSHIPS

In line with the Guidelines objectives, a relative value formula has been applied based on a comparative analysis of fees at various pool facilities in the ACT and around Australia:

9.1 Membership Payment Options

Membership categories are available as:

- Direct Debit – 12 month minimum term
- Upfront – 3 and 12 months
- Seasonal – October to March

9.1.1 Upfront Membership

An upfront membership is paid for prior to commencement of use of facilities and expires at conclusion of the term unless the customer advises that they wish to continue at which time a new contract will be signed.

9.1.2 Direct Debit Membership

A direct debit membership is paid for on a periodic basis (fortnightly) and an administration fee may be charged if the direct debit membership is cancelled within the first 12 months.

Regular/periodic direct debit memberships do not apply to Seasonal Category 1 facilities – MSP and DSP.

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9.1.3 Seasonal Membership

Seasonal memberships are for Category 1 facilities that are only open seasonally – MSP and DSP.

9.1.4 Relative Cost of Length of Membership and options for Direct Debit and Pre Paid Term Payment

In accordance with Principle 1, the formulas for membership (to apply from 1 July 2021) result in diminishing cost and increasing added value for higher commitment as follows:

Membership Type	Relative Value
3 Month Upfront Swim Membership	30 casual entries
12 Month Upfront Swim Membership	90 casual entries
Direct Debit Swim Membership	12 Month Membership – divided into 26 fortnightly payments + \$0.50
3 Month Upfront Full Facility Membership (applies only to GLC, COP and LLC)	\$100 + 3 Month Upfront Swim Membership
12 Month Upfront Full Facility Membership (applies only to GLC, COP and LLC)	\$250 + 12 Month Upfront Swim Membership
Direct Debit Full Facility Membership (applies only to GLC, COP and LLC)	12 Month Upfront Full Facility Membership – divided into 26 fortnightly payments + \$1.00

9.1.5 Transaction Fees

No other transaction costs/debit fees can be charged under any circumstances unless approved in writing by the Territory.

9.1.6 Credit Card Fees

Credit card fees can only be charged to cover the cost to the Operator (e.g. if the cost to the Operator is 3%, only 3% can be passed on the card holder). Operators are not to profit from credit card fees.

10. OTHER FEES

10.1 Lane Hire Fees

Two categories of lane hire fees apply for Category 1 facilities – Centre-based not for profit community groups and Commercial/private groups. Centre Based Community Club Lane Hire Fees to increase on 1 July of each financial year at a maximum of WPI – Australia original indexes as at December of each year.

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Lane Hire (per hour)	Relative Value
50m lane hire	Set by Operator
25m lane hire	Set by Operator
Centre Based Club Lane Hire	\$6.80 regardless of the length of the lane (25m or 50m)

10.2 Pool Hire Fees

Two categories of pool hire fees apply for Category 1 facilities (Centre-based not for profit community groups and Commercial/private groups):

Pool Hire (per hour)	Relative Value
Commercial – Entire 50m Pool	Set by Operator
Commercial – 25m Pool	Set by Operator
Commercial – Full Dive Pool	Set by Operator
Commercial – Half Dive Pool	Set by Operator
Centre Based Club – 50m Pool	\$173.50
Centre Based Club – 25m Pool	50% of Centre Based Club 50m Pool Hire
Centre Based Club – Full Dive Pool	\$77.13
Centre Based Club – Half Dive Pool	50% of Centre Based Club Full Dive Pool Hire

10.3 Aqua Aerobics (to apply from 1 July 2021)

User	Value (includes cost of admission)
Standard	1.75 x Standard entry
Concession	70% of Standard Aqua Aerobics fee (will remain at \$11 until Standard Aqua Aerobics fees is \$16).
Pensioner	50% of Standard Aqua Aerobics fee (will apply once Standard Aqua Aerobics fee is over \$12.50)

11. ROLES AND RESPONSIBILITIES

11.1 ACT Property Group (ACTPG)

ACTPG is responsible for the review of fees for the Category 1 facilities, the comparative analysis of fees and the preparation of recommendations for the proposed fees annually.

