

Ordinary Meeting of Council Agenda

**to be held on Tuesday 6 March 2018 at 7.00pm
Collingwood 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.

www.yarracity.vic.gov.au

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 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)
- Lucas Gosling (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)
- Fred Warner (Group Manager – People, Culture and Community)
- Mel Nikou (Governance Officer)

Apology

- Cr Danae Bosler

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

4. Confidential business reports

Item

- 4.1 Contractual matters
- 4.2 Contractual matters
- 4.3 Personnel matters

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act* 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of:
 - (a) contractual matters; and
 - (b) personnel matters.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act* 1989 until Council resolves otherwise.

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 20 February 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	Edinburgh Gardens North Precinct Update	7	10	Justin Hanrahan – Manager Open Space and Recreation
11.2	Property Strategy	59	63	Ivan Gilbert – Group Manager Chief Executive's Office
11.3	Submission to the Exposure Draft of the Local Government Bill 2018	72	75	Ivan Gilbert – Group 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

Item		Page	Rec. Page	Report Presenter
12.1	Notice of Motion No 2 of 2018 - Review Fees for Community Garden Spaces	100	102	Misha Coleman - Councillor

13. Urgent business

Nil

11.1 Edinburgh Gardens North Precinct Update

Trim Record Number: D18/36014

Responsible Officer: Manager Open Space and Recreation

Purpose

1. To update Council on the results of consultation on the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan and to seek endorsement of the final Edinburgh Gardens Northern Precinct Playground Plan.

Background

2. At the Council meeting on 19 December 2017, Council resolved as follows:
 - (a) *notes the officer report in relation to the Edinburgh Gardens North Precinct and playground update;*
 - (b) *notes and thanks the community for their contribution to the discussion on the proposed developments for both the northern precinct and the playground upgrade;*
 - (c) *endorses the final Edinburgh Gardens Northern Precinct Plan as shown in Attachment 4;*
 - (d) *endorses in principle the Edinburgh Gardens Northern Precinct Playground Upgrade Plan as shown in Attachment 5;*
 - (e) *authorises officers to commence detailed design for the playground upgrade works, provide a further report to Council covering how some suggestions raised in the consultation have been incorporated into the detailed design, and advise those who have participated in the consultation process the opportunity to provide further input into that detailed design;*
 - (f) *be advised on how the extensive queuing on weekends and other times of high demand, the existing multiple toilets in the Emely Baker Building and Cricket Pavilion can be re-designed to enable their public use to meet the needs for additional toilets in Edinburgh Gardens, while ensuring security to prevent access to the rest of the buildings when only the toilets need to be available for public toilet use; and*
 - (g) *be advised on proposed timeframes for the redevelopment of the other facilities scoped for the Northern Precinct.*
3. In response to resolution (b) and (e), Council officers prepared a further draft plan for the north precinct playground, thanked previous submitters for their involvement, and provided them the opportunity for to have their say on the revised plan.

External Consultation

4. Community members who participated in the consultation around 'Edinburgh Gardens North' during October 2017 were contacted on 1 February 2018, and invited to provide feedback on the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan by 14th February 2018.
5. Participants were directed to the 'Enhancing Edinburgh Gardens' Your Say Yarra page which contained:
 - (a) a consultation report; outlining the consultation methodology, the key themes that emerged and how the feedback from the consultation influenced the draft plans;
 - (b) a consultation summary report; a one page document capturing the key messages from the report;
 - (c) a link to the Council resolution;
 - (d) an updated Edinburgh Gardens Northern Precinct Plan; and

- (e) a final concept plan for the playground upgrade. (Attachment 1).
- 6. The consultation material for the second round of consultation can be found in Attachment 2.
- 7. A total of 6 submissions were received, with most expressing support for the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan. The verbatim responses from the consultation along with the officer response can be viewed in Attachment 3.
- 8. Key changes to the plan in response to feedback from the community includes the following:
 - (a) provision of shade to the playground;
 - (b) additional tree planting;
 - (c) addition of play structures for infants and younger children;
 - (d) removal of equipment deemed to be less popular to accommodate more nature play as requested; and
 - (e) addition of a sand play area.

