



Ordinary Meeting of Council Agenda

**to be held on Tuesday 5 June 2018 at 7.00pm
Richmond Town Hall**

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (*tel. 9205 5110*).
- Auslan interpreting is available by arrangement (*tel. 9205 5110*).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (*tel. 9205 5110*).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

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Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. General business**
- 9. Delegates' reports**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

"Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present."

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Daniel Nguyen (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Danae Bosler
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr James Searle
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Andrew Day (Director - Corporate, Business and Finance)
- Ivan Gilbert (Group Manager - CEO's Office)
- Adrian Murphy (Acting Director - Community Wellbeing)
- Chris Leivers (Director – City Works and Assets)
- Bruce Phillips (Director - Planning and Place Making)
- Jane Waldock (Assistant Director - Planning and Place making)
- Mel Nikou (Governance Officer)

3. Declarations of conflict of interest (Councillors and staff)

4. Confidential business reports

Nil

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 22 May 2018 be confirmed.

That the minutes of the Special Council Meeting held on Tuesday 29 May 2018 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance;

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the meeting chairperson to ask your question, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your questions to the chairperson;
- ask a maximum of two questions;
- speak for a maximum of five minutes;
- refrain from repeating questions that have been asked previously by yourself or others; and
- remain silent following your question unless called upon by the chairperson to make further comment or to clarify any aspects.

8. General business

9. Delegates' reports

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Notice of Intention to declare a special charge - Bridge Road	6	16	Bruce Phillips – Director Planning and Place Making
11.2	Future use of the bocce courts in Hardy Gallagher Reserve	18	26	Justin Hanrahan – Manager Open Space and Recreation
11.3	Development of Community Greenhouse Action Plan	27	30	Michael Oke – Manager Sustainability and Strategic Transport
11.4	WW1 Field Gun	31	41	Siu Chan – Business Unit Manager Arts, Culture and Venues
11.5	Council Membership of Regional Bodies	42	46	Ivan Gilbert - Executive Manager - Chief Executive's Office
11.6	Report on Assemblies of Councillors	47	48	Ivan Gilbert - Executive Manager - Chief Executive's Office

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

When you are invited by the meeting chairperson to make your submission, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your submission to the chairperson;
- speak for a maximum of five minutes;
- confine your remarks to the matter under consideration;
- refrain from repeating information already provided by previous submitters; and
- remain silent following your submission unless called upon by the chairperson to make further comment.

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 Notice of Intention to declare a special charge - Bridge Road

Executive Summary

Purpose

The purpose of this report is to:

- (a) note the Draft Bridge Road Business Plan (2018 – 2024) prepared by Bridge Road Mainstreet Incorporated (BRMS);
- (b) consider the submission by BRMS for the reintroduction of a Special Charge for Bridge Road, Richmond; and
- (c) commence the statutory process under the *Local Government Act 1989 (Act)* to reintroduce a Special Charge.

Key Issues

Given the relatively low participation rates of rateable properties in the review process, the level of support for the reintroduction of the scheme is unclear.

Financial Implications

Council is currently supplementing the Special Charge Scheme proceeds to the value of approximately \$70,481 annually. It is proposed that Council continues to contribute but at a reduced fixed rate of \$60,000 per annum for the life of the Scheme.

BRMS has requested that the proposed Scheme raise \$217,000 per annum, which is \$35,322 less than the amount raised by the current Scheme.

Based on the 587 rateable assessments included in the Scheme, this would raise an amount of \$157,000 per annum. With Council's annual contribution of \$60,000, a total of \$1,302,000 would be raised over the period of the Scheme.

PROPOSAL

That Council:

- (a) notes the letter received from Bridge Road Mainstreet Incorporated (BRMS) requesting the reintroduction of a Special Charge for Bridge Road in the form of the attachment to this resolution (being **Attachment 1**) and, having otherwise considered all relevant matters, commences the statutory process under the Local Government Act 1989 (Act) to reintroduce a Special Charge to and for the properties within the defined Bridge Road precinct, such Special Charge to raise an amount of \$217,000 annually for the period of 6 years, commencing 1 October 2018 and ending 30 September 2024 (**Special Charge**);
- (b) acting in accordance with sections 163 (1A) and 163B(3) of the Act, directs that public notice be given in "The Age" newspaper of the intention of Council to declare at its ordinary meeting to be held on 21 August 2018 in accordance with the proposed declaration of Special Charge in the form of the attachment to this resolution (being **Attachment 2**) (**Proposed Declaration of Special Charge**), such Special Charge to be for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Bridge Road Mainstreet Incorporated (BRMS), which funds, administratively only and subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by and agreed to from time to time between Council and the BRMS, all of which are associated with the encouragement of commerce, retail, professional activity and employment in the Bridge Road Shopping precinct;

- (c) directs that, in accordance with section 163 (1C) of the Act, separate letters enclosing a copy of the public notice are to be sent to the respective owners and occupiers of the properties referred to in the listing of rateable properties set out in the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 21 August 2018, the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Charge) will be liable, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act;
- (d) advises the BRMS of the matters specified in paragraphs a, b and c of this resolution;
- (e) notes the funding implications of the Special Charge and further, that these will be considered as part of Council's 2018 - 2024 budgeting process;
- (f) authorises the CEO, or nominated delegate, to
 - (i) carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
 - (ii) prepare a funding agreement between Council and BRMS to formalise the administrative operations of the Special Charge, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the BRMS, Council is, and remains, responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so; and
- (g) directs the agreement specified in paragraph 1 (f) of this resolution to be submitted to Council for subsequent approval and sealing by Council.

11.1 Notice of Intention to declare a special charge - Bridge Road

Trim Record Number: D18/64878

Responsible Officer: Manager City Strategy

Purpose

1. The purpose of this report is to:
 - (a) note the Draft Bridge Road Business Plan (2018 – 2024) prepared by Bridge Road Mainstreet Incorporated (BRMS);
 - (b) consider the submission by BRMS for the reintroduction of a Special Charge for Bridge Road, Richmond; and
 - (c) commence the statutory process under the *Local Government Act 1989 (Act)* to reintroduce a Special Charge.

Background

2. The *Local Government Act 1989 (Act)* enables Council to levy a Special Rate or Charge on properties within a defined area if Council considers that the land in that area will receive a 'special benefit' from the expenditure of the funds raised in accordance with the functions of Council.
3. A Special Charge Scheme has operated in the Bridge Road precinct since 1997. The current Special Charge Scheme is a 10 year program that expires on 30 September 2018. This Scheme has raised \$130,100 for its first year, with increases of 4% per annum thereafter applying, raising in total an amount of approximately \$1,561,972 over the ten years for the period of the Scheme.
4. This amount has been supported by a Council contribution of \$50,000 for the first year with an annual increase of 4% for the life of the Scheme. The combined amount has been used for the purposes of funding a part time centre coordinator, promotional, advertising, marketing business development and other incidental expenses.
5. From March to August 2017, Council's Economic Development Unit in partnership with BRMS conducted an evaluation of the Bridge Road Special Charge Scheme, in preparation for Council's consideration of a likely renewal request from the BRMS. The evaluation report (*Report*) was presented to a Council Briefing at its meeting on 2 October 2017.
6. The Report identified that nine years is a long time for BRMS to have continued delivering a range of programs.
7. It has been suggested that, despite operating in very challenging and turbulent times, the BRMS committee has shown great resilience and persistence, particularly given the number of vacancies and some level of local business 'angst'.
8. The Report concluded that Bridge Road is a precinct that has benefited from the collective marketing and promotion, and although success has been inconsistent at times and business engagement has varied, the fundamentals for a program are in place and are well supported by Council's management and governance approaches.

Review Outcomes

9. As a result of the evaluation it was determined that further improvement is required if BRMS is to pursue a renewal of the program beyond 2018.
10. An improvement plan outlined within the Report detailed a range of specific and practical actions for BRMS to implement. In summary, the areas for action are categorised broadly under the following key areas:
 - (a) Business engagement and communication;
 - (b) Marketing; and

- (c) Management and governance.
11. Council officers and BRMS have been working together to implement the review findings and recommendations so that BRMS could:
 - (a) Build a more compelling case for why the program and BRMS as an organisation is relevant and required beyond 2018; and
 - (b) Be better positioned and equipped to support and confidently pursue a successful Special Charge renewal.
 12. It has been reported that progress has been made by BRMS with the implementation of the improvement plan. In particular, it is noted that BRMS engaged the services of Maznik Consulting (the same consultant engaged by Council to undertake the evaluation) to assist in developing the draft Bridge Road Business Plan that responds to the Report findings and incorporates its recommendations.

Submission from BRMS to reintroduce Special Charge

13. Accordingly, Council has now received a written request from the BRMS to reintroduce a Special Charge Scheme for the Bridge Road Shopping Precinct along with the Draft Bridge Road Business Plan (see **Attachment 1**).
14. The submission by BRMS, which is presented for Council's preliminary consideration, proposes that the Special Charge continues to be collected for the same area that is currently within the Scheme.
15. BRMS also proposes in its submission that the new Scheme operates over a six year period, commencing on 1 October 2018 and ending 30 September 2024.
16. Additionally, the letter requests that the amount to be levied against properties to be included in the Special Charge Scheme if Council proceeds with the Scheme, is \$300p.a. (for ground floor properties on Bridge Road), \$200p.a. (for other than ground floor properties on Bridge Road) and \$100p.a. (for properties on an address other than Bridge Road) for the life of the Scheme.

Bridge Road Business Plan

17. The draft Bridge Road Business Plan 2018 -2024 (*Business Plan*) sets the framework for how BRMS will manage, operate and deliver outcomes as a business association over the next three years. The results and recommendations from the review process were also considered in shaping the key directions of the business plan, specifically this includes:
 - (a) Clarifying and communicating the role and funding of BRMS;
 - (b) Creating a more strategic focus to build and measure responsive, targeted, engaging and relevant marketing, communications and management;
 - (c) Clearly communicating a 12 month marketing plan;
 - (d) Increasing communication mechanisms and engaging with business operators and owners in all BRMS activities;
 - (e) Further developing capacity to measure and review BRMS outputs and seeking formal feedback from participants and businesses; and
 - (f) Working with Council and advocating on the importance of an activated, well presented, accessible and vibrant precinct.
18. The proposed key directions for the next three years will be underpinned by a focus on the following:
 - (a) Re-engaging – making genuine connections with the businesses community – owners, operators to motivate their involvement and interest in engaging with BRMS, generating their participation in activities and delivering value;

- (b) Re-positioning – building a new story and communicating a new dialogue for Bridge Road that is supported by targeted, responsive marketing, new branding, events and campaigns that attracts customers and community and excites businesses;
 - (c) Re-invigorating – developing the relevance of the BRMS association and building membership to support inclusiveness, ownership, shared responsibility and workload; and
 - (d) Re-imagining – working with property owners, businesses, Council and other key stakeholders on how Bridge Road “works” as a commercial precinct and can deliver in the future as a great place to work, live and play.
19. The Business Plan will guide the precinct’s business and marketing activities over the next three years in the event that a new Special Charge Scheme is successfully declared.
20. The Business Plan will be reviewed on an annual basis and adjusted accordingly, as key actions are achieved or modified. In the third year, a more thorough review will be undertaken with consideration of other external factors, changes in the environment, and future opportunities. A revised Business Plan will be developed to guide the final three years of the six-year program.
21. It is noted that the Business Plan will be finalised before Council makes its decision on whether or not to declare a new Special Scheme at its ordinary meeting to be held on 21 August 2018. The Funding Agreement articulates that the funds raised from the Scheme are to be used in accordance with the purposes that have been approved by Council. Any significant deviations from the Business Plan must involve consultation with Council and any significant changes must seek the written approval of Council.

