

## **YARRA CITY COUNCIL**

### **HUMAN SERVICES & COMMUNITY DEVELOPMENT COMMITTEE MEETING**

#### **AGENDA**

**to be held on Tuesday 6 February 2007 at 6.30 pm  
at the Richmond Town Hall**

##### **Councillor Membership**

Cr Gurm Sekhon (Chair)  
Cr Annabel Barbara  
Cr Jenny Farrar  
Cr Stephen Jolly  
Cr Kathleen Maltzahn

##### **Council Officer Attendees**

Justin Hanney (Chief Executive Officer)  
Bruce Phillips (Director City Development)  
Craig Kenny (Director Community Development)  
Bryan Lancaster (Director Asset Management)  
Marc Giglio (Executive Manager Finance and  
Information Services)  
Ivan Gilbert (Executive Manager Governance and  
Organisational Development)  
Erin Nairn-Marcon (Governance Adviser)

**I. ATTENDANCE**

**II. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF  
INTEREST**

**III. COMMITTEE BUSINESS REPORTS**

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***Welcome to the City of Yarra.  
Council acknowledges the  
Wurundjeri community as the first  
owners of this country.  
Today, they are still the custodians  
of the cultural heritage of this land.***

***Further to this, Council acknowledges  
there are other Aboriginal and Torres  
Strait Islander people who have lived,  
worked and contributed to the  
cultural heritage of Yarra.***



# Public Participation at Council and Committee Meetings

## PROCEDURE

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1. The Yarra City Council welcomes the opportunity for members of the public to address Council, Special Committees and Council's Internal Development Approvals Committee in accordance with this procedure.
2. The following guidelines apply to public questions and submissions:
  - (a) public question time is restricted to 15 minutes, 2 questions per person, and **five (5) minutes per speaker**;
  - (b) the Chairperson has the sole discretion to extend speaking times or vary conditions of these guidelines;
  - (c) the minute clerk or the Chief Executive Officer shall advise the Chairperson when speaking times have expired;
  - (d) within reason, there will be no time restriction imposed on submissions under section 223 of the *Local Government Act* 1989 (the opportunity to speak to a previously lodged formal written submission pursuant to that section of the Act);
  - (e) where a number of people wish to make a submission on the same subject, a representative speaker is encouraged. Speakers are asked to restrict themselves to new comments and not repeat points made by other speakers
  - (f) all public comment is to be made prior to commencement of debate on matters to be determined;
  - (g) persons addressing the meeting shall confine themselves to the subject under consideration;
  - (h) town planning permit applicants shall be given an opportunity to present their submission before objectors and may exercise a right of reply following the hearing of all submissions.
3. The general provisions of these guidelines shall be made known to all intending speakers and members of the public, prior to the commencement of business at meetings.

## **HUMAN SERVICES & COMMUNITY DEVELOPMENT COMMITTEE MEETING**

<b>ITEM</b>		<b>REPORT PRESENTER</b>
2.1	Lease Agreements for Childcare Services Operating From Council Owned Buildings	Celia Haddock – Manager Family and Children’s Services
2.2	Relationships Declaration Program	Ivan Gilbert – Executive Manager Governance and Organisational Development
2.3	North Fitzroy Library	Craig Kenny – Director Community Development

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## **2.1 Lease Agreements for Childcare Services Operating From Council Owned Buildings**

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### **Executive Summary**

#### **Purpose**

To update Council on the status of lease negotiations with six community managed children's services operating from Council owned buildings and to seek endorsement for a term of 5 years for lease agreements.

#### **Key Issues**

The Assets Branch together with the Family and Children's Services Branch has developed lease agreements for six community managed childcare and kindergarten services operating from Council owned buildings.

The lease arrangements seek to recognise and clarify the relationship between Council (the Lessor) and the service operator (the Lessee) with regards to the land and buildings. It outlines the respective rights, roles and responsibilities of the lessor and lessee and is designed to ensure that reasonable care is taken of the building and grounds.