Public toilets in Edinburgh Gardens

- 9. Having regard to the Council resolution of 19 December 2017, officers have investigated the opportunity to review toilet provision in the Gardens, in particular, utilisation of toilets within the Emely Baker building and the Alfred Crescent pavilion and can advise as follows:
 - (a) provision of public toilets in Edinburgh Gardens is sufficient for the vast majority of days each year and, in order to reduce operating costs, half of the toilets at the northern facility are closed Monday-Friday over winter months;
 - (b) officers understand that in peak periods, the number of permanent toilets do not meet peak demand. For this reason, portable toilets are brought into the Gardens for the period December – March. The installation and hire cost of these temporary facilities is approximately \$8,400 for this period, with additional cleaning and servicing costs of approximately \$340 per week;
 - (c) the general public does not have access to toilet facilities at either the Emely Baker building, or the cricket pavilion. Both buildings are used by community groups through a booking process and the cricket pavilion is in use during the majority of days experiencing peak use (i.e. weekends between October and March);
 - (d) vandalism and misuse of public toilets is one of the most problematic issues facing public land managers and toilet facilities are designed to be robust as a consequence;
 - (e) the internal facilities of these buildings are not adequate for public toilets and the layout is such that to reconfigure the toilets to make them public accessible would make them inadequate for community use; and
 - (f) officers have identified public safety concerns within the sports pavilion if the toilets were publicly accessible due to the presence of cubicles for showers and toilets. As a result, redesigning the cricket pavilion facility would necessitate the removal of partitions and showers and would mean the facilities would not meet the desired service level for organised sport for both genders.

Internal Consultation (One Yarra)

- 10. Internal consultation was undertaken with the following areas:
 - (a) the Advocacy and Engagement unit to work through a plan for community engagement on this project;
 - (b) each of the branches within Recreation and Open Space Branch were involved in the development of the plans; and
 - (c) consideration of options for toilet provision within the Gardens was discussed with the Asset Management and Building Projects teams.

Financial Implications

11. The City of Yarra 2017/18 capital works budget includes \$400,000 for works associated with the design and construction of a new playground in the north of Edinburgh Gardens, as shown in Attachment 1. It is expected that the majority of this budget will be utilised by 30 June 2018.
12. Subject to funding being made available, a preliminary estimate and timeline for the other possible works in the Edinburgh Gardens North Precinct is provided in Table 1 below.

Projects for Edinburgh Gardens North Precinct	Cost estimate	Estimated time for completion
Tree planting	\$10,000	2018/19
Activity precinct consultation and design	\$75,000	2020/21
Basketball half-court construction	\$35,000	2021/22
Relocation of table tennis table	\$5,000	2021/22
Construction of skate and BMX park expansion	\$775,000	2021/22
Park infrastructure and furniture (drinking fountains, seats, etc.)	\$25,000	Ongoing as part of project delivery and regular park upgrade works.
TOTAL	\$925,000	

Table 1 – Project timeline

13. Future projects proposed in the Edinburgh Gardens North Precinct Plan would be subject to available funding applied for as part of the annual capital works bids process.

Economic Implications

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

Sustainability Implications

15. The proposal includes new tree planting and this would provide carbon sequestration benefits and contribute to a reduction in the urban heat island effect.
16. Recycled and sustainable materials would be used for the playground works where possible.
17. The existing playground equipment would be recycled and/or repurposed where possible.
18. Other items associated with the playground would be removed and recycled where possible or disposed of in an environmentally responsible way.
19. Excess soil from the project would be re-used on site where possible to minimise the need for disposal.

Social Implications

20. The new playground would provide better play facilities which complement the playground in the south of Edinburgh Gardens and allow increased usage and opportunities for social interaction.

Human Rights Implications

21. There are no human rights implications associated with this project.

Communications with CALD Communities Implications

22. Consultation materials 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

23. The final Edinburgh Gardens Northern Precinct Playground Upgrade Plan is supported by the following:

- (a) Council Plan 2017-2021: A Healthy Yarra:
 - (i) Strategy 1.1 - *“Maintain and enhance Yarra’s open space network to meet the diverse range of community uses”*.
- (b) Urban Forest Strategy (2017):
 - (i) Target – *“Canopy cover in Yarra will increase by 25% (from 2014 levels) by 2040”*
- (c) Draft Edinburgh Gardens Master Plan (2004):
 - (i) Objective 6.2.2 - Activities and Recreation;
 - (ii) Objective 6.2.3 – Infrastructure and Built Fabric; and
 - (iii) Objective 6.2.4 – Landscape; and
- (d) Draft Edinburgh Gardens Conservation Management Plan (2004):
 - (i) 6.4 - General Conservation Policies, including Use and Public Access; New Buildings and Elements; Skate Park; and, Playgrounds.