External Consultation

22. The recent review of the Special Charge Scheme was undertaken with the full cooperation and support of the BRMS committee. The review recommendations have informed the development of the Business Plan.
23. The review and consultation process to date has included:
- (a) 968 hard copies of a survey with supporting marketing material explaining the BRMS Special Charge Scheme, key achievements and the review process was mailed to all rated property owners and business operators;
 - (b) Hard copies of the survey and supporting marketing material were also distributed in person to all business operators on Bridge Road that were open;
 - (c) A workshop was conducted on 21 June 2017, in partnership with BRMS to present the results of the survey findings and recommendations to interested survey respondents; and
 - (d) Business operators and property owners were invited to a meeting of the BRMS on 15 November 2017 to discuss review outcomes.
24. The Business Plan is in draft format and will be available in June and property owners and Business operators will be invited to view and comment on the Plan when the official ‘notice of intention’ letter is distributed.
25. Business operators and owners will receive correspondence from BRMS informing them of the BRMS request to renew the Special Charge Scheme in June 2018.

Internal Consultation (One Yarra)

26. Specific advice on the renewal process has been sought from officers from Councils Geographical Information Systems, Revenue and Rates, Governance and Communications.
27. Council’s Executive Management team received a briefing on the submission by BRMS for the reintroduction of a Special Charge for Bridge Road Richmond on 16 May 2018.

Financial Implications

28. Council is currently supplementing the Special Charge Scheme proceeds to the value of approximately \$70,481. It is proposed that Council continues to contribute but at a reduced fixed rate of \$60,000 per annum for the life of the Scheme.
29. The reduction in Council's contribution from the current amount of \$70,481 to \$60,000 is proportional (approximately 15%) to the reduction of the total annual amount raised by the charge to the properties levied.
30. Council would also incur legal costs associated with the consideration, introduction and ongoing management of a Special Charge. There is also the possibility of legal representation being required and funded by Council if this matter is appealed to Victorian Civil and Administrative Tribunal (VCAT).
31. BRMS has requested that the proposed Scheme raise \$217,000 per annum, which is \$35,322 less than the amount raised by the current Scheme.
32. Based on the 587 rateable assessments included in the Scheme, this would raise an amount of \$157,000 per annum. With Council's annual contribution of \$60,000, a total of \$1,302,000 would be raised over the period of the Scheme.

Economic Implications

33. Collective approaches to the management of main streets, and the role and value of sustainable funding and representative associations is recognised nationally and internationally. There are over 100 formalised main street associations in Victoria, with approximately 60 individual Special Rate and Charge programs spread across 22 Councils.
34. Collaborative programs funded through a Special Rate or Charge Scheme are considered an effective means of facilitating engagement between stakeholders, and promote an integrated and agreed approach to marketing and management of the main street. It is built on a premise that working together to identify collective strengths and opportunities, and with the business community taking a lead role will build offer, appeal and performance of a precinct.

Sustainability Implications

35. There are no known sustainability implications in relation to the subject matter of this report.

Social Implications

36. Council's partnership with BRMS provides the opportunity to promote practices that enables a co-operative approach to the Association's development, management, promotion and marketing for the benefit of the shopping precinct.

Human Rights Implications

37. The "right to take part in public life" is of notable relevance to the BRMS Special Charge.

Communications with CALD Communities Implications

38. There are no known CALD Communities implications.

Council Plan, Strategy and Policy Implications

39. Councils Economic Development Strategy 2015 - 2020 provides the strategic context for working in partnership with BRMS. The purpose of the Agreement with BRMS relates to the theme Vibrant and Thriving Precinct, in particular the objective: *Working with local traders to strengthen the viability of precincts by enhancing the customer experience, improving the business mix, and offering an authentic and continually evolving experience.*

Legal Implications

40. Council requires that BRMS (an incorporated association) have a high level of financial and management accountability of funds. This includes certain requirements outlined in the Funding Agreement (to be entered into between Council and BRMS) and the documentation that must be submitted to Council including:
 - (a) submission of an annual budget and Business Plan for Council approval;

- (b) submission of an annual report and independent audited financial report;
- (c) quarterly activity and financial reporting to Council; and
- (d) agreement on performance indicators.

Statutory Requirements

- 41. When declaring a Special Charge Scheme, Council must comply with certain requirements under *the Local Government Act 1989 (Act)*.
- 42. Council must be satisfied that:
 - (a) the proposal or scheme accords with the performance of a Council function or power prescribed by the Act;
 - (b) there will be a special benefit to the persons required to pay the Special Charge; and
 - (c) there is a reasonable distribution of the Special Charge amongst those persons who are liable to pay it.
- 43. In this instance, the proposal relates to the proper performance of Council's functions as set out in the *Act*, which relevantly would include:
 - (a) the encouragement of employment opportunities; and
 - (b) the encouragement of commerce and retail activity.

It is otherwise considered that persons required to pay the Special Charge will receive a special benefit and that there is being proposed a reasonable distribution of the Special Charge amongst all contributors.
- 44. If Council was to formally decide to proceed with a Special Charge for the Bridge Road precinct, the statutory process required to be undertaken in order to declare a Special Charge includes:
 - (a) the giving of public notice of Council's intention to declare the Special Charge in accordance with section 163 of the Act. A copy of the notice would also be sent to all property and business owners of properties affected;
 - (b) a person affected by the Special Charge may make a written submission (which may include in it a request to be heard) to Council. Submissions must be considered in accordance with sections 223 of the Act;
 - (c) a person who is required to pay the Special Charge, including a person liable under a lease, may also make an objection to Council;
 - (d) if Council receives a majority (being at least 51%) of objections from persons who are required to pay the Special Charge, Council is prohibited from making the declaration of the Special Charge. (In these circumstances, if Council wished to still proceed with a Special Charge it would need to recommence the statutory procedures and make a general contribution to the Scheme of more than one third of the cost of the Scheme or take other steps);
 - (e) following a consideration of submissions, and having taken into account any objections received, Council may then resolve to adopt, modify or abandon the Special Charge Scheme; and
 - (f) notice of the Special Charge (if adopted) is sent to the property owners or other persons liable for payment of rates who then have 30 days to apply for a review of Council's decision to the Victorian Civil and Administrative Tribunal under section 185 of the Act, dealing with whether or not there is a special benefit and/or a reasonable distribution of the Special Charge amongst those persons who are liable to pay it. There are other potential procedural grounds of appeal under section 185AA of the Act and a tenant has standing to appeal also.

45. If the Special Charge is implemented, a formal Funding Agreement will be entered into between Council and BRMS, confirming that the role of the Association in expending the monies raised by the Special Charge is on behalf of Council, is of an administrative nature only and that the Association is, at all times under the direction of, and for Council.
46. Payment of the proceeds of the Special Charge to BRMS is conditional on BRMS entering into such an agreement with Council.
47. Following approval of the Business Plan, annual budget and compliance with other conditions specified in the Agreement, Council would provide BRMS with the Special Charge proceeds in four quarterly instalments per annum. A key aspect of this arrangement is that the Association is an incorporated entity and acts in accordance with the *Associations Incorporation Reform Act 2012*.

Other Issues

Review feedback on the question on continuation of the Charge.

48. A total of 96 people responded to the Review survey, resulting in an average response rate of 10%. This is considered a relatively small sample (20% is preferred for statistical analysis).
49. When businesses were asked to indicate how important the continuation of the Special Charge with Council funding is to the ongoing development and success of Bridge Road, just under half (25 out of the 56) rated the continuation of the program 'very important' and 'important'. Other responses included:
 - (a) 15 people did not have an opinion on this question ('can't say', or 'neither'); and
 - (b) 16 people rated it 'not very important' and 'not important'.
50. Given the relatively low participation rates in the review process, the level of support for the reintroduction of the Scheme is presently unclear.

Overall Report findings

51. As outlined in the Councillors' Briefing of 2 October 2017, the review indicated that overall the responses received from survey participants were very diverse and with no clear majority view discernible.
52. The Report acknowledged the significant challenges and macro-economic environment that BRMS has been operating within for the duration of the Special Charge program.
53. The key areas of concern that the survey results highlights include:
 - (a) limited awareness of the Special Charge and its purpose;
 - (b) confusion about the role of BRMS and the role of Council in the program;
 - (c) a level of dissatisfaction with some of the marketing activities;
 - (d) inconsistent level of communication and engagement with broader businesses;
 - (e) a strong perception that paid car parking is detrimental to the performance and economic viability of businesses in Bridge Road;
 - (f) dissatisfaction with the outcomes that businesses are receiving; and
 - (g) a general lack of understanding about the value and benefits of the program.
54. The other challenge that is highlighted in the Report is that business associations – like most volunteer organisations today – are often really struggling to sustain their operations, with fewer committee members and a lack of succession planning. In a general sense, quite often committee members are long serving as there is no one to replace them and there is a sense of obligation and loyalty. Any lack of turnover (to rejuvenate) is likely to limit the capacity of the committee to be responsive to new approaches that are required in this dynamic retail environment.

55. Engaging businesses to participate in the activities of the association is another aspect that most trader associations are grappling with across Victoria. There is often a considerable degree of apathy from main street businesses, and for others, they simply do not have the time or are yet to understand the potential value of involvement.
56. The Report indicated that the individual contributions by businesses to the Special Charge are fair and equitable, particularly when compared to programs and charges elsewhere in Victoria. The average contribution for a Special Charge program is estimated to be around \$750 per year (Mainstreet Australia 2015), BRMS businesses are contributing a maximum of \$356 per annum which is one of the lowest for a precinct of this size.
57. It should be noted, that if Council resolves that it will not renew the Charge, no further action is required; however, property and business owners would be advised of Council's decision.

Options

Option 1 – Not Proceed

58. By not proceeding with the renewal of the Special Charge, Council would minimise its contribution in terms of staff and monetary and other resources required for the establishment and management of the Scheme.
59. However, with no source of funding BRMS would be unable to continue its integrated marketing and promotional program for the Bridge Road precinct as a visitor and commercial destination.

Option 2 – To consider the commencement of the statutory process to implement a Special Charge Scheme for the Bridge Road Precinct in accordance with the present request by BRMS

60. BRMS has requested that the proposed Scheme raise \$217,000 per annum, which is \$35,322 less than the amount raised by the current Scheme.
61. Based on the 587 rateable assessments included in the Scheme, this would raise an amount of \$157,000 per annum. With Council's annual contribution of \$60,000, a total of \$1,302,000 would be raised over the period of the Scheme.
62. The key components of the scheme as proposed by BRMS are:
 - (a) The Special Charge would apply to properties from:
 - (i) Bridge Road: 2 to 662 inclusive;
 - (ii) Church Street: 196 to 280 inclusive;
 - (iii) Lennox Street: 172 to 195 inclusive;
 - (iv) Waltham Street: 2a;
 - (v) Burnley Street: 174;



- (b) The Special Charge would apply differentially as follows:
 - (i) \$300p.a. per ground floor property in Bridge Road;
 - (ii) \$200p.a. for other than ground floor properties in Bridge Road; and

- (iii) \$100p.a. for properties located in streets other than Bridge Road;
- (c) It is expected that such a Scheme would raise \$217,000.00 per annum; and
- (d) The Special Charge would be introduced for a period of 6 years and would raise a total amount of \$1,302,000.00.