To date there have been no leases executed between Council and the six community managed children's services operating from Council premises. Without a lease, services have no assured security and are dependant on the good will of Council to continue the current arrangements.

The execution of 5 year leases will provide security of tenure to community tenants whilst retaining the capacity of Council to undertake medium and longer term planning in the best interest of its community. The development of lease agreements with all tenanted sites in the municipality is a key commitment in Council's Asset Management Plan.

#### **PROPOSAL**

It is proposed that Council:

- (a) commit to providing continued support to community managed children's services through subsidised use of Council's facilities and other forms of financial and non-financial assistance;
- (b) require the six community managed children's services to have in place fully compliant leases and service agreements with Council by April 2007, and that any service which nominates not to proceed with a lease agreement be subject to an annual tenancy review;
- (c) endorse the tenure of leases to be for a maximum period of five years, and that this may be renewed by mutual agreement;
- (d) confirm its decision that lessees are required to implement policy as determined by Council as a condition of the lease (i.e. Priority of Access Family and Children's Services Policy); and
- (e) require lessees to provide information for Council planning purposes, namely service utilisation, waiting lists and place of residence data and that these requirements form a part of the service agreement documentation.

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## **2.1 Lease Agreements for Childcare Services Operating From Council Owned Buildings**

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File:

Responsible Officer:                   Manager Family and Children's Services  
  Manager Assets

### **Purpose**

1. To update Council on the status of lease negotiations with the six community managed children's services operating from Council owned buildings.
2. To seek Council endorsement for a term of 5 years for lease agreements and inclusion of a lease condition requiring services to implement Council policy as adopted from time to time.

### **Background**

3. The Assets Branch together with the Family and Children's Services Branch has developed lease agreements for six community managed childcare and kindergarten services operating from Council owned buildings. Leases have not previously existed with these services and their development is a new initiative.
4. The lease arrangements seek to recognise and clarify the relationship between Council (the Lessor) and the service operator (the Lessee) with regards to the land and buildings. It outlines the respective rights, roles and responsibilities of the lessor and lessee and is designed to ensure that reasonable care is taken of the building and grounds.
5. Draft lease documents were developed through an open and inclusive process which involved individual and group meetings with all of the services. The services and facilities are as follows:
  - (a) Yarralea Children's Centre, located at 54 Yarralea Street, Alphington;
  - (b) East West Childcare Association, located at 138 George Street, Fitzroy;
  - (c) John Street Community Early Childhood Co Operative, located at 23 John Street, Fitzroy;
  - (d) Clifton Childcare Co Operative, located at 121 Rushall Crescent, North Fitzroy;
  - (e) North Fitzroy Childcare Co Operative, located at 173 Clausen Street, North Fitzroy; and
  - (f) Richmond Multicultural Children's Centre, located at 16 Gleadell Street, Richmond.

6. Table 1 summarises key items contained within the lease documents:

<b>Term</b>	<b>Five years</b>
Rental	Annual peppercorn rental of \$104 + GST.
Outgoings	Lessee will be responsible for gas, electricity, insurances and telephone. Lessor will be responsible for water and building insurance.
Maintenance	An itemised schedule of maintenance responsibilities will be attached to each lease.
Service provision	An itemised schedule detailing Council policy compliance and data requirements will be attached to the lease in the form of a service agreement.

Table 1

Progress to date

7. Verbal agreements were reached with each of the services and the leases were distributed for execution in June 2006. The lease for Richmond Multicultural Children's Centre, being on Crown land, was forwarded to the Department of Sustainability and Environment for approval, prior to forwarding to the Centre.
8. A meeting in September 2006 with representatives of three of the centres was held to enable Council officers to respond to Committee of Management requests to provide further clarification of lease details. It was the impression of officers that the meeting dealt successfully with the matters raised and that signing of the lease documents would follow.
9. Subsequently, two of the leases have been returned with amendments to the text. One Centre has amended the length of lease from 5 years to 10 years and another centre has struck out the policy conformance clause. To date there has been no formal response from any of the services and none of the leases have been executed.
10. Assets Branch has successfully developed and executed leases with tenanted sites across the city, including Neighbourhood Houses, sporting clubs, organisations operating from Fitzroy Town Hall etc. Lease agreements with the six community managed children's services providers remain outstanding.