Legal Implications

24. Edinburgh Gardens is covered by a Heritage Overlay (HO213), accordingly a town planning permit would be required for removal of existing infrastructure. With regards to construction of new infrastructure, an opinion on whether a planning permit is required would be sought on a case by case basis.

Other Issues

25. No issues.

Options

26. There are two options for consideration by Council:
- (a) Option 1 - Endorse the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan and authorise Officers to proceed to preparation for construction; and
 - (b) Option 2 – Direct officers to review the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan and present the updated plan to Council for endorsement at a future date.

Conclusion

27. There has been support for the revised playground upgrade plan, in particular the addition of shade and the incorporation of more nature play opportunities.
28. Other parts of the Edinburgh Gardens North Precinct Plan (as outlined in paragraph 12 above) could be funded by Council in future budgets.

RECOMMENDATION

1. That Council:
- (a) notes the further officer report regarding the Edinburgh Gardens Northern Precinct Playground Upgrade Plan;
 - (b) notes and thanks the community for their contribution to the discussion on the revised playground upgrade plan;
 - (c) endorses the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan (refer Attachment 1); and
 - (d) notes that \$400,000 in funding is available in the 2017/18 Open Space Capital Works Budget and authorises officers to commence construction works on the upgrade of the Edinburgh Gardens north playground.

CONTACT OFFICER: Julia Mardjuki
TITLE: Open Space Planner
TEL: 9205 1427

Attachments

- 1** Edinburgh Gardens North Final Playground Concept Plan
- 2** Edinburgh Gardens North Precinct - consultation material February 2018
- 3** Edinburgh Gardens North Precinct - verbatim responses consultation February 2018

Attachment 1 - Edinburgh Gardens North Final Playground Concept Plan



PLAYGROUND UPGRADE - FINAL CONCEPT PLAN



LEGEND

- 1 New BBQ area
- 2 New playground
- 3 Nature play areas
- 4 Grassed mound
- 5 New seats
- 6 New picnic tables with chess/ game designs incorporated
- 7 Drinking fountain
- 8 BBQ
- 9 Bins
- 10 Sand play area
- 11 Planted buffer

- Existing tree
- New tree
- Soft fall mulch
- Paving
- Grass
- Grass mound
- Safety zone
- Shade sails

EQUIPMENT

A Activity unit



B Triple swing



C Basket swing



D Spinner



E Trampoline



F Activity unit



WHAT'S DIFFERENT?

- Reconfigured BBQ area and a clearer separation from the playground
- Shade sails have been added
- More nature play areas have been added by removing equipment deemed to be less frequently used
- New toddler activity unit catering to younger age groups (from 6 months)
- Additional seat
- More tree planting
- Additional entry point to the playground

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

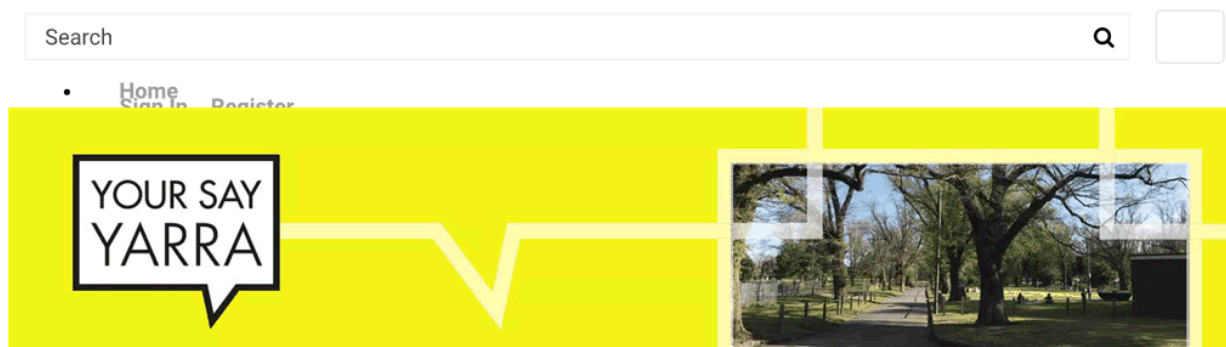
Attachment 2: Enhancing Edinburgh Gardens Consultation Material February 2018