63. The following rationale seeking a reduced budget was provided by the BRMS Treasurer at the monthly partnership meeting held 10 April 2018:

Rationale for reduction in charge to rateable businesses/properties

- (a) recognition of the impact of global trends on fashion retail that has resulted in sustained high vacancies;
- (b) taking a more strategic approach to marketing activities as outlined within the recent review;
- (c) having a greater focus on instore based marketing events as opposed to delivering expensive large street based activities; and
- (d) inability to deliver a marketing program that is able to attract full engagement from all business owners given the diverse business mix and length of street, particularly those properties situated above ground level and on side streets. To do so would require a significant increase in the overall charge.

Rationale for reduction in council contribution

- (e) responding to the increased fiscal pressures faced by Council; and
- (f) technological advancements in the digital space such as access to social media has significantly reduced the cost of marketing.

64. It is considered that a differential Special Charge would provide for a fairer and more reasonable distribution of the levy and the nature and extent of direct and indirect special benefit.

65. In establishing the criteria as the basis for the declaration of the Special Charge, Council officers consider the appropriate criteria to be:

“the ownership of rateable land that is used, or reasonably capable of being used for commercial, retail or professional purposes”.

66. The following table outlines how the charge would be applied to rateable properties with option 2.

Option 2 - with Council Contribution								
	No. of Properties	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL
Ground	462	300	300	300	300	300	300	
1st Level	59	200	200	200	200	200	200	
Side Streets	66	100	100	100	100	100	100	
Council Contribution		60,000	60,000	60,000	60,000	60,000	60,000	
	587	217,000	217,000	217,000	217,000	217,000	217,000	1,302,000

Option 3 – To consider the commencement of the statutory process to implement a Special Charge Scheme for the Bridge Road Precinct in accordance with the present request without providing a Council contribution

67. Not contributing to the Scheme would result in significant savings for Council.
68. There is a strong expectation from the BRMS that Council will continue to contribute funding to the amount raised from the Special Charge. Council's separate contributions have allowed the Association to undertake special projects that the Special Charge proceeds cannot be expended on. For example, Council's contribution was used for employing strategies that address vacancies such as the Renew Bridge Road project that aimed to activate empty spaces, projections on the Richmond Town Hall and the Bridge Road Streetscape Study.
69. Council's separate contributions further strengthens the partnership between Council and BRMS, which is critical to achieving a more strategic and integrated approach to supporting effective marketing activities for Bridge Road.

Conclusion

70. The proposed Special Charge is a positive local economic development initiative, which would continue to provide resources for an ongoing strategic partnership between Council and the Bridge Road Mainstreet Incorporated.
71. It is considered that all of the retail, commercial and professional services properties and businesses located in the Bridge Road Shopping Precinct would derive a special benefit from the expenditure of the Special Charge proceeds. Directly and indirectly, the viability of the Bridge Road Shopping precinct, as a commercial, retail and professional services area would be further enhanced through increased economic activity by:
 - (a) continued collective marketing and promotion of the Bridge Road Shopping precinct as a whole, which would assist to greater awareness and profile of the area, including what it has to offer to the community and its customers; and
 - (b) all businesses benefiting from the continuation of a Traders' Association that coordinates the daily management of activities and drives the overall strategic direction of the Shopping precinct with the support of Council.
72. It is considered further, that the only persons to derive a 'special benefit' from the imposition of the proposed Special Charge are those persons who are liable or required to pay the Special Charge, whether they be the owners or the occupiers of the land and the commercial and business properties included in the Scheme area in circumstances where there are no other special benefits or community benefits accruing from the Special Charge.
73. It is recommended Council progresses a new Special Charge Scheme for Bridge Road.

RECOMMENDATION

1. That Council:
 - (a) notes the letter received from Bridge Road Mainstreet Incorporated (BRMS) requesting the reintroduction of a Special Charge for Bridge Road in the form of the attachment to this resolution (being **Attachment 1**) and, having otherwise considered all relevant matters, commences the statutory process under the Local Government Act 1989 (Act) to reintroduce a Special Charge to and for the properties within the defined Bridge Road precinct, such Special Charge to raise an amount of \$217,000 annually for the period of 6 years, commencing 1 October 2018 and ending 30 September 2024 (**Special Charge**);
 - (b) acting in accordance with sections 163 (1A) and 163B(3) of the Act, directs that public notice be given in "The Age" newspaper of the intention of Council to declare at its ordinary meeting to be held on 21 August 2018 in accordance with the proposed declaration of Special Charge in the form of the attachment to this resolution (being **Attachment 2**) (**Proposed Declaration of Special Charge**), such Special Charge to

be for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Bridge Road Mainstreet Incorporated (BRMS), which funds, administratively only and subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by and agreed to from time to time between Council and the BRMS, all of which are associated with the encouragement of commerce, retail, professional activity and employment in the Bridge Road Shopping precinct;

- (c) directs that, in accordance with section 163 (1C) of the Act, separate letters enclosing a copy of the public notice are to be sent to the respective owners and occupiers of the properties referred to in the listing of rateable properties set out in the Proposed Declaration of Special Charge, advising of the intention of Council to declare the Special Charge at its ordinary meeting to be held on 21 August 2018, the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Charge) will be liable, the basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the Act.
- (d) advises the BRMS of the matters specified in paragraphs a, b and c of this resolution;
- (e) notes the funding implications of the Special Charge and further, that these will be considered as part of Council's 2018 - 2024 budgeting process;
- (f) authorises the CEO, or nominated delegate, to:
 - (i) carry out any and all other administrative procedures necessary to enable Council to carry out its functions under section 163A and section 163(1A), (1B) and (1C) and sections 163B and 223 of the Act; and
 - (ii) prepare a funding agreement between Council and the BRMS to formalise the administrative operations of the Special Charge, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the BRMS, Council is, and remains, responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so; and
- (g) directs the agreement specified in paragraph 1 (f) of this resolution to be submitted to Council for subsequent approval and sealing by Council.

CONTACT OFFICER: Kim Swinson
TITLE: Coordinator Economic Development
TEL: 9205 5303

Attachments

- 1 Bridge Road Main Street Special Charge Renewal Request - BRMS Inc.
- 2 Proposed Declaration Special Charge

11.2 Future use of the bocce courts in Hardy Gallagher Reserve

Trim Record Number: D18/87083

Responsible Officer: Director Planning and Place Making

Purpose

1. To update Council on the results of the community consultation undertaken to determine the future use of the bocce courts in Hardy Gallagher Reserve and to seek direction on a way forward.

Background

2. In December 2016, Council received a proposal from the North Carlton Railway Neighbourhood House Committee of Management regarding possible improvements to the space currently occupied by the bocce courts in Hardy Gallagher Reserve. Ideas presented included a neighbourhood garden, sitting area, area for young children and retention of a lane for bocce.



3. After receiving submissions on this topic as part of the 2017/18 budgetary process, officers committed to a community consultation on future use of the Bocce Courts at Hardy Gallagher Reserve.
4. Pending the outcome of the consultation and subject to Council's support for the inclusion of the bocce court in the North Carlton Neighbourhood House lease area, Council could provide \$10,000 from within existing resources, as a one off payment, to the North Carlton Neighbourhood House to fund planning and design for the space.
5. In line with this advice, Council officers commenced consultation on the future use of the bocce courts at Hardy Gallagher Reserve in February 2018.

External Consultation

6. Community consultation on the future use of the bocce courts at Hardy Gallagher ran from 26 February – 29 March 2018.
7. Consultation methods to inform the wider community and visitors of the online forum and drop in session included:
 - (a) postcard mail out to 1500 local residents, advising that Council was in the early stages of thinking about how the bocce courts could be used to better support the community in the future, and residents were asked what three words best described their vision for the space (refer Attachment 1);
 - (b) signs on site in Hardy Gallagher Reserve;
 - (c) social media campaign via Facebook and Twitter (seen by 18,179 users across those platforms);
 - (d) article in Yarra Life online newsletter (accessed by 306 users); and
 - (e) community drop in session at the North Carlton Railway Neighbourhood House held on Saturday 17 March 2:00pm-4:00pm (attended by 63 community members).
8. Key stakeholders were sent a letter informing them of the project and consultation process. They were advised that a stakeholder meeting would be held on Thursday 19 April (6.30-7.30pm) at the North Carlton Railway Neighbourhood House, to review and discuss the feedback and the next steps in the process.

Consultation results

9. Below is a summary of the number of participants that engaged during the community consultation and engagement period.

Method	Participants
Your Say Yarra	111
Email	12 submissions
In person at on site consultation	63 attendees

Online consultation

10. The Your Say Yarra webpage generated 1,200 unique visitors and 111 ideas were submitted and voted on by 159 visitors. The most popular ideas (including a breakdown of the top 10) are presented as Attachment 2.
11. Overall results showed strong support for the future vision of the bocce courts to encompass “community” and “garden”.

Community drop-in session

12. The drop-in session was facilitated by an independent facilitator, and was attended by 63 people. The purpose of this event was to invite people down to enjoy the park and stimulate discussion on the space.
13. As part of the session, people were encouraged to provide feedback on the future of the bocce courts via a “dotmocracy” on the feedback boards.
14. Five key questions were placed on a wall and around each question were some of the words and ideas that had been suggested as part of the on-line consultation process. Participants were then provided with five green dots and two red dots and asked to place their green dots on ideas they supported and their red dots on ideas that they had concerns about. If they had an idea that wasn’t already captured on the wall, they could add a new idea. Results are presented as Attachment 3.

15. Overall, the feedback received during the workshop was consistent with the feedback received online, with the majority of people voting for a shared growing space that could be used by everyone.

Written Submissions

16. Twelve written submissions were received during the consultation period. Of these, five supported a shared growing space, four opposed this idea and three suggested other uses (Attachment 4).
17. A further five written submissions were received outside the formal consultation process. Four of these did not support gardening activities at this location. The fifth provided feedback on park specific installations, not material to this process.

Community Stakeholder Consultation

18. Following the broader engagement process, representatives from stakeholder groups were invited to participate in a meeting to discuss the feedback and the next steps in the process. Officers approached the following stakeholder groups:

- (a) Princes Hill Primary School;
- (b) Princes Hill Secondary College;
- (c) Redmond Park Retirement Apartments;
- (d) Princes Hill Community Centre;
- (e) the North Carlton Railway Neighbourhood House Committee of Management;
- (f) Manager, North Carlton Railway Neighbourhood House; and
- (g) Friends of Hardy Gallagher Reserve.

19. The meeting was attended by representatives of:

- (a) The North Carlton Railway Neighbourhood House Committee of Management;
- (b) Redmond Park Retirement Apartments;
- (c) Princes Hill Community Centre; and
- (d) Friends of Hardy Gallagher Reserve.

20. The format of the meeting was to:

- (a) recap on the main topics to emerge from the consultation;
- (b) look at the key things to consider for each of these topics; and
- (c) discuss potential solutions/ideas.

21. The idea of a shared growing space was generally advocated for by representatives of the North Carlton Railway Neighbourhood House Committee of Management, Redmond Park Retirement Apartments and Princes Hill Community Centre. Representatives of the Friends of Hardy Gallagher Reserve expressed concern at the use of public open space by a select few and it was argued the land should be returned to parkland where it would be accessible to all.

22. Some stakeholders felt that the bocce courts were no longer used and should be removed, while others felt they were an important part of the sites heritage and regular maintenance would encourage use. A summary of the key comments from this meeting is included in Attachment 5.

Local value of bocce courts

23. In terms of the heritage value of the bocce courts as expressed by residents, one written submission identified the bocce courts as having an important link to the Italian cultural heritage of the area.