Discussion

11. Council has previously resolved (Priority of Access Family and Children's Services Policy, endorsed by Council in June 2006) that community managed services operating from Council buildings be required to adhere with certain Council policies and data provision requirements, and that these requirements be contained in service agreements attached to lease documents.
12. Whilst a minimum 12 month lease period is allowable, five year leases with community managed children's services providers operating from Council buildings are proposed. Five year leases are consistent with the requirements of the Retail Leases Act and are considered to be a fair period to offer a community tenant. Council decisions in relation to medium and longer term asset management planning are currently under consideration. Leases for longer than 5 years could restrict Council's flexibility and capacity to enact decisions in the best interest of the community.

## **Consultations**

13. The process of developing draft leases has extended over an eighteen month period and has involved active engagement of representatives from each of the six centres.

## **Financial Implications**

14. A recent market evaluation of the six sites indicates that the combined value of the six sites exceeds \$5.5 million.
15. Council makes a significant financial contribution to local childcare and preschool through direct management of three long day care services, four sessional kindergartens, three out of school hours care services and a family day care service, as well as providing funding and support to five occasional care programs.
16. It also lends support to community managed services which operate from Council owned and leased buildings, including long day care, kindergarten and occasional care services. In addition to advice, training and networking activities, Council provides access to professional development opportunities for staff and support to the Committees of Management.
17. Contributions to community managed services vary between services and can include maintenance for compliance with regulations, general building and grounds maintenance, minor capital works, a financial contribution to utilities costs and assistance with sand and soft fall grants for outdoor play.
18. Council also pays the annual lease fee on behalf of a community managed kindergarten in Clifton Hill. The estimated value of Council's financial contribution to community managed child care services is in the vicinity of \$150,000, provided in direct and indirect funding per annum. Capital grants for major works are also provided as required.

## **Economic Implications**

19. No significant economic implications have been identified.

## **Environmental Implications**

20. There are no known environmental implications of the proposal.

## **Social Implications**

21. Currently there are no lease agreements in place between Council and the six community managed children's services operating from Council premises. Without a lease, services have no assured security and are dependant on the good will of Council to continue the current arrangements.
22. The execution of 5 year leases will provide security of tenure to community tenants whilst retaining the capacity of Council to undertake medium and longer term planning in the best interest of its community.

23. In accordance with Council's resolution of June 2006, the Priority of Access (Family and Children's Services) Policy is required to be implemented by community managed services operating from Council owned and leased buildings from January 2007. It is anticipated that over time the proportion of children residing in Yarra gaining access to available places will increase and that this will be able to be monitored.
24. It is proposed that as a condition of leases, services be required to provide regular service utilisation, place of residence and wait list information to Council. This will enable the Family and Children's Services Branch to monitor child care and pre school supply and demand more accurately and to apply this information to future service planning exercises.

### **Council Plan, Strategy and Policy Implications**

25. The Social Infrastructure Management Plan 2006 (draft) provides a summary assessment of all Council owned community facilities. The plan identified that a number of family and children's services were delivered from isolated stand alone facilities that were possibly not fit for purpose. Further planning work in terms of future requirements needs to be completed in consultation with the community.
26. The Social Infrastructure Management Plan (draft) has been referred to the Asset Management Steering Committee and will inform the development of the Yarra City Council Asset Management Plan which will be presented to Council in 2007.
27. The development of lease agreements with all tenanted sites in the city is a key commitment of the Asset Management Plan.

### **Legal Implications**

28. The Audit Committee has recommended that Council have in place a formal occupancy agreement in respect of all Council properties occupied by individuals, groups and organisations, to ensure that Council protects its interests from a risk management perspective.