1. Your Say Yarra Page
2. Consultation report; outlining the consultation methodology, the key themes that emerged and how the feedback from the consultation influenced the draft plans.
3. Consultation summary report; a one page document capturing the key messages from the report.
4. Final concept plan for the playground upgrade.
5. Updated Edinburgh Gardens Northern Precinct Plan.

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

2/21/2018

Enhancing Edinburgh Gardens: Northern Precinct and Playground | Your Say Yarra



Home » Enhancing Edinburgh Gardens: Northern Precinct and Playground

Enhancing Edinburgh Gardens: Northern Precinct and Playground

Update

Thank you to everyone who contributed to our recent conversations around enhancing Edinburgh Gardens. +

Community feedback helped us make a range of improvements to our draft plans.

You can view a [summary of the feedback](#) or a [more detailed report](#).

Council Resolutions – 19 December 2017

After considering all community feedback, Council endorsed the Draft Northern Precinct Plan (a high-level plan to guide future works in the northern area of the park). View the [Endorsed Northern Precinct Plan](#).

At the same meeting Council endorsed 'in principle' the Draft Playground Concept Plan (a more detailed plan for an improved playground within the northern area of the park) and called for further detailed design work and feedback from previous submitters.

View the [Council resolution](#).

Another chance to have your say

We have since made a number of refinements to our Draft Playground Concept Plan and published it on our project page. View the new [Draft Playground Concept Plan here](#).

We now invite previous submitters to view and comment on the revised plan before **Wednesday 14 February**.

Please send your comments to info@yarracity.vic.gov.au (subject line: Enhancing Edinburgh Gardens) or contact the Open Space Planning and Design team on 9205 5555.

Council will consider your additional feedback before making a final decision.

<https://www.yoursayyarra.com.au/eg-north>

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Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

2/21/2018

Enhancing Edinburgh Gardens: Northern Precinct and Playground | Your Say Yarra

Original text

Help us shape North Fitzroy's largest community space.

After consulting with park users in 2016, we have developed two draft plans.

- The Draft Northern Precinct Plan is a high-level plan to guide future works in the northern area of the park.
- The Draft Playground Concept Plan is a more detailed plan for an improved playground within the northern area of the park.

We are now seeking your feedback on the draft plans, which can be viewed here. Your contributions will help ensure that Edinburgh Gardens remains a great place to meet, play and relax.

Draft Northern Precinct Plan

This is a high-level plan to guide future works in the northern area of the park. Key features of the Draft Northern Precinct Plan include:

- The playground has been moved further south and integrated into the natural setting of the park, clear of the tree protection zones of the existing trees.
- The BBQ area has been relocated to the north of the playground and will provide more tables and incorporate game elements such as chess.
- An activity precinct which will include the relocated table tennis table, a new basketball half-court and expanded skate/BMX facility has been nominated.
- Redundant fencing (no longer required following the removal of the carpark and demolition of International House) will be removed.
- Increased open space for passive recreation opportunities.
- More tree planting.

All proposals are subject to future budget and planning processes, with the exception of playground improvements which are funded in the 2017/18 capital works budget.

Draft Playground Concept Plan

The Draft Playground Concept Plan is a detailed plan for an upgraded playground within the northern precinct. Key features of the Draft Playground Concept Plan include:

- New location away from Alfred Crescent and clear of existing mature trees.
- More integration with natural play elements.
- New equipment with more play opportunities.
- Retained focus on equipment for younger age groups (to complement the play opportunities offered in the southern playground).
- New picnic and BBQ area.

The proposed works are funded in the 2017/18 capital works budget.

Learn more and have your say

The draft plans can be viewed on this page and you can provide feedback via [our submission form](#).

<https://www.yoursayyarra.com.au/eg-north>

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Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

2/21/2018

Enhancing Edinburgh Gardens: Northern Precinct and Playground | Your Say Yarra

Info session

If you have questions about the draft plans, we invite you to join us Saturday 18 November 2017 in the BBQ area of Edinburgh Gardens north. Drop in any time from 10–11.30am to ask questions and provide feedback.