24. The bocce courts at Hardy Gallagher have not been well used since the Montemurro Bocce Club ceased to exist approximately eight years ago. In terms of the overall feedback received, there was relatively little interest from the current community to retain the courts. In addition, there are two existing bocce lanes at Edinburgh Gardens which are not well used.
25. The following recommendations from the Conservation Management Plan and Master Plan make specific reference to the bocce courts:

Inner Circle Railway Linear Park Reserve Conservation Management Plan, January 2005

Description:

The Bocce court is located on the former North Carlton Station's eastern side. It comprises a series of sand beds enclosed by timber sleepers.

Significance:

The Bocce court is an intrusive element and is of no heritage significance.

Policy:

The Bocce court obscures the original track route and should be relocated.

(See Chapter 5, 5.2.4)

Inner Circle Railway Linear Park Reserve Conservation Master Plan, November 2006

Bocce Courts:

To be retained to the end of their useful life period as recommended by CMP.

Internal Consultation (One Yarra)

26. Internal consultation was undertaken with the following Council Units:
 - (a) Community Partnerships;
 - (b) Waste Minimisation and Agriculture;
 - (c) Communications and Engagement; and
 - (d) Open Space Maintenance.

Financial Implications

27. After receiving submissions on this topic as part of the 2017/18 budgetary process, officers committed to a community consultation on future use of the Bocce Courts at Hardy Gallagher Reserve.
28. Pending the outcome of the consultation and subject to Council's support for the inclusion of the bocce court in the North Carlton Neighbourhood House lease area, Council could provide \$10,000 from within existing resources, as a one off payment, to the North Carlton Neighbourhood House to fund planning and design for the space.

Economic Implications

29. There are no economic implications associated with this report.

Sustainability Implications

30. The inclusion of a food growing space would contribute local solutions to food sustainability. Benefits could include: collaborative consumption; waste reduction; compost; production; reduction of the heat island effect; and air quality improvement.
31. Food growing spaces require a constant source of water and are subject to water use restrictions as for residential properties. Where appropriate, water could be harvested from the North Carlton Railway Neighbourhood House, however water from mains supply would still be required.

Social Implications

- 32. The consultation process revealed strong support for the future vision of the bocce courts to be a space for “community” and “garden”, such as a food growing space. Social benefits including health; environmental education; connection; amenity and diversity.
- 33. If the North Carlton Railway Neighbourhood House were to oversee the food growing space, then there is opportunity develop programs which further develop community building.
- 34. The bocce courts have an important link to the Italian cultural heritage of the area.

Human Rights Implications

- 35. There are no human rights implications associated with this report.

Communications with CALD Communities Implications

- 36. Consultation material included a translation panel containing advisory text in eight languages: Vietnamese, Greek, Mandarin, Cantonese, Italian, Turkish, Arabic and Spanish.

Council Plan, Strategy and Policy Implications

- 37. The following is included in the 2017-21 Council Plan:

Objective	Strategies	Strategic Indicators	Initiatives
3. A Sustainable Yarra	3.6 Promote and facilitate urban agriculture with a focus on increasing scale and uptake in the community	Increase the number of urban agriculture community initiatives supported and promoted	3.6.1 Showcase urban agriculture and support community initiatives in sustainable practices

Legal Implications

- 38. The relevant land is Crown land temporarily reserved for public recreation purposes under the control of City of Yarra as Committee of Management.
- 39. Any change to the approved purpose would require Ministerial/Parliamentary approval. Such approval can take 4-6 months.
- 40. Approval would also be required from the Department of Environment, Land, Water and Planning (DELWP) to ensure that the proposed lease purpose is not detrimental to the purpose of the reserve.
- 41. The bocce courts are zoned as Public Park and Recreation (PPRZ) in the Yarra Planning Scheme with a Heritage Overlay (HO329) affecting the site.
- 42. Under the zone, a change of use to a community garden would be an as-of-right use and therefore would not require a planning permit for the use (car parking considerations is to the satisfaction of Council).
- 43. A planning permit may be required for buildings and works, under the Heritage Overlay controls.

Other Issues

Fence

- 44. There are currently two fences around the bocce courts at Hardy Gallagher Reserve, the outer fence is a 1.2m high chain link fence, and the inner fence is a timber post and rail fence. The existing outer fence is in reasonable condition, while the timber post and rail fence has some missing sections.
- 45. In terms of the feedback received during the consultation period, feedback on the fence was varied:
 - (a) In the online feedback, there were only a few comments made in relation to the fence, both for and against;

- (b) At the community drop in session, the idea 'retain bocce and remove fence' received six red dots and five green dots. The idea of 'no fence' received two green dots;
 - (c) Three of the written submissions suggested that the fence should be removed; and
 - (d) It is understood that proponents of the shared growing area are supportive of the fence being retained.
46. Due to the planning controls in place, demolition of the fence would require a planning permit.

Shared growing space – ongoing management considerations

47. The North Carlton Railway Neighbourhood House Committee of Management has submitted a brief proposal regarding the establishment and ongoing management of a shared gardening space on the existing bocce courts.
48. There is no current formal relationship between the Neighbourhood House and the Bocce courts. There was a formal arrangement between the House and the Bocce Club until the Bocce Club ceased as an entity several years ago. Since that time the Bocce courts have been hired out via the House with no formal arrangement. The lease between the House and Council does not include the Bocce courts.
49. Shared gardening spaces need resources over the long term. It is recommended that further detail be sought on the proposed ongoing daily management of a growing space to ensure that it would meet the health, safety and amenity requirements of the surrounding community. This is particularly important, given the sites highly visible location within much valued parkland and could be addressed as part of the Licence agreement with the neighbourhood house.

Physical improvements and ongoing maintenance

50. If Council supported a change of use, it is likely that there would be strong interest from the community on any proposed changes to the bocce courts.
51. Should Council support shared gardening at this space, Council could require the Neighbourhood House to exhibit their planned alterations for community feedback. Final approval for any improvements at this site would be subject to officer approval as part of the conditions of the Licence.
52. Council typically enters into Lease and Licence agreements with clear roles and responsibilities with regards to ongoing maintenance. As with any formal agreement, failure to comply with the conditions of use could result in the Lease or Licence being revoked.

Options

53. Having considered the outcomes of the initial community consultation, there are four options for consideration by Council.

Option 1 – Convert the bocce courts into a shared gardening space

Officer Comments

54. Pros
- (a) This use responds to the most popular ideas for the future use of the site, which were "garden", "community", "food", "space" and "green";
 - (b) A shared growing space in this location could increase the use of the existing space and would be open for all to use;
 - (c) A shared growing space would provide opportunities for social connection and engagement with nature;
 - (d) A shared growing space could be used to enhance the community building programs run by the North Carlton Railway Neighbourhood House; and

- (e) Initial discussions with representatives of the Neighbourhood House Committee of Management have indicated a willingness on their part to manage this site for gardening purposes.

55. Cons

- (a) Use as a shared growing space may only appeal to a small number of interested people and therefore limits public use of the land;
- (b) There would need to be an ongoing commitment from the proponents of the garden to establish and maintain the space to an agreed standard;
- (c) The issue of future management and maintenance is still to be resolved and the cost of establishment and ongoing maintenance of the site is not known; and
- (d) Removal of the bocce courts does not acknowledge the historic use of the site for casual games.

Option 2 – Convert the bocce courts into a shared gardening space but retain one bocce lane

Officer Comments

56. Pros

- (a) The retention of a bocce lane would enable continued use of the facility by bocce users, which was in the top 10 most liked suggestions put forward during the online consultation;
- (b) Bocce reflects the heritage of the local area;
- (c) Keeping one lane open would allow sufficient space for a shared gardening space and associated social activities;
- (d) A shared growing space and one bocce lane would provide opportunities for social connection and engagement with nature; and
- (e) Initial discussions with representatives of the Neighbourhood House Committee of Management have indicated a willingness on their part to manage this site for gardening purposes.

57. Cons

- (a) The conversion of the space for shared gardening and bocce may only appeal to a small number of interested people and therefore does not increase public use of the land;
- (b) There would need to be an ongoing commitment from the proponents of the garden to establish and maintain the space to an agreed standard; and
- (c) The issue of future management and maintenance is still to be resolved and the cost of establishment and ongoing maintenance of the site is not known.

Option 3 – Retain bocce courts as they are

Officer Comments

58. Pros

- (a) The retention of the bocce courts would enable continued use of the facility by bocce users and the general community;
- (b) Bocce scored within the top 10 most liked ideas for the future use of the space; and
- (c) Retaining the bocce courts reflects the heritage of the local area.

59. Cons

- (a) The bocce courts are currently underutilised;
- (b) There are other bocce courts available at Edinburgh Gardens which are also under-utilised; and

- (c) Retention of the bocce courts in their current form does not respond to the local community's future vision for the space, which was for a use that promoted "garden" and "community".

Option 4 – Remove bocce courts and return to parkland.

Officer Comments

60. Pros

- (a) Access to public open space would be increased; and
- (b) Removal of the fence and bocce courts could provide further opportunities for natural plantings and therefore improved habitat values.

61. Cons

- (a) There would be limited opportunity for locals to actively connect and socialise; and

62. There is already considerable accessible (non-programmed) open space in the area.

Conclusion

- 63. The outcome of the consultation showed strong support among the local community for the bocce courts to be converted into a shared growing space and be open to everyone.
- 64. The current bocce courts have been seeing declining usage over the years.
- 65. A number of submissions received referenced the historical significance of the bocce courts to the area, with some expressing a desire to continue to be able to use the courts for casual games.
- 66. There was concern among some in the community that converting the bocce courts into a shared growing space would result in the appropriation of public space for the exclusive use of a small group of users.
- 67. It is considered that the conversion of the court area for a shared growing space and the retention of a lane for bocce present an option that satisfies the majority future vision of those who participated in the consultation.
- 68. Retaining more than one bocce lanes would impact upon the function of a potential community growing space. If more courts were retained, it would be possible to do some on the remaining space; however it would limit the design in relation to community outcomes such as seating and play features.
- 69. Initial discussions with representatives of the Neighbourhood House Committee of Management have indicated a willingness on their part to manage this site for gardening purposes.
- 70. Detailed design of the shared growing space (including species selection) would need to be carefully considered to realise the vision of the broader community. A robust governance model would also need to be implemented to ensure the space is managed and maintained to a high standard.

RECOMMENDATION

1. That Council:
 - (a) notes the feedback received during the consultation period and thanks the community for its contribution on this topic;
 - (b) notes that the conversion of the court area for a shared growing space and the retention of one (1) lane for bocce presents an option that satisfies the majority future vision of those who participated in the consultation;
 - (c) authorises officers to commence the process of preparing a licence agreement over the site currently defined by the bocce courts plus the garden bed immediately south of the existing fence line (consistent with the plan in Attachment 6) to the North Carlton Railway Neighbourhood House to improve the site and manage the site for gardening purposes on behalf of the community;
 - (d) notes that designs showing future improvements shall include retention of one (1) lane of the bocce courts for play;
 - (e) notes that process of entering into a licence agreement is subject to a standard process and requires approval from the Department of Environment, Land, Water and Planning; and
 - (f) requires that the draft design shall be exhibited on site for a period of no less than two weeks prior to being approved by officers as part of the process for preparing a licence agreement.