### **Proposal**

29. The development and execution of leases with tenants of Council owned sites is a mutually beneficial initiative. From the perspective of the tenant, it provides security of tenure and the capacity to undertake service planning activities with confidence.
30. For Council, leases offer a constructive way of protecting their asset and ensuring their use for socially beneficial purposes which accord with the direction they set for their community.
31. The proposal that leases be offered on a five year basis are fair to both lessee and lessor. For the lessee, five years provides security to plan and operate. For Council, the lessor, five years offers the capacity to undertake medium and longer term asset management planning. Leases for longer than 5 years could restrict Council's flexibility and capacity to enact decisions which are deemed to be in the best interest of the community.

32. It is therefore proposed that Council:
- (a) commit to providing continued support to community managed children's services through subsidised use of Council's facilities and other forms of financial and non-financial assistance;
  - (b) require the six community managed children's services to have in place fully compliant leases and service agreements with Council by April 2007, and that any service which nominates not to proceed with a lease agreement be subject to an annual tenancy review;
  - (c) endorse the tenure of leases to be for a maximum period of five years, and that this may be renewed by mutual agreement;
  - (d) confirm its decision that lessees are required to implement policy as determined by Council as a condition of the lease (i.e. Priority of Access Family and Children's Services Policy); and
  - (e) require lessees to provide information for Council planning purposes, namely service utilisation, waiting lists and place of residence data and that these requirements form a part of the service agreement documentation.

#### **RECOMMENDATION**

33. That Council:
- (a) commit to providing continued support to community managed children's services through subsidised use of Council's facilities and other forms of financial and non-financial assistance;
  - (b) require the six community managed children's services to have in place fully compliant leases and service agreements with Council by April 2007, and that any service which nominates not to proceed with a lease agreement be subject to an annual tenancy review;
  - (c) endorse the tenure of leases to be for a maximum period of five years, and that this may be renewed by mutual agreement;
  - (d) confirm its decision that lessees are required to implement policy as determined by Council as a condition of the lease (i.e. Priority of Access Family and Children's Services Policy); and
  - (e) require lessees to provide information for Council planning purposes, namely service utilisation, waiting lists and place of residence data and that these requirements form a part of the service agreement documentation.

**CONTACT OFFICER:** Celia Haddock  
**TITLE:** Manager Family and Children's Services  
**TEL:** 9205 5440

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## 2.2 Relationships Declaration Program

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File:

Responsible Officer: Executive Manager Governance and Organisational Development

### Purpose

1. To determine on a proposal to establish a Relationships Declaration Program and Register to operate within the City of Yarra, whereby couples may formally declare, privately or publicly, the existence of their relationships.

### Background

2. The Council on 19 December 2006, resolved:

*“That in noting the Melbourne City Council determination of 28 November 2006 giving in-principle support to the establishment of a Relationships Declaration Register Program which would enable couples of both mixed-sex and same-sex to formally declare their relationships, similar to that operated by Sydney City Council, the Officers investigate and report to the February meeting cycle on a proposal to establish such a Register in the City of Yarra.”*

3. The Melbourne City Council (MCC) on 28 November 2006 gave in-principle support to the establishment of a Relationships Declaration Register ('RDR') that would enable Melbourne couples of both mixed-sex and same sex to formally declare their relationships.
4. The background to the MCC pursuing its decision, includes that:
  - (a) the *Australian Marriage Act 1961* only recognised the union between man and woman to the exclusion of all others;
  - (b) unlike a traditional wedding ceremony, the proposed RDR would allow all couples to formally declare their union;
  - (c) the MCC is committed to the development of an inclusive and engaging city and the proposal further cements this commitment;
  - (d) whilst the RDR won't confer legal rights in the way traditional marriage does, it may be used to demonstrate the existence of a de facto relationships in relation to the *Property Laws Act 1958*, the *Administration and Probate Act 1958* and other legislation involving domestic partnerships; and
  - (e) the MCC noted its action as "...just a first step towards social equity for all relationships - it is now up to the State and Federal Governments to introduce legislation that will provide for official recognition of civil partnerships."
5. Whilst the MCC Program proposal would be generally based on a model operated by the City of Sydney, it is understood that there will be some intended differences in the manner of operation. (Refer Attachments 1 and 2 for

copies of the City of Sydney Relationship Declaration Program Information Pack and Relationship Declaration Program Application Form.