Consultation closes 5pm, Tuesday 28 November 2017.

Next steps

Feedback received will inform updates to the draft plans. The Draft Northern Precinct Plan will be presented to Council for adoption and the Draft Playground Concept Plan will then be finalised by officers.

All proposals are subject to future budget and planning processes, with the exception of playground improvements which are funded in the 2017/18 capital works budget.

SURVEY

CLOSED: This survey has concluded.

Enhancing Edinburgh Gardens - Submission Form

Your feedback on the Draft Northern Precinct Plan and Draft Playground Concept Plan will help ensure that Edinburgh Gardens remains a great place to meet, play and relax.

[Complete Form](#)


Document Library

 [Endorsed Edinburgh Gardens Northern Precinct Plan \(1.09 MB\) \(pdf\)](#)

 [Draft Edinburgh Gardens Playground Concept Plan \(795 KB\) \(pdf\)](#)

 [Community Feedback Summary \(497 KB\) \(pdf\)](#)

 [Detailed Community Feedback Report \(4.73 MB\) \(pdf\)](#)

 [Council Minutes Extract - 19 December 2017 \(153 KB\) \(pdf\)](#)

[more..](#)

<https://www.yoursayyarra.com.au/eg-north>

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Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

2/21/2018

Enhancing Edinburgh Gardens: Northern Precinct and Playground | Your Say Yarra

Key Dates

Info session
18 November 2017

Consultation closes.
28 November 2017

Additional background

Previous community feedback

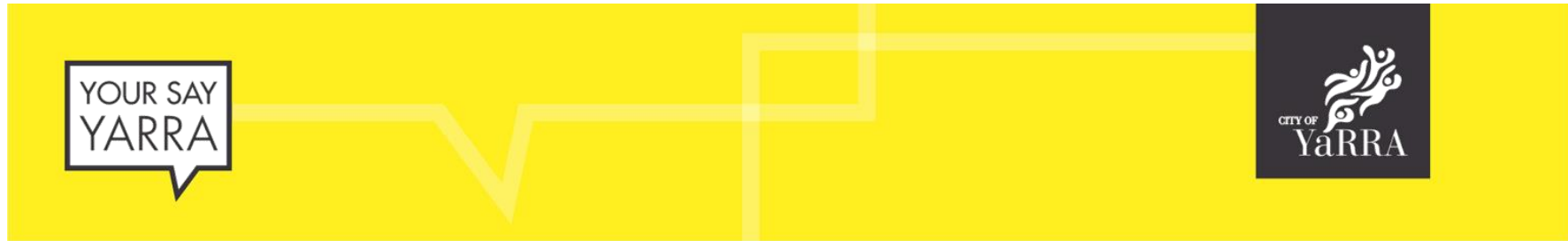
Life Cycle



<https://www.yoursayyarra.com.au/eg-north>

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Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018



ENHANCING EDINBURGH GARDENS 2017 CONSULTATION SUMMARY

What we asked...

We presented two concept plans to the community based on feedback provided in 2016. One for the northern precinct of Edinburgh Gardens and one for the playground upgrade. We asked the community:

- What level of support they had for both plans - high, moderate or unsupportive?
- What elements of the plans were supported?
- What elements of the plans could be improved and how?

How we asked...

- Letter drop to 1,270 residents in the adjoining area.
- Signs placed in various locations around the northern precinct.
- On-site meeting to gather feedback.
- Your Say Yarra project page - 1,100 visits.
- North Fitzroy Primary School and Fitzroy High School were invited to provide feedback.
- 47 participants from the 2016 consultation were contacted directly via email to provide feedback.
- Social media post via Council's Facebook page to inform Yarra's online community of the consultation - 9,543 views 520 engagements (likes, shares, etc).

Who responded...

- 65 via Council's Your Say Yarra Page.
- 5 responded directly to Officers via email.
- 20 people attended Council's on site meeting with 14 providing written feedback.

WHAT YOU TOLD US....