CONTACT OFFICER: Justin Hanrahan
TITLE: Manager Open Space and Recreation
TEL: 9205 5720

Attachments

- 1 Postcard flyer
- 2 Summary of online feedback
- 3 Results of community drop in session
- 4 Written submissions
- 5 Summary of stakeholder workshop
- 6 Proposed licence area

11.3 Development of Community Greenhouse Action Plan

Trim Record Number: D18/81048

Responsible Officer: Assistant Director Planning and Place Making

Purpose

1. The purpose of this report is to detail the next steps for development of a Community Greenhouse Action Plan (CGAP), responding to the 24 April 2018 Council resolution that:
 - (a) *“Council now receive a report to the May cycle of Council Meetings on a proposal for the development of a joint Yarra Council / Yarra Energy Foundation Community Greenhouse Action Plan, which could be ready for adoption by Council by early 2019; and*
 - (b) *“such report clearly identifies the respective roles of Yarra Energy Foundation and Yarra Council in the development and acquittal of the Plan.”*

Background

2. On 9 April 2018 at the request of Council, officers presented a report to Councillor Briefing outlining the feasibility of developing a CGAP.
3. This report outlined that Council could begin co-development of a CGAP with Yarra Energy Foundation (YEF), with a view to potential adoption by Council in early 2019.
4. At its meeting on 24 April Council resolved that a report be prepared for formal Council consideration (see above).
5. A CGAP would be a strategic document that states the need, options and recommended pathway for Council to support achievement of maximum greenhouse gas abatement across the municipality by a set time, and within a set / realistic budget. Note: where councils have carbon neutral aspirations for the community, this type of strategy and associated action plan has also been referred to as ‘Roadmap to Zero’ strategy or similar.
6. Co-development of a CGAP between YEF and Council could be undertaken which would also strengthen the ongoing working relationship between the two organisations.
7. The specific design, coverage, and focus of a CGAP is often unique to the municipality creating it. Consistent with the Council resolution of April, Council officers and YEF staff have developed a proposed Project Plan which identifies the recommended design as well as roles and responsibilities.
8. The proposed joint Yarra and YEF CGAP would:
 - (a) identify the current state, need, key challenges and opportunities to reaching zero net emissions in the Yarra Municipality as soon as possible;
 - (b) cover all emissions sources in Yarra (including stationary emissions, waste, and transport, and include emissions from Council);
 - (c) develop the long-term strategy (roadmap), targets, and strategic pathways to accelerate greenhouse gas reduction within Yarra, towards a future goal of zero net emissions;
 - (d) include key short-term actions with roles, responsibilities, budget, and greenhouse gas reduction potential. Where actions currently exist within YEF or Council strategies, it is expected that these would be referenced and referred to only;
 - (e) focus on the practical opportunities YEF and Council can lead, facilitate, support or directly influence to accelerate greenhouse gas reduction within Yarra;
 - (f) identify links, cross-over, and potential collaboration opportunities between Council and YEF and confirm roles and responsibilities;

- (g) review key opportunities and needs for others to take that can influence accelerated greenhouse gas reduction in Yarra;
- (h) include community and key stakeholder consultation and engagement in its development; and
- (i) be a shared strategic document, endorsed by both the YEF Board and Yarra Council.

9. The items expected to be out of scope include:

- (a) detailed articulation of actions and associated emissions sources already covered by existing Council and YEF's Strategies and Strategic Plan. Rather than re-writing these strategies and plans, the CGAP would be expected to simply discuss and refer to these as the implementation pathway; and
- (b) adaptation to climate change. Whilst interlinked, this strategy would be expected to focus on mitigation of greenhouse emissions, not adapting to the future impacts of climate change.

10. The project timeline that would be possible is:

April-June 2018	Project planning, data collection and internal (CoY) consultation
June-August 2018	Community consultation and engagement
August - September 2018	Draft Strategy development
October-November 2018	Review and update of Draft Strategy
November - December 2018	Final CGAP for endorsement (or exhibition) by Council and YEF Board
January - June 2018	<i>(if required)</i> Draft CGAP on exhibition, update, and endorsement.

11. The roles and responsibilities of YEF and Council in co-development of the CGAP would be as follows:

Yarra Energy Foundation	Yarra City Council
Project Management Lead	Project Management Support
Project Steering Committee Member	Project Steering Committee Member
Support Consultation and Engagement, including provision of Facilitator.	Support Consultation and Engagement, including provision of Communications expertise, design, venues, and catering as required.
Lead CGAP document development	Support CGAP document development
YEF Board to endorse CGAP	Council to endorse CGAP

External Consultation

- 12. External consultation for development of this report has occurred with YEF.
- 13. Endorsement of this report would lead to community consultation for development of a CGAP occurring within Yarra from June to August 2018.

Internal Consultation (One Yarra)

- 14. Internal consultation has occurred with key areas of Council who would be impacted by the GGAP development, including the Waste Minimisation and Economic Development teams.

Financial Implications

15. There are limited financial implications of approval of this report. Development of the CGAP would occur within existing staffing and budget resource meaning no additional budget is required. However, the limited staffing and budget to support CGAP development would need to be diverted from other activities.

Economic Implications

16. The CGAP would include emissions from businesses in Yarra and opportunities to support these businesses to reduce emissions. For the most part, actions which reduce emissions reduce ongoing business operational costs, proving positive economic benefits to Yarra.

Sustainability Implications

17. A positive sustainability outcome would be a prime objective focused on reducing greenhouse gas emissions with the City of Yarra as quickly as possible.

Social Implications

18. The CGAP would include a review of residential emissions reduction and opportunities for future programs to target different social elements with Yarra.

Human Rights Implications

19. There are no known specific human rights implications.

Communications with CALD Communities Implications

20. A Communications and Engagement Plan for the development of the CGAP would be reviewed by the Communications Team to meet corporate expectations.

Council Plan, Strategy and Policy Implications

21. The development of a CGAP would respond to Council Plan Strategy 3.3 to *Lead in sustainable energy policy and deliver programs to promote carbon neutral initiatives for the municipality.*

Legal Implications

22. There are no known legal implications.

Other Issues

23. Nil

Options

24. Council can decide to proceed with the development of a CGAP, or not.
25. The April 2018 Briefing Report identified that a joint approach with the Yarra Energy Foundation would be the best way to move this matter forward to advance greenhouse reduction actions and strategies in Yarra.

Conclusion

26. A CGAP would assist in accelerating greenhouse gas reduction in the City of Yarra Municipality (Yarra) towards zero net emissions.
27. Co-development of a CGAP between YEF and Council would be the preferred approach to formulate an effective document and also strengthen the ongoing working relationship between the two organisations.

RECOMMENDATION

1. That Council:
 - (a) note the officer report relating to the request by Council for a report on the development of a Community Greenhouse Action Plan; and
 - (b) note the outline of a program, and timings, should Council determine to proceed with the formulation of a Community Greenhouse Action Plan.
2. That Council resolve whether or not to commission a Community Greenhouse Action Plan.
3. That should Council determine to proceed with the development of a Community Greenhouse Action Plan, that Council resolve that it be jointly developed in partnership with the Yarra Energy Foundation.

CONTACT OFFICER: Michael Oke
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TEL: 9205 5723

Attachments

There are no attachments for this report.

11.4 WW1 Field Gun

Executive Summary

Purpose

To provide a report to Council on the status of a WW1 Field Gun in the Art & Heritage Collection and present options as to its restoration and installation or its de-accession and disposal.

Key Issues

Council owns a WW1 German Artillery Field Gun which had been in the Darling Gardens, Clifton Hill, since 1921 following its capture by Australian Troops and its installation by the former City of Collingwood as a “Trophy Gun”.

It was removed in 2013 following a member of the public climbing on it and being injured.

The Field Gun has been stored at the Burnley Depot since then and its material condition is deteriorating given the unsuitable environment; it remains a safety issue as it is still accessible by members of the public.

The Richmond RSL and other local community groups would like the Field Gun restored and re-installed in a public park, ideally in 2018 in time for the centenary of Armistice. There are Federal and State Government Grants available to assist these types of projects; the Victoria Remembers Major Grants Program opening 4 June and closing 27 August 2018.

Given its current condition and the public interest of this object, a Council determination of its future is being sought.

Financial Implications

The proposed cost for restoring and re-installing the Field Gun is approximately \$38,000. Majority of this may be covered through in kind support via the Richmond RSL’s Defence Force networks and associations as well as Government Grants. Council also has an annual Collection Maintenance budget of \$45,000 which could cover remaining or limited additional costs.

11.4 WW1 Field Gun

Trim Record Number: D18/73737

Responsible Officer: Unit Manager Arts, Culture and Venues

Purpose

1. To provide a report to Council on the status of a WW1 Field Gun in the Art & Heritage Collection and present options as to its restoration and installation or its deaccession or disposal.

Background

2. Council has a World War 1 Krupp Howitzer (150mm) Field Gun, (Field Gun), in its Art & Heritage Collection. It was captured from the German Imperial Army by Australian troops in 1918 on the Hindenburg Line in France. It has been 100 years since this event. These captured guns can be referred to as 'Trophy Guns'.
3. The Field Gun was installed in Darling Gardens, Clifton Hill from around 1921/1922 when City of Collingwood obtained it through the official allocation via the Commonwealth Trophy Committees and remained there for approximately 90 years.
4. There were three other guns gifted after World War 1 to the local city councils which make up Yarra (Fitzroy, Abbotsford and Richmond) and only this one remains. Many Trophy Guns have been lost either through neglect, theft or deliberate disposal due to historical perspectives as objects or relics of war.
5. The allocation of Trophy Guns was centred on the population for the towns and municipalities. The article in The Age at the time (see attachment) overviews the allocation process in Victoria, but of the 33 trophies available - after majority were given to the war museums - only six field guns were available and of these Collingwood received the largest. Across Australia the dissatisfaction with what was received was widespread, so Collingwood was well served.
6. Before the trophy was allotted certain conditions had to be agreed. The conditions required that three trustees should be appointed by the Council and that these trustees should sign an agreement to comply with the following conditions in respect of the relic: arrange for it to be permanently housed in a public park, garden or building within the town, whichever may appear most suitable, and for its subsequent preservation and safe custody.
7. After almost 90 years of being in the park, by the early 2010s the Field Guns condition had deteriorated, public safety standards had changed, and a routine Park Safety Audit identified the Field Gun as a potential hazard. The report suggested:

"Recommend removal of hazardous item or relocation to a fenced area where it may be viewed but not accessed by children. NB: The cannon, which is situated 2 m from pathway, is almost 2 m high but lacks any impact absorbing undersurface. In addition it is covered in jagged surfaces due to rust and has numerous areas of entrapment. If item not removed, repair hazardous jagged/rusted sections"
8. However, given the magnitude of the funds required to undertake works and the limitations of the maintenance budget allocated, \$15,000 per annum at the time to manage the entire collection of over 800 objects in the Art and Heritage Collection, no remedial works were done.
9. In 2013 a member of the public was injured whilst climbing the Field Gun and this prompted its immediate removal from Darling Gardens to Burnley depot.
10. The Field Gun was initially relocated to a secure area in the Burnley depot, however it has since been moved to a driveway and it is currently in an area accessible to the public. Commuter vehicles park illegally on the site and it has become again a risk to members of the public.