6. It is understood that MCC is currently developing policies and guidelines for the introduction of the proposal, including among other issues, identification of the manner in which the RDR will be developed and maintained, who shall administer the said RDR, a strategy for publicising the Program and the RDR and any other related matters.
7. The operational aspects of the Sydney City Council Program include:
  - (a) applicants lodge an Application Form (refer attachment 1) ;
  - (b) that a \$50.00 fee had been set as minimal to merely cover costs;
  - (c) registration of the Relationship Union only occurs upon the completion of the Certificate (i.e. being signed by the two partners and their witnesses);
  - (d) the City only gets involved in the Union ceremony if specifically requested and therefore the administrative work is minimal. (Indeed under the Sydney Program, applicants are encouraged to undertake their own Union ceremony arrangements at a venue of their choice and then submit the completed paperwork to enable formal Registration); and
  - (e) the Administrative documentation is set up to easily deal with instances of Relationship Dissolution if necessary.

### **Consultations**

8. The report has been compiled using information obtained from both the Melbourne City Council and City of Sydney.
9. The Melbourne City Council has indicated a desire to liaise with any other inner city municipalities considering similar Programs, with a view to ensuring a co-ordinated approach to the introduction and operation of any Relationship Declaration Programs across the inner city communities.
10. The Sydney City Council Official also inquired if Council could advise them of the format of the Yarra City Program, if adopted.

### **Financial Implications**

11. There is a cost involved in the development and ongoing administration of the Program. However it would be envisaged an appropriate fee would be applied to offset the costs of administration. The City of Sydney applies a fee of \$50.00 which I am advised by their staff has been set to cover the costs of operation of the Program.
12. The Program costs are considered to include:
  - (a) setting up and maintaining a RDR,
  - (b) issuing of Relationship Certificates,

- (c) conduct of ceremonies (if requested),
- (d) general administration of the scheme.

### **Economic Implications**

- 13. If significant numbers participated in the Program, it may precipitate some business activity around the promoting and servicing of Relationship Declaration celebration ceremonies. The advice from the City of Sydney, is that there have only been some 40 Registrations in that municipality since the scheme commenced in 2005.

### **Environmental Implications**

- 14. There are not considered to be any environmental implications.

### **Social Implications**

- 15. A principle purpose of the Program being adopted by Sydney City Council and the in-principle support by MCC to the establishment of the Program, revolves around the issue of social equity. Another purpose of adopting the Program is intended pressure being applied to the State and Federal Governments to encourage their legislating the formal recognition of couples of both same and mixed sex, to formally declare their union.

### **City Plan, Strategy and Policy Implications**

- 16. Annual Plan reference CO12, sustaining Yarra and the application of social equity and cultural diversity.

### **Legal Implications**

- 17. As noted above, the Program would have no legal basis, and the RDR would not confer legal rights in the way traditional marriage does. It may nonetheless, be used to demonstrate the existence of a de facto relationship in relation to the *Property Laws Act 1958*, the *Administration and Probate Act 1958* and other legislation involving domestic partnerships.
- 18. There are no known reasons why the Council cannot establish and provide the community service proposed under the Program.

### **Other Issues**

- 19. In discussion with Officers of the MCC and City of Sydney, it has been established that the key issues to be taken into consideration in the development of the Program include:
  - (a) current legislation ( e.g. the *Marriage Act 1961*),
  - (b) interest in various legislative regimes around the world which provide for the recognition of civil partnerships between either same-sex or mixed-sex couples (e.g. France, Germany, Spain, Mexico, South Africa, USA Canada and Britain,
  - (c) relationship of the Program to any Council policies,

- (d) any other legal, financial or administrative aspects.