Northern precinct concept plan

- 88% overall support for the draft plan.
- The relocation of the playground and the expanded skate park were the most supported items.
- Additional toilets was the main suggestion for improvement.
- The refurbishment of the Emely Baker building to better address the park was also suggested.
- Additional park infrastructure such as drinking fountains, exercise equipment, a fenced dog run area as well as other items were also requested.

Playground upgrade concept plan

- 82% overall support for the draft plan.
- The choice and variety of equipment was supported.
- The trampoline was the most popular piece of equipment.
- More shade was the main suggestion for improvement.
- More trees and natural play areas were also requested.



For information in your language, please call 9280 1940 and quote the REF number below. | 欲知粵語版本的資訊，請致電9280 1932並報上下列REF號碼。 | Για πληροφορίες στα Ελληνικά, παρακαλούμε καλέστε το 9280 1934 και αναφέρετε τον αριθμό REF παρακάτω. | Per informazioni in italiano siete pregati di chiamare il numero 9280 1931 e di citare il numero di riferimento (REF number) sottoindicato. | 欲知普通话版本的信息，请致电9280 1937并报上下列REF号码。 | Para información en castellano, llame al 9280 1935 y cite el número de REF. De más adelante. | Để biết thông tin bằng tiếng Việt, xin hãy gọi số 9280 1939 và nói số REF dưới đây. | للمعلومات باللغة العربية، يرجى الاتصال هاتفياً بالرقم 9280 1930 والإشارة إلى رقم المرجع REF المذكور أدناه. | REF 17229

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018



Edinburgh Gardens - northern precinct

COMMUNITY ENGAGEMENT OUTCOMES OF THE DRAFT NORTHERN PRECINCT PLAN AND PLAYGROUND UPGRADE PLAN

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

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Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

INTRODUCTION

The development of the new North Fitzroy Community Hub, Bargoonga Nganjin and the demolition of International House along with its associated carpark in Edinburgh Gardens provides an opportunity for Council to review the layout of that section of the gardens and seek community feedback on how it can best be developed to meet community needs over time.

Outcomes of a consultation held in 2016 were used to develop two draft plans; an overall plan for the northern precinct and a more detailed playground upgrade plan. These plans were then presented to the community in November 2017. This report presents the outcomes of the second round of consultation and analysis of the feedback received. This feedback has been used to develop final plans for the area.



Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

BACKGROUND

A preliminary round of consultation was held in mid-2016 to gather ideas from the community on how they wanted to see the area developed and to identify their priorities.

HOW WE CONSULTED IN 2016

A letter drop to 1,170 local residents
Signs placed around the northern precinct
An on-site consultation session
A Your-Say-Yarra Project page

CONSULTATION QUESTIONS

Following the demolition of International House and its associated carpark, what should this land be used for?

With the existing playground nearing the end of its lifespan, how should this playground be upgraded and improved?

Given the forthcoming vacancy at the Emely Baker Building, what should this venue be used for?

KEY THEMES

Park infrastructure

Additional green space in the park.
Expansion of the skate park.
Improved BBQ and picnic area.
Provision of a basketball half court.
Provision of chess tables.
Improvements to cycle/pedestrian paths.

Playground

More nature play opportunities for the playground.
Catering to younger age group.
Provision of more shade in the playground.

Buildings

Demolish International House building and the carpark (which was viewed as dangerous).
Convert the Emely Baker building (old Maternal Child Health centre) to a community space.

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

COMMUNITY ENGAGEMENT 2017

Consultation on the draft Edinburgh Gardens Northern Precinct Plan and the draft Playground Upgrade Concept Plan was held from 2 to 28 November 2017. The plans were developed based on the feedback received during the 2016 consultation and themes that emerged.

EDINBURGH GARDENS NORTH PRECINCT PLAN - DRAFT



Legend

- 1 Old playground area (to be removed)
- 2 Proposed new BBQ area
- 3 Old table tennis table (to be relocated)
- 4 Proposed new playground area
- 5 Possible expanded skate and BMX area
- 6 Existing skate and BMX area
- 7 Possible new active play area (half court basketball and table tennis)
- 8 Public toilets
- 9 Emely Baker building
- Existing infrastructure (to be removed)
- Tree protection zone
- Existing tree

Key features

Relocating the playground so it sits outside of the existing tree protection zone and further away from Alfred Crescent.

Returning the existing playground area to open space.

Retaining and protecting the existing significant trees on site and planting additional trees.