11. The Field Gun is also exposed to risk of theft and the weather; it is currently located under trees and directly on the ground on top of an accumulation of organic matter including dirt and leaves.
12. This has accelerated the rate of deterioration of the object. Crevices and cracks/voids in the Field Gun have also become full of dirt and therefore moisture, so the current environment is contributing its rapid corrosion.
13. Officers have been investigating suitable locations for the Field Gun to be moved to as a matter of urgency, however given the scale and complexity to move an item like this, and the need for a final decision on its future, it has remained in place at Burnley.
14. There is now an urgency to resolve the future of the Field Gun that is based on its current storage conditions and also a unique external funding opportunity related to the centenary of the Armistice in 2019.
15. Notably, there is significant community interest in the Field Gun.
16. Community groups including the Richmond RSL, Richmond & Burnley and Collingwood Historical Societies have been advocating to Council to have the Field Gun restored and reinstated for public display.
17. The Richmond RSL have requested and received in principle support from the Australian Defence Force (ADF) and relevant Veterans Associations to assist Council with the transport, storage and restoration of the gun.
18. An accompanying letter from Commanding Officer LTCOL Derek Snipe of the 4th Combat Service Support Battalion (Maygar Barracks, Broadmeadows) outlining this support is an attachment to this report.
19. The ADF have the logistical expertise and utility/support vehicles to move an object like this and also the mechanisms to catalogue and track the gun in storage as an incoming item owned by City of Yarra; it would be located in a secure warehouse only accessible to select members of the barracks.
20. The Richmond RSL have submitted an application for The Armistice Centenary Grants Program administered by the Department of Veterans Affairs on invitation from the Federal Member for Melbourne's office (all federal electorates have \$50k to distribute to projects in the Armistice year).
21. Council has also been contacted by other interested stakeholders. One enthusiast and member of an interest group has been compiling accurate information for a register of historical artillery guns as part of the Royal Australian Artillery Historical Company's online resource.
22. The advice was that while Australian WW2 25 Pounders are visible in many parts of the country (and regional towns); the WW1 trophy guns are much rarer.
23. In determining the future of the Field Gun, Council has a number of options:
 - (a) restore and re-install the Field Gun in Darling Gardens, Clifton Hill;
 - (b) restore and re-install the Field Gun in a new location, such as Barkly Gardens, Richmond;
 - (c) restore the Field Gun and find another storage site for the Field Gun;
 - (d) do not restore the Field Gun and find a new storage site for the Field Gun; and
 - (e) do not restore the Field Gun and propose to de-accession the Field Gun from Council's Art & Heritage Collection.

Option A: Restore and re-install the Field Gun in Darling Gardens, Clifton Hill

24. The Field Gun could be restored with support of the Richmond RSL through its Australian Defence Force connections and via federal or state funding sources. This includes logistical transport, temporary storage and overseeing repair and restoration works to the object to a standard suitable for conservation purposes and for public display.

25. It is acknowledged that safety, appropriate location and community expectations need to be considered in determining where and how the Field Gun is re-installed in a public setting.
26. Some existing WW1 guns are installed in the public realm including similar models outside Victoria Barracks in Melbourne and the near exact same gun is installed on a hill within a garden setting at Montmorency RSL in Melbourne.
27. There are public installations of similar guns and it is evident that suitable displays can be developed with safety, aesthetics, as well as reflective and historical qualities at the forefront. There are also employable devices to discourage people from climbing the Field Gun if installed in a park.
28. Council's Risk Management Unit has outlined the requirements to be met in order to approve the Field Gun being re-installed in any proposed public space.
29. These include: that the Field Gun be elevated on a plinth; that the Field Gun be securely attached to the plinth; that signage stating to not climb or touch the Field Gun be installed; that a garden bed surrounds the plinth and that a fence be constructed around the garden bed.
30. The narrative that the Richmond RSL and Arts & Cultural Services would want to highlight if the Field Gun is re-installed in the public realm is the rich symbolism it represents including Australian sacrifice and the silencing of war.
31. Additionally the history and story of the Field Gun would be highlighted including the capture of the weapon and its part in the final moments of the First World War through well researched and designed interpretive panels or signage.
32. A key part of this outcome would be the stabilization of a crucial item in a public collection and its renewed presentation in a thoughtful, engaging and contemporary way; it offers an opportunity to re-approach the presentation of historical artillery in parks, providing better context and community understanding (previously the Field Gun had no existing signage or didactic cues in its original installation).
33. As cultural and heritage practice continues to attest, objects such as these are not only engaging and educational - in this case from a technological and military perspective - but they are artefacts intrinsically linked to our past as a country and to individual stories which are no less significant; they also act as memorials to remind us of the deceased and prompt us to think about our future.
34. Darling Gardens in Clifton Hill is the original location of the Field Gun, having resided there from around the mid-1920s until 2013. Two maps of the Darling Gardens from 1930 & 1957 as an attachment to this report show the original position of the item.
35. Collingwood Historical Society have formally advised that they want to see the Field Gun re-instated in its original home in the Darling Gardens given its provenance and connections to the area.
36. They have also noted if the Field Gun was to go to another location, then appropriate interpretive signage outlining the history and original site in City of Collingwood.
37. The current 2015 Darling Gardens Master Plan does not make reference to the Field Gun. It has not been located there since it was removed in 2013.
38. Within the process of developing the recent Darling Gardens Master Plan, Council engaged with the community on three occasions, including a letterbox drop of 1800 residences. Across the multiple rounds of consultation Council received more than 300 submissions regarding design and functions of the Gardens, one (1) of which requested that the Field Gun be returned to Darling Gardens.
39. A previous City of Collingwood commissioned document, '*Darling Gardens Cultural Significance and Conservation Policies*' by Nigel Lewis Richard Aitken Pty Ltd (1993), makes reference to it as the 'cannon'. Under section 7.7 Buildings and structures, the report states 'Retain cannon in existing location'.

40. However, the Richmond RSL have expressed concern about the Field Gun being re-installed in the same location within Darling Gardens, principally around the following issues:
- (a) The former location is close to Hoddle Street, very busy with cars, trucks and trains and reduced the ability for this to be a place of reflection, commemoration and ceremony; and
 - (b) It also spreads the Yarra memorials rather than concentrates them, and reduces the impact of telling a richer story of these memorials. The view is a lone Field Gun in a large park would not be able to tell the same story as a memorial with an avenue of trees where ceremonies already take place each year.

Option B: Restore and install the gun in a new location, such as Barkly Gardens, Richmond

41. Should Council determine to restore and install the Field Gun in a new public location based on practical considerations, the same requirements for restoration and installation apply as in Option A.
42. Other locations Council could consider are Barkly Gardens and Edinburgh Gardens as they both have existing war memorials which would in some ways be an appropriate new location for the Field Gun.
43. Edinburgh Gardens is not recommended because of the problems the existing memorial already faces. The WW1 memorial in Edinburgh Gardens, quite a unique arbour, has had its original function greatly diminished by the electricity sub-station that was built directly adjoining the war memorial and the expansion of the bowling club buildings.
44. Barkly Gardens is a possible site. The Richmond RSL, in particular, has been actively advocating for the Field Gun to be restored and relocated to Barkly Gardens, in line with the existing ANZAC War Memorial where there are active community commemorations for the sacrifices made at war.
45. The 2006-2007 Master Plan for Barkly Gardens includes a reference to retain the existing memorial.
46. The installation of the Field Gun near the existing monument in Barkly Gardens would allow for a considered layout and reflective synergy between two linked assets that provide physical and emotional insights into World War 1 and its impact and connection on local communities.
47. The Brigade that captured the Field Gun (the exact battalion within that Brigade is difficult to ascertain due to inconsistent records) were made up of Victorian Troops, and in particular soldiers from the suburbs of Richmond, Collingwood and Fitzroy.
48. In general, the guiding principle for the maintenance of historical objects and buildings is not for it to be relocated, according to the Burra Charter: the Australia International Council on Monuments and Sites as the best practice standard for managing cultural heritage places in Australia.
49. The Burra Charter states: *"The physical location of a place is part of its cultural significance. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival."*
50. Council could conceivably argue that locating the Field Gun in another location is the sole practical means for ensuring its survival.

Option C: Restore and find another storage site for the Field Gun.

51. Council could secure external funding and in-kind support to restore the Field Gun and defer the decision of its permanent location.
52. At minimum, the Field Gun could be cleaned to conservation standards, including removing all the dirt and organic matter from the existing crevices/holes and doing some removal of the corrosion, through Council's annual Collection Maintenance budget or in-kind support.

53. The preservation of the Field Gun should be guided by Council's Collection Policy which outlines the responsibility to maintain and preserve objects in the Collection.
54. There are limited storage options for the Field Gun within Council properties. Ideally the Field Gun should be stored off the ground and under some cover, in a dry environment.
55. Council could explore other storage options such as using a specialist storage service which offers security and appropriate housing (as it does for a large heritage map of Richmond which is too large to be accommodated in house); this can be paid for on a rolling basis until a decision is made on its permanent home.
56. Council could also offer the Field Gun on loan in trust to an organisation such as the Richmond RSL through a Memorandum of Understanding. In this scenario, Council retains interest and control of the Field Gun and the Richmond RSL would work with 4 Brigade to restore and display the Field Gun at Simpsons Barracks in Greensborough.
57. Council would have the rights to recall the Field Gun at any future date and reinstate it in a setting it would see fit.

Option D: Do not restore the Field Gun and find a new storage site.

58. Council can opt to not restore the Field Gun and find a new storage solution for the object.
59. In this case it is still recommended to clean the Field Gun to a base level of conservation standards, including removing all the dirt and organic matter from the existing crevices/holes and doing some reversal of the corrosion to halt further deterioration of the object, through Council's annual Collection Maintenance budget.
60. The preservation of the Field Gun should be guided by Council's Collection Policy which outlines the responsibility to maintain and preserve objects in the Collection.
61. As per Option C, there are limited storage options for the Field Gun within Council properties. Ideally the Field Gun should be stored off the ground and under some cover, in a dry environment.

Option E: Do not restore the Field Gun and propose to de-accession the Field Gun from Council's Art & Heritage Collection.

62. Another option for the Field Gun is for it to be de-accessioned from Council's Collection.
63. The Collection Management Policy and Operational Guidelines call for all proposals for de-accession to be submitted to Council's advisory Visual Arts Panel (VAP) for its review and endorsement.
64. A formal de-accession proposal will be prepared for the Visual Arts Panel to consider if Council recommends this course of action. The proposal must include justification for the de-accession and the written recommendation of two experts.
65. Objects proposed for de-accession can only be proposed for de-accessioning if they meet one or more of the following criteria as outlined in section 8.3 in the Collection Management Policy:
 - (a) items that have no relevance to the Policy aims;
 - (b) certain items that are copies, duplicates or reproductions;
 - (c) certain items that are in poor condition or have suffered irreparable damage;
 - (d) items that have a legal ownership established as other than the Yarra Council; and
 - (e) irreparably damaged items with no known provenance.
66. The Field Gun status has already been canvassed with VAP and there was general support for de-accession should Council be able to secure an appropriate recipient, such as a public museum. However, VAP would only formally consider a de-accession at Council's initiation.

67. The Collection Management Policy outlines that: ‘De-accessioning is the process by which the City of Yarra may legally and officially dispose of Collection items. All proposals for de-accession are to be undertaken with great caution, thoroughness and consideration. De-accession is not a method for raising revenue. Money raised from the sale of de-accessioned works will be used generally for acquisitions or for the care and development of the Collection.’
68. If a decision of de-accession is made, then
- (a) Council will need to hold the object for 12 months as a cooling period before disposal can take place;
 - (b) Disposal could be in the form of:
 - (i) offering it to another institution;
 - (ii) sale; and
 - (iii) dispose as waste.
69. Appropriate disposal would be determined including offering it to a suitable museum, collecting institution or society. It is understood that the Army History Unit in Canberra is willing to accept Trophy Guns in order to preserve them and put them back on public display where possible. The Richmond RSL may be willing to accept the Field Gun and have indicated there may be some scope to have it displayed once their building is refurbished (a project currently underway).
70. Another option for de-accession is to sell the Field Gun and the market would determine the likely sale price. These items are rare and tied to Australia’s war history, however, and selling an object like this could also result in negative community and media interest.