### **Options**

- 20. That Council receive the report and take no further action.
- 21. That Council establish and operate a “Stand Alone” Relationships Declaration Program.
- 22. That Council determine to establish a Relationships Declaration Program generally in a format similar to that operated by the City of Sydney and Melbourne City Council, and request the Officers to liaise with the two named municipalities in the detailed development of the Program and associated guidelines, to ensure consistency of operation between adjoining municipalities.

### **RECOMMENDATION**

- 23. That:
  - (a) the report be noted;
  - (b) Council determine to establish a Relationships Declaration Program generally in a format similar to that operated by the City of Sydney and the Melbourne City Council; and
  - (c) Council officers liaise with officers of the Melbourne City Council in the development of the Program policies and operational guidelines to ensure maximum consistency of operation in adjoining municipalities.

**CONTACT OFFICER:** Ivan Gilbert  
**TITLE:** Executive Manager Governance and Organisational Development.  
**TEL:** 9205 5110

**Attachment 1 – City of Sydney Relationship Declaration Application Form**  
**Attachment 2 – City of Sydney Relationship Declaration Information Pack**



Adobe Acrobat  
Document

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## 2.3 North Fitzroy Library

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File: AM 184-06, 52/20/04/01  
Responsible Officer: Director Community Development

### Purpose

1. Council resolved that a report be provided on options for the location of the North Fitzroy Library including consideration of the following matters:
  - (a) net present value to Council of the different options including fit-out and refit costs required during the asset life;
  - (b) sustainability of the different options (e.g. water and energy);
  - (c) net gain in public open space; and
  - (d) as this facility will need to take into account precinct planning, the net present value is to include other works required to address the Edinburgh Gardens Master Plan, maintenance of facilities and re-use of other park facilities.
2. This report provides Council with a response on each of the elements.

### Background

3. A review of library services in North Fitzroy was conducted in 2003 and found that the North Fitzroy Library was well utilised and popular with the local community but had significant defects in terms of space available for school and study groups as well as disability access issues. It was recommended that further work be done on the development of a new library for the neighbourhood.
4. The 2005/06 capital budget contained a project for minor works to address disability and community space within the current shop-front. Terence Carey and Associates were engaged to review the Library Review and Disability Access reports and provide options for short term internal redevelopment to improve staff work conditions and public access. The improvements implemented include:
  - (a) improved front entry access;
  - (b) combined office workspace with better security;
  - (c) space saving office furniture;
  - (d) 2 toilets which comply with DDA and Building Code;
  - (e) additional space for shelving (approximately 3.8 linear metres); and
  - (f) improved rubbish bin storage.

Location Options Available to Council

5. The current North Fitzroy Library operates in leased premises at 240 St Georges Road at an annual rental of approximately \$43,000 per annum. The property is 205 m2 gross with 160 m2 public library space.
6. The 2003 North Fitzroy Library Review recommended that any redevelopment should target dedicated library service space of around 600m2. Table 1 outlines additional community uses and space requirements that may be required:

Use	Space Est.	Notes
Library	600 m2	Identified within the NFL Review Report conducted in 2003.
Meeting Space	200 m2	Minimum of 200 m2 of flexible meeting space would be required to meet identified needs of multicultural groups currently meeting at International House and linkages with Library for school and general community use- playgroups and University of Third Age etc.
Kitchen / Dining	80 m2	A good quality commercial kitchen for the preparation of meals is a must to service the needs of the multi-cultural groups and other community uses.
Maternal & Child Health Centre	180 m2	Double unit M&CH Unit – yet to be confirmed as a priority use at this time. Hub concept may have allied health operating from the building.
Storage & Circulation	100 m2	
<b>Total</b>	<b>1,160 m2</b>	

Table 1

7. Various locations have been contemplated for the redevelopment of the North Fitzroy Library Service and ancillary services. Given the high land value in the area it is recommended that any future development be two storeys and therefore a footprint of between 600 m2 and 1,000 m2 is targeted. If a suitable site is identified for a two storey development within an activity centre then 600 m2 would be suitable. This is for the building foot-print and does not include car-parking or landscaping.
8. Cost estimates for development are based on the need for two storey development with full access by lift. Per m2 construction and fit out rate of \$2,800 per m2 is used for the exercise. If a suitable building two storey building is found then a refit cost could be achieved with a per m2 rate of \$1,800. All rates are acknowledged as being conservative but development over two storeys will require installation of a lift and increase fit out costs.
9. Land costs for a suitable site based in the St Georges Road Activity Centre or high profile site in another location in the precinct is likely to be in the range of \$2m given recent sales for equivalent buildings in recent months.
10. Costs for a long term lease for the space required are likely to be around \$120,000 per annum including outgoings.