Expanding the skate and BMX park.

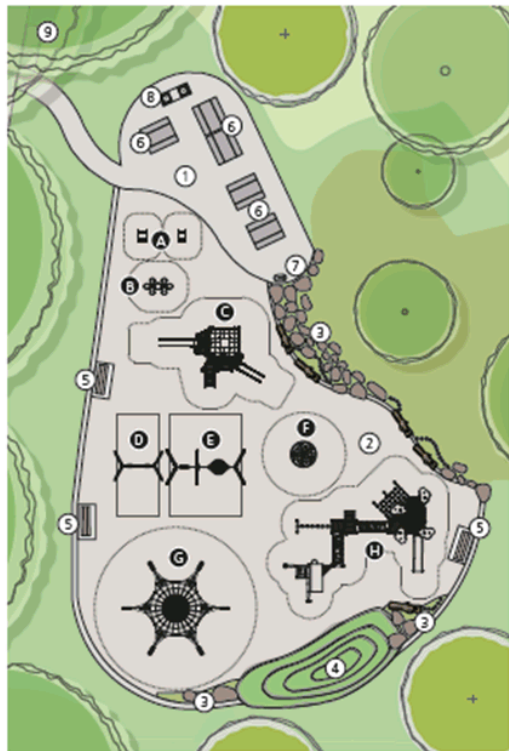
Relocating and expanding the existing BBQ area so it sits north of the playground and is located closer to the proposed passive recreation area and future Emely Baker Community Space.

Including and consolidating an 'active precinct' by adding a half-court basketball court and relocating the existing table tennis table to that area.

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PLAYGROUND UPGRADE CONCEPT PLAN - DRAFT

This playground functions as a small playground for the local community which complements the regional playground in the South of Edinburgh Gardens. The equipment selected provides alternate play opportunities and is open to the park.



- 1 New BBQ area
- 2 New playground
- 3 Nature play areas
- 4 Grassed mound
- 5 New seats
- 6 New picnic tables with chess/game designs incorporated
- 7 Drinking fountain
- 8 BBQ
- 9 Bins

- Existing tree
- New tree
- Soft fall mulch
- Paving
- Grass
- Nature play areas
- Grass mound
- Safety boundary

Key features

Expanding the playground footprint.

Adding nature play opportunities to the playground.

Increasing the play value of the playground with new and improved equipment.

Moving the playground away from Alfred Crescent and removing the need for a perimeter fence.

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

HOW WE CONSULTED IN 2017

Letter drop to 1,270 residents in the adjoining area.

Signs placed in various locations around the northern precinct.

On-site meeting to gather feedback.

Your Say Yarra project page. 1,100 people visited the site and 455 of these visitors downloaded project resources.

North Fitzroy Primary School and Fitzroy High School were invited to provide feedback.

47 participants from the 2016 consultation were contacted directly via email to provide feedback.

Social media post via Council's Facebook page was made to inform Yarra's online community of the consultation, with 9,543 people reached.

CONSULTATION QUESTIONS

What is your level of support for the projects – high, moderate or unsupportive?

What elements of the plans you support?

What elements of the plans could be improved and how?

General demographic data:

- postcode
- relationship to the park;
- whether you have children who use the existing playground and how frequently.



PARTICIPATION

Community responses were received in the following ways:

- 65 via Council's Your Say Yarra Page
- 5 responded directly to Officers via email
- 20 people attended Council's on site meeting with 14 providing written feedback
- 9,543 people viewed our promoted Facebook post generating 520 engagements (likes, shares, clicks, etc).

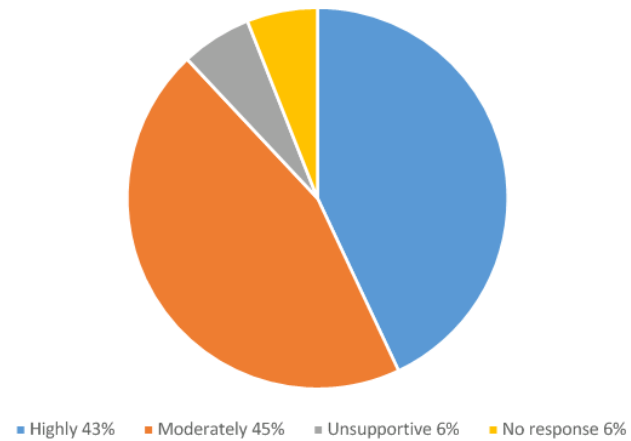
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ANALYSIS

Analysis of the feedback has focussed on the 84 responses received via the Your Say Yarra page, emails and the on-site meeting. Facebook comments have been noted but as users did not respond to the specific questions and did not respond directly to the proposals, they have not been included in the analysis.