External Consultation

71. The Richmond RSL and Richmond & Burnley Historical Society initiated discussions around this collection item during Council’s Remembrance Day planning and have provided ongoing feedback and advocacy throughout the scoping of this report and investigation into future options for the Field Gun.
72. The Collingwood Historical Society have been in contact with Arts & Cultural Services about the status of the gun on and off since its removal. They have advised their formal position that they want to see the Field Gun returned to the original site of Darling Gardens. If it was determined to install it elsewhere in another location in Yarra, they would like strong rationale for this and for interpretive signage to outline the original location and history of the Field Gun within Collingwood.
73. The process of developing the Darling Gardens Master Plan, Council engaged with the community on three occasions, including a letterbox drop of 1800 residences. Across the multiple rounds of consultation Council received more than 300 submissions regarding design and functions of the Gardens, one (1) of which requested that the Field Gun be returned to Darling Gardens.
74. Various stakeholders have been consulted throughout this process, including Kevin Browning, an artillery expert who is also the Director of Collections of the Royal Australian Artillery Historical Company who provided further information into the origins of the Field Gun, its importance and advice on its preservation and significance.
75. Mr Browning has noted about the Field Gun (full report attached): *‘Whilst no doubt the importance of the gun to Veterans goes without saying... if the history of the gun and what it really represents was known by the citizens then that importance would be held right across the whole community. It was the forebears of the citizens that put themselves in harm’s way and no doubt the families of those veterans sacrificed a great deal and underwent much fear for their loved ones. Council needs to...understand that the gun is not a symbol of war. It is a symbol of the sacrifices our forebears gave for the freedoms we so love and enjoy today.’*

76. A professional conservator was also consulted and engaged to provide a report to Arts & Cultural Services into the current condition of the Field Gun and steps for its material restoration and stabilisation.
77. The Field Gun was discussed at the VAP meeting on 5 April 2018 and the overall feedback was that the rightful home for such an object is a military/ war museum where it can be viewed by those who wish to see it, in a context that takes into account its history, value and significance, as well as more opportunities for scholarship and exhibition/education.
78. The VAP questioned whether a contemporary recreation space such as a park is the right setting for an object like a gun; this question is open for debate as parks continue to be a place of War Memorials and other monuments or art installations, as well as active and passive activity for the public.
79. It is also noted that Barkly Gardens and Darling Gardens are on the Crown Land Reserve List. Should Council decide to install the Field Gun in either of these locations, it would require a discussion with the Department Environment, Land, Water & Planning as the gun would come under their liability.
80. Should Council determine to re-install the Field Gun in a public location in Yarra, it is proposed to develop community information for distribution that explains the history and provenance of the Field Gun, and explains the rationale for returning this memorial to public display.

Internal Consultation

81. Arts & Cultural Services have consulted with relevant teams within the organisation including Open Space and Risk Management.
82. Open Space has given formal advice which in summary outlines that they do not approve of the Field Gun being installed in Barkly Gardens or any other park due to the safety risks and also the visual and spatial impact such an installation may have.
83. The formal response from Open Space is included as an attachment to this report.

Financial Implications

84. The preliminary budget estimated for the restoration and re-installation of the Field Gun is approximately \$38,000 for the sandblasting, historical reproduction paint, replica wheels (to replace lost wooden ones), structural drawings, re-installation including raised pedestal and fence, as well as design and implementation of interpretive elements.
85. The Grant (outcome pending) covers \$20,000 of this and the balance is covered mainly by in kind support via the RSL, Australian Defence Force and some support via the collection maintenance budget.
86. The cost break down for just the full restoration of the Field Gun - excluding the works required to reinstall it in a public park - would be approximately \$23,500 (with \$10,000 of that covered in kind through the RSL's networks and the rest covered through the Federal grant if successful).
87. It is noted that the \$38,000 is an estimate (though accurate with quotes) and if further landscaping was proposed, such as a garden bed around the elevated Field Gun, then that would add to the total project budget in the order of \$10,000.
88. Should Council elect to enter into a loan agreement with the Richmond RSL, then the transportation, restoration, storage and display costs would be borne most probably by the ADF.
89. If de-accession is proposed, then the current Collection Management Policy guides that items should be offered to a suitable museum or institution or sold to a willing buyer. The Collection Management Policy specifies that any profits from a sale of an object from Council's collection, goes back into Collection expenditure for maintenance of other items.

90. There would also be ongoing maintenance costs if Council keeps the Field Gun in its Collection which can be adequately funded through the annual maintenance budget.
91. There are also other funding opportunities available for the centenary of World War 1 and the State Government offers larger pools of funding for projects like this through the Victoria Remembers Major Grants Program opening 4 June and closing 27 August 2018. Applications can be sought for projects such as the creation of reflective or memorial spaces and memorials between \$30-80k.

Economic Implications

92. NA

Sustainability Implications

93. If the Field Gun is installed once again in one of Council's open spaces on permanent public display, there will be an impact on the landscape and it will reduce open space to some extent.

Social Implications

94. The object has clear connections to the civic and historical life of Collingwood and its community, as well as previous serving veterans, their families and descendants. The local RSL and Historical Societies have highlighted its physical, historical and spiritual importance, particularly in light of the Centenary milestone of WW1.
95. The Field Gun, if restored and re-installed in one of Yarra's open spaces, will be visible and accessible to the wider community and public. It will provide an opportunity for the object and its traumatic history to be democratically accessed, and as a result there are implications for local history and education for younger people (and broader sections of society) to learn about the past.
96. There will be members of the community and the public who do not want to see guns in the park as objects of war. There is a long tradition of displaying silenced weapons in public spaces in Australia and across the world and it is acknowledged that there can be differing views on this.

Human Rights Implications

97. NA

Communications with CALD Communities Implications

98. NA

Council Plan, Strategy and Policy Implications

99. The preservation of the gun should be guided by Council's existing Collection Management Policy which outlines the responsibility to maintain and preserve objects in the Art & Heritage Collection.
100. The de-accession or disposal of the Field Gun should also be guided by Council's Collection Management Policy.

Legal Implications

101. The Field Gun was removed in 2013 due to an incident with a member of the public being injured while climbing on it. As the gun was installed in a park owned by the State Government, Council would not be liable.
102. The Field Gun would need to meet stringent conditions to be considered safely installed in the future as outlined by Council's Risk Management team to minimize the risk of future incidents.

Other Issues

103. Council has limited storage capacity particularly for objects like this. The Burnley depot site is also scheduled for redevelopment in the near future so the Field Gun will need to be moved in the short to medium term.

104. Due to the safety risks surrounding the Field Gun's current location in the driveway at the old depot, it should be moved somewhere else urgently.
105. The ADF has officially offered logistical recovery and transport support to Council to take the Field Gun to a secure site at Broadmeadows Barracks for temporary storage while a decision is made.
106. The Richmond RSL has indicated it is willing work with the ADF to enter in loan arrangements with Council and take responsibility for the restoration, transport, security and display of the gun.
107. There might be strong community interest in this issue and also potential media interest and coverage.

Options

108. As outlined in paragraphs 23 to 65 of this report, the options available include:
 - (a) restore and re-install the Field Gun in Darling Gardens, Clifton Hill;
 - (b) restore and re-install the Field Gun in Barkly Gardens, Richmond;
 - (c) restore the Field Gun and find another suitable display or storage site for the Field Gun;
 - (d) do not restore the Field Gun and find a new storage site for the Field Gun such as the Broadmeadows Barracks; and
 - (e) do not restore the Field Gun and propose to de-accession the object from Council's Art & Heritage Collection.

Conclusion

109. The Field Gun is a rare and important part of Australia's history. Its allocation to the former City of Collingwood was one of civic pride.
110. After a significant public safety incident, and the strong message machines of war can be connected to, it is understandable for there to be concerns about returning such an item back to public display.
111. It is also true that Council acknowledges the sacrifices made by veterans through ceremony each year and actively preserves a number of war memorials, including the WW1 Memorial in Edinburgh Gardens, which is going through a restoration process currently.
112. There are some good examples of this type of object being on public display in parks and gardens, with the risks associated diminished sufficiently by safety and risk management measures being adopted.
113. The level of funding allocated to the maintenance of Council's collection makes it very difficult to effectively manage larger monuments and objects such as the Field Gun to ensure it is conserved and made safe. As such, external funding opportunities are key to restoring and reinterpreting these items to contemporary standards. Such funding is available now.
114. The Richmond RSL and local historical societies have emphasised the importance of having this item restored and made accessible to the community and greatly prefer to have the Field Gun installed in the public realm for its accessibility and historical/civic significance.
115. Whilst Richmond have expressed their interest to be another overseer and caretaker of the gun in partnership with Council if it is installed in Barkly Gardens; its priority is to return it to local public display in Yarra.
116. The Burra Charter recommends, where possible, for objects to be maintained at their original location.
117. On balance having considered the range of views and options, it is considered that Option B (Barkly Gardens, Richmond) is the preferred location on the basis that:
 - (a) retains the Field Gun in Yarra and on public display;
 - (b) consolidates the war memorial monuments in a location that already is a focus of community activity;

- (c) provides the most appropriate setting to honour the sacrifice made by Victorians 100 years ago; and
- (d) the Darling Gardens site does not provide a suitable setting for the Field Gun to be appreciated and utilised for commemorative events.

118. However, should Council not be able to find a solution to its future display, then entering into a loan agreement for the Field Gun with an appropriate organisation such as the Richmond RSL is an option. Storing the Field Gun without a plan for its public display is of no benefit to Council or the interested public.

RECOMMENDATION

1. That Council supports the WW1 Field Gun being restored and installed in Barkly Gardens, Richmond in a way that meets contemporary public safety standards and adds to the dignity of the existing memorial.
2. That interpretive signage be installed at both Darling Gardens and Barkly Gardens to explain the history and provenance of the Field Gun.
3. That prior to installation, community information is developed and distributed to explain the history and provenance of the Field Gun, and to explain the rationale for returning this memorial to public display.

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Attachments

- 1 Collingwood Gun Restoration.4 CSSB Correspondence.9 Mar 18
- 2 Report- Field gun 31-1-18
- 3 Collingwood Gun Background by Kevin Browning
- 4 Attachment for Report - Other WW1 Guns on public display
- 5 Darling Gardens Maps 1930 & 1957 showing Cannon location
- 6 Proposed new location of the field gun at Barkly Gardens

11.5 Council Membership of Regional Bodies

Trim Record Number: D18/93062

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To review and consider possible rationalisation of Council's membership of a number of regional bodies.

Background

2. In developing relationships and affiliations with other bodies, there logically needs to be an interest, but more importantly an identified ongoing benefit to the ratepayers of the City of Yarra in order to justify the considerable contributions, including financial, made by Council to those bodies whether by membership subscriptions and/or in some cases, considerable contributions to specific projects pursued by those organisations.
3. In order to ensure Council's funds continue to be allocated prudently, periodic reviews are conducted to ensure that the activities of regional bodies, organisations and partnerships continue to provide justifiable outcomes for the Yarra community. The last such review took place in March 2016 and Council subsequently cancelled its membership of the Northern Metropolitan Mayor's Forum and Northlink, effective 1 July 2016.
4. This review has focussed on the following four organisations to which Council pays an annual membership fee and/or project costs:
 - (a) Australian Local Government Women's Association;
 - (b) Inner Melbourne Action Plan Implementation Committee;
 - (c) Inner South Metropolitan Mayors Forum; and
 - (d) Municipal Association of Victoria (including the Australian Local Governance Association).