11. Summary costs for the purpose of the Net Present Value (NPV) exercise are outlined in the Table 2. Asset life for the purposes of the NPV is deemed to be 20 years.

Cost Category	Baseline	Activity Centre		Greenfield
	Current	Lease	Purchase	Develop
	\$,000	\$,000	\$,000	\$,000
<b>Capital</b>				
Site Purchase			\$2,000	
Construction / Refit		\$2,080	\$2,080	\$3,248
Collection Expansion		\$563	\$563	\$563
<b>Total Capital</b>		<b>\$2,643</b>	<b>\$4,643</b>	<b>3,811</b>
<b>Operating</b>				
Branch Rental	\$43	\$120		
Branch Operating	\$295	\$400	\$400	\$400
Additional Collection Depreciation		\$47	\$47	\$47
<b>Total Operating Costs</b>	<b>\$338</b>	<b>\$567</b>	<b>\$447</b>	<b>\$447</b>

Table 2

#### Net Present Value

12. The table attached as Attachment 1 outlines the Net Present Value (NPV) for the following options:
- Baseline: continue current arrangements;
  - Lease of Activity Centre Building and fit-out;
  - Purchase of Activity Centre Building and fit-out; and
  - Greenfields development and associated fit-out.
13. NPV for all redevelopment options are negative based on current cost estimates and no income or grant stream indicated. Site purchase and development on a greenfields site are the most expensive over 20 years in NPV terms. Further refinement and analysis of the NPV will be conducted in early 2007 as part of the consultation and Council decision process.
14. Another factor that must be taken into account is that the draft Edinburgh Gardens Masterplan mandates the progressive removal of buildings from within the Gardens. Essentially this allocates approximately 50% of the cost of the project to other community facilities and implementation of the Edinburgh Gardens Master plan rather than reconstruction of the Library.

#### Sustainability Issues

15. It is not considered that there would be significant variations in building performance between the three redevelopment options. A new greenfields building development might allow the incorporation of higher levels of environmentally sustainable design (ESD) elements but a well designed retro-fit of an existing building would also be able to incorporate many of the elements.

16. The types of ESD elements that could be contemplated are listed below:
- (a) passive solar design – using the heat of the sun and night time cooling to minimise or eliminate mechanical heating and cooling;
  - (b) ventilation – siting windows and doors to promote cross flow ventilation;
  - (c) insulation and thermal mass – use existing walls to provide thermal mass and add insulation to minimise thermal transfer;
  - (d) internal layout – consideration to be given to placing active spaces towards the north, separate heated and unheated spaces, provide outdoor spaces that are sheltered and sunny in summer but sunny in winter;
  - (e) lighting – ensure appropriate use of daylight to minimise use of electric light, use light wells or skylights and the like;
  - (f) water sensitive design will enhance amenity and minimise water use;
  - (g) construction – choice of materials is critical in terms of the sustainability of a building; and
  - (h) promotion of alternative transport and minimising car use.