11.2 Operators

The operators are responsible for completing an annual review of non-core fees and submitting an annual fees proposal to ACTPG. Once the core fees have been approved, the operators are required to advertise the new fees at least four (4) weeks before they are implemented. Operators are also responsible for setting non-core fees.

11.3 Minister for Sport and Recreation

The Minister for Sport and Recreation is responsible for approving the maximum core fees that will apply to Category 1 facilities if a fee determination has not been made under section 54 of the Act for that facility.

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12. POOL FEES

Fee	2019-20	2020-21
Standard casual entry	\$7.50	\$8.00
Concession casual entry	\$5.30	\$5.60
Pensioner casual entry	\$4.00	\$4.00
Disabled casual entry	Free	Free
Family casual entry (Note: Manuka Pool (\$20) will remain unchanged until 2020-21)	\$19.55	\$20.40
Spectator	\$2.55	\$2.64
Under 3 years casual entry	Free	Free
Standard 10 Visit pass	\$67.15	\$72.00
Concession 10 Visit swim pass	\$48.33	\$50.40
Pensioner 10 Visit swim pass	\$37.53	\$36.00
Standard 20 Visit swim pass	\$120.70	\$128.00
Concession 20 Visit swim pass	\$82.78	\$89.60
Pensioner 20 Visit swim pass	\$63.58	\$64.00
Standard 3 month Swim membership	\$226.75	\$240.00
Concession 3 month Swim membership	\$155.95	\$168.00
Pensioner 3 month Swim membership	\$119.95	\$120.00
Standard 12 month Swim membership	\$717.85	\$720.00
Concession 12 month Swim membership	\$475.70	\$504.00
Pensioner 12 month Swim membership	\$367.70	\$360.00
Standard Fortnightly Direct Debit Swim membership	\$27.88	\$28.19
Concession Fortnightly Direct Debit Swim membership	\$18.76	\$19.88
Pensioner Fortnightly Direct Debit Swim membership	\$14.98	\$14.85
Standard 3 month Full Facility membership	\$320.68	\$340.00
Concession 3mth Full Facility membership	\$262.20	\$268.00
Pensioner 3mth Full Facility membership	\$226.20	\$220.00
Standard 12mth Full Facility membership	\$946.05	\$970.00
Concession 12mth Full Facility membership	\$770.38	\$754.00
Pensioner 12mth Full Facility membership	\$662.38	\$610.00
Standard Fortnightly Direct Debit Full Facility membership	\$38.03	\$38.31
Concession Fortnightly Direct Debit Full Facility membership	\$30.43	\$30.00
Pensioner Fortnightly Direct Debit Full Facility membership	\$26.27	\$24.46
Standard Aqua Aerobics	\$13.25	\$14.00
Concession Aqua Aerobics	\$11.00	\$11.00
Pensioner Aqua Aerobics	\$6.83	\$7.00

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Fee	2019-20	2020-21
Standard Aqua Aerobics 10 Visit Pass	\$119.25	\$126.00
Concession Aqua Aerobics 10 Visit Pass	\$101.05	\$99.00
Pensioner Aqua Aerobics 10 Visit Pass	\$61.45	\$63.00
Crèche (members)	\$5.28	\$5.60
Crèche (non-member)	\$10.55	\$11.20
Community Lane Hire (per hour)*	\$6.80	WPI
Community 50m Pool Hire (per hour)*	\$173.50	WPI
Community 25m Pool Hire (per hour)*	\$86.70	WPI
Community Dive Pool Hire (per hour)*	\$77.13	WPI
Community Half Dive Pool Hire (per hour)*	\$38.51	WPI

* These fees will increase at the Wage Price Index (WPI) as specified at 5.1 on 1 July of each year.