Australian Local Government Women's Association

5. The Australian Local Government Women's Association (ALGWA) is the peak body representing the interests of women in local government across Australia. The Association has branches in all states and the Northern Territory, and seeks to assist in furthering women's knowledge, understanding and participation in the function of local government.
6. The ALGWA operates on a formal basis as an incorporated association, with a minor secretarial function provided by one of its members on a fee for service basis. Of note is that the membership is open to anyone, and includes Councillors, local government officers, former councillors, Councils and intending local government candidates.
7. The aims of ALGWA are:
 - (a) to assist in furthering knowledge and understanding of the function of local government;
 - (b) to encourage women to participate in local government;
 - (c) to encourage women to make a career in local government;
 - (d) to watch over and protect the interests and rights of women in local government;
 - (e) to take action in relation to any subject or activity affecting local government and local government legislation; and
 - (f) to act in an advisory capacity to intending women candidates for local government election.

8. The City of Yarra is a 'Council' member of ALGWA Victoria, and is represented by a Councillor appointed each year (currently Cr Coleman). In 2017/2018, the annual membership fee for ALGWA Vic was \$360.
9. Officers advise that the aims and objectives of the organisation are consistent with Council's strategic priorities, and the annual fee is modest, with little in the way of other cost associated with participation (Council staff do not participate in the association). On this basis, **it is recommended membership of the ALGWA be continued.**

Inner Melbourne Action Plan Implementation Committee

10. The Inner Melbourne Action Plan Implementation Committee (IMAP) is a collaborative partnership between the Cities of Melbourne, Port Phillip, Stonnington, Yarra and Maribyrnong.
11. The IMAP operates on a formal basis, with the City of Stonnington providing secretarial services, paid for by each of the member Councils. The Committee has a unique legal status in that it comprises five identical Council committees, each one constituted by the respective member Council under s86 of the *Local Government Act 1989*. This enables the committee to have delegated authority to make decisions in relation to the implementation of the Inner Melbourne Action Plan. The IMAP does not have authority to authorise expenditure beyond its budget as approved by member Councils each year.
12. From Yarra's perspective to date, the IMAP has proven to be effective in building coordinated approaches to many social, economic and environmental issues of concern to all five member Councils which are geographically proximate and have many attributes in common.
13. In 2014, the IMAP Councils determined to review the Inner Melbourne Action Plan. This was in response to the inclusion of Maribyrnong City Council and the publication of the State Government's new strategic planning policy "Plan Melbourne" which identifies its 'central subregion' around the five IMAP Councils.
14. The new Inner Melbourne Action Plan was adopted by the five IMAP Councils on 28 June 2016.
15. In addition to the ongoing implementation of the Inner Melbourne Action Plan, the IMAP undertakes a range of specific issue projects. Some recent examples of these projects are:
 - (a) IMAP StreetCount of rough sleepers;
 - (b) IMAP Crowded Places Working Group; and
 - (c) IMAP Census of Land Use and Employment (CLUE) project.
16. The City of Yarra is a member of the IMAP, and is represented by the Mayor and the Chief Executive Officer. In 2018/2019, Council's commitment in relation to Yarra's membership of the IMAP will be \$95,000.
17. Officers advise that the aims and objectives of the IMAP are consistent with Council's strategic priorities. On this basis, **it is recommended membership of the IMAP be continued.** In the event of the proposed replacement *Local Government Act 1989*, being enacted and the IMAP conducted a consequential review of its governance structure, it would be recommended Council at that time, give further consideration to the value of ongoing participation.

Inner South Metropolitan Mayors Forum

18. The Inner South Metropolitan Mayors Forum (ISMMF) is a similar collaborative effort – this time of the Councils of Bayside, Boroondara, Glen Eira, Kingston, Port Phillip, Stonnington and Yarra. The City of Melbourne (a foundation member of the Forum), withdrew their membership in 2014.
19. ISMMF operates on a formal basis with regular meetings facilitated by a third party secretariat, but does not have any legal status as a stand-alone entity. As a result, any action recommended by the Forum requires ratification by respective member Councils.

20. The forum undertakes advocacy and strategic planning in areas of mutual concern among member Councils, with a focus on:
 - (a) Planning and development;
 - (b) Transport, cycling and walking;
 - (c) Open space and sporting facilities; and
 - (d) Waste and sustainability.
21. In addition to the pursuit of the ISMMF strategic plan, members also collaborate in the management of specific issue campaigns. In some cases, participation in this work comes at an additional cost to members. Some recent examples of these campaigns are:
 - (a) ISMMF Graffiti Campaign;
 - (b) ISMMF Infrastructure Assessment (Yarra did not participate in the first stage of this project as it duplicated work already completed by Council); and
 - (c) ISMMF Evaluation of Plan Melbourne Refresh.
22. The Forum is provided with secretarial services by a third party company jointly contracted by each of the seven member Councils, with costs shared between them. In addition to these ongoing secretarial services, additional services are contracted in relation to specific issue campaigns on a fee for service basis.
23. The City of Yarra is a member of the ISMMF, and is represented by the Mayor and the Chief Executive Officer. In 2017/2018, expenditure in relation to Yarra's membership of the Forum will be approximately \$12,000 plus any funds expended on joint programs undertaken by the Group from time to time.
24. Officers advise that the aims and objectives of the ISMMF are consistent with Council's strategic priorities, but in many ways duplicate those of the IMAF. Further, the ISMMF is more geographically disparate than the overlapping area covered by the IMAF, with the City of Yarra being the only municipality north of the Yarra River. The departure of the City of Melbourne in 2014 has meant the Forum is less focussed on issues unique to the inner city, with the City of Yarra finding pressures associated with such as housing affordability, residential amenity, homelessness, antisocial activity, traffic congestion, public transport and cycling are not felt to the same extent by other members (aside from perhaps the City of Port Phillip).
25. On this basis, **it is recommended membership of the ISMMF not be extended beyond 30 June 2018** and that Council instead focus its resources on membership of the IMAF.

Municipal Association of Victoria

26. The Municipal Association of Victoria (MAV) is Victoria's peak body for municipal Councils.
27. The MAV operates on a formal basis as a body corporate established under the *Municipal Association Act 1907*. The MAV is governed by an elected Board (elected by all Councillors from financial member Councils) and a State Council (comprising the appointed representatives of each financial member Council).
28. In addition to its representative, advocacy and policy development role, the MAV provides specific services to its membership in the areas of insurance, procurement, asset management, information technology and a range of specific areas. While much of the work of the MAV is funded by financial member contributions and government grants, some projects require additional investment from participating Councils on a fee for service basis.
29. In addition, members of the MAV automatically become members of the Australian Local Government Association (ALGA) – an organisation which provides representation of local government on national bodies and Ministerial Councils, providing submissions to Government and parliamentary inquiries, raising the profile and concerns of Local Government at the national level and providing forums for Local Government to guide the development of national Local Government policies. The ALGA's signature event is the National General Assembly of Local Government – an event in June each year at which

Councils across Australia come together in Canberra and debate motions and actions of national significance.

30. While the legislation does not enable the City of Yarra to cease its membership of the MAV, it is possible to change status to a 'non-financial member', which has the same effect in that a membership fee is not payable and Council would no longer be able to participate in activities or take advantage of most of the services of the MAV.
31. The City of Yarra is a financial member of the MAV, and is represented by Cr Searle, with Cr Fristacky as a substitute. In 2017/2018, membership of the MAV was \$50,376.57.
32. Officers advise that the aims and objectives of the MAV are consistent with Council's strategic priorities. On this basis, **it is recommended membership of the MAV be continued.**

External Consultation

33. No external consultation has been undertaken in the development of this report.

Internal Consultation (One Yarra)

34. No internal consultation has been undertaken in the development of this report.

Financial Implications

35. Withdrawal of membership of any of the bodies described in this report will result in an saving to Council of the membership fees, as well as (in some cases) staff costs associated preparation for and attendance of periodic meetings.
36. As membership to these organisations is committed on a financial year basis, savings would commence from 1 July 2018.
37. The recommendations in this report, if taken up, will result in savings of approximately \$12,000 (plus additional expenditure incurred from time to time re additional projects undertaken by the Group) for withdrawal from the ISMMF.

Economic Implications

38. Any economic implications of withdrawing membership from these regional bodies have not been considered in the development of this report.

Sustainability Implications

39. Any sustainability implications of withdrawing membership from these regional bodies have not been considered in the development of this report.

Social Implications

40. Any social implications of withdrawing membership from these regional bodies have not been considered in the development of this report.

Human Rights Implications

41. Any human rights implications of withdrawing membership from these regional bodies have not been considered in the development of this report.

Communications with CALD Communities Implications

42. No external communication has been undertaken in the development of this report.

Council Plan, Strategy and Policy Implications

43. The City of Yarra Council Plan 2018-2022 includes the strategy "*ensure Council's assets and financial resources are managed responsibly to deliver financial sustainability*". A regular review of all items of significant expenditure is necessary in order to ensure that Council is making appropriate investments.

44. A further strategy is “*maintain a culture of transparency, governance, ethical practice and management of risks that instils a high level of community respect and confidence in Council decision-making*”. This strategy is particularly relevant in that it closely mirrors the objectives of the ALGA and the MAV.

Legal Implications

45. There are no legal implications of withdrawing membership from these regional bodies, apart from the need to formally notify the respective organisations of Council’s decision.

Other Issues

46. Nil.

Options

47. To review:
- (a) and rationalise Council’s memberships of organisations (especially those requiring financial contributions); or
 - (b) and retain the current memberships.

Conclusion

48. That from an efficiency and financially prudent perspective and having regard to current financial challenges and the need to ensure limited finances are being directed to the Council’s priority projects and services, Council could consider withdrawing its membership from the Inner South Metropolitan Mayor’s Forum.

RECOMMENDATION

1. That Council:
- (a) note the report; and
 - (b) having considered the report options, determine to cancel its membership of the Inner South Metropolitan Mayors Forum, effective from 1 July 2018.

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Attachments

There are no attachments for this report.

11.6 Report on Assemblies of Councillors

Trim Record Number: D18/84378

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide a report on Assemblies of Councillors.

Background

2. The *Local Government Act 1989* (The Act) requires that ... "The Chief Executive Officer must ensure that the written record of an Assembly of Councillors is, as soon as practicable:
 - (a) reported at an ordinary meeting of the Council; and
 - (b) incorporated in the minutes of that Council meeting.....".
3. This report includes all Assemblies of Councillors reported to the Governance Department at the cut-off date that have not already been reported to Council. Assemblies held prior to the cut-off date that are not included here will be included in the next report to Council.

Consultation

4. Not applicable.

Financial Implications

5. Not applicable.

Economic Implications

6. Not applicable.

Sustainability Implications

7. Not applicable.

Social Implications

8. Not applicable.

Human Rights Implications

9. Not applicable.

Communications with CALD Communities Implications

10. Not applicable.

Council Plan, Strategy and Policy Implications

11. Not applicable.

Legal Implications

12. The Act requires the above information be reported to a formal Council Meeting and also be recorded into the Minutes of the Council.

Other Issues

13. Not applicable.

Options

14. Nil.

Conclusion

15. That Council formally note and record the Assemblies of Councillors report as detailed in **Attachment 1** hereto.

RECOMMENDATION

1. That Council formally note and record the Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

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Attachments

- 1 Assemblies of Council Report - June 2018