Edinburgh Gardens

17. Edinburgh Gardens was identified as a possible location for the redevelopment of the North Fitzroy Library in the 2003 Library Review. This location was explored in the 2004 survey and it was clear that while many people thought it was an appropriate location there was almost an equal number who felt strongly that it would be inappropriate to locate a library within the Edinburgh Gardens.
18. An argument against locating a building in Edinburgh Gardens is that there will be a net-loss of open space to the community. The building footprint required for a hub development would be between 600 to 1,000 m<sup>2</sup> plus car parking and landscaping.
19. A response to this is that there has been significant open space returned to the community within Edinburgh Gardens in recent years and that further space would be returned if the functions of the following buildings were integrated into a new development. Table 3 estimates the return of encumbered space to open space over recent years and includes an estimate of space freed up if existing use buildings were returned as well:

Name	Est. Area m <sup>2</sup>	Notes
Ladies Bowls Club	1,950	Returned in late 1990's.
Parks & Gardens Depot	3,000	
National Can Industry Site	19,440	
International House	1,420	Including car park.
Maternal & Child Health	620	
<b>Total:</b>	<b>26,430</b>	

Table 3

20. The draft Edinburgh Gardens Master Plan is currently undergoing a review process to incorporate a plan for water re-use. This will be subject to further consultation in early 2007.
21. The draft Master Plan calls for the progressive removal of existing buildings such as International House and Car Park and Maternal & Child Health Centre. The intention of any redevelopment within the precinct is to incorporate these functions into a new facility.

### **Consultations**

22. No consultation has been undertaken in the preparation of this report. Consultation on the North Fitzroy Library redevelopment project is planned for early 2007. Consultation planned for October 2006 was deferred due to the additional workload caused by the dissolution of the Yarra Melbourne Regional Library Corporation and the need to fully understand the cost implications of this process to inform decision making.
23. It is planned that consultations with the local community on building form and function and alternate locations will occur in February and March 2007 including incorporating elements in the Yarra Matters tent at Celebrate Yarra on 18 February 2007.

### **Financial Implications**

24. A preliminary quantity surveyor estimate of cost plans for options is currently being finalised and will be available to inform community consultation and Council decision making on this project in early 2007. Additional work will also be completed on life-cycle costing of the project to ensure transparency on costs.
25. The project is listed on the forward capital schedule which will be considered as part of the 2007/08 budget process.

### **Economic Implications**

26. Economic implications of the proposal will be explored in future reports. The 2003 North Fitzroy Library Review report indicated that the library had potential to expand to provide greater opportunity for the local community in terms of learning and development.

### **Environmental Implications**

27. This report explores the possibility of ESD principles being incorporated into the building project. The degree to which this could be achieved is dependent on location and whether it is a re-fit or a new development.
28. Any decision to locate the redevelopment on open space will need to consider environmental values very carefully.

## **Social Implications**

29. The development of an integrated hub for the neighbourhood will add to the already vibrant sense of community. The library is very well patronised and it is clear that this would increase if the building was redeveloped.
30. International House is a vibrant meeting place for many multi-cultural communities and is the venue for many cultural activities. The opportunity to expand the use would be welcomed by this community.
31. The development of a sensitively designed building in or adjacent to open space is seen in many sectors as being a very positive step to ensuring a greater percentage of the population gets to enjoy open space. People with disabilities and the infirm in particular would be able to enjoy the view of open space or use landscaped spaces around the building.
32. A well designed and sited building has the potential to activate the street or open space by increasing activity and providing informal surveillance of areas.

## **Council Plan, Strategy and Policy Implications**

33. This project is an identified priority in the 2006/10 Council Plan.

*PCN11.2 North Fitzroy Library: First stage development of community hub for the North Fitzroy neighbourhood.*

*Site selection completed for North Fitzroy Library;  
Concept planning completed for integrated library facility; and  
Community engagement completed.*

## **Legal Implications**

34. Edinburgh Gardens has its own legislation which establishes a clear process for determining what uses are appropriate within the Gardens.

## **Conclusion**

35. The redevelopment of the North Fitzroy Library is a priority project for Council.
36. This report provides information on relative costings and other matters in response to a question from Councillor D'Agostino.
37. Community consultation on this project is planned for early 2007. An important outcome of the consultation will be a feedback on form and function of the integrated facility plus a recommendation on final site selection in April or May 2007.

## **RECOMMENDATION**

38. That Council note the report.

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### **Attachment 1 – Net Present Value for Options**



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Document