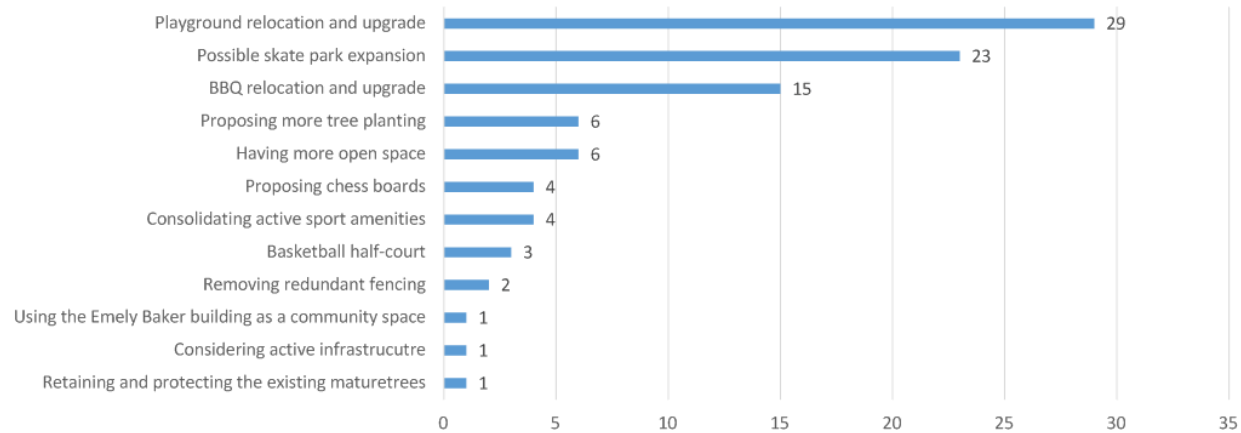
DRAFT NORTH PRECINCT PLAN ANALYSIS

88% support for the draft northern precinct plan



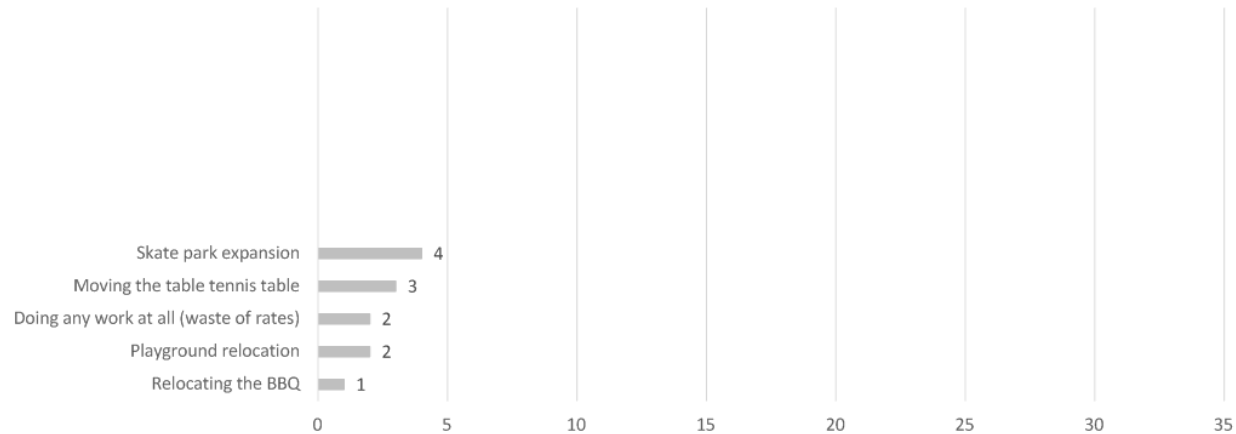
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Themes supported in the draft northern precinct plan out of 84 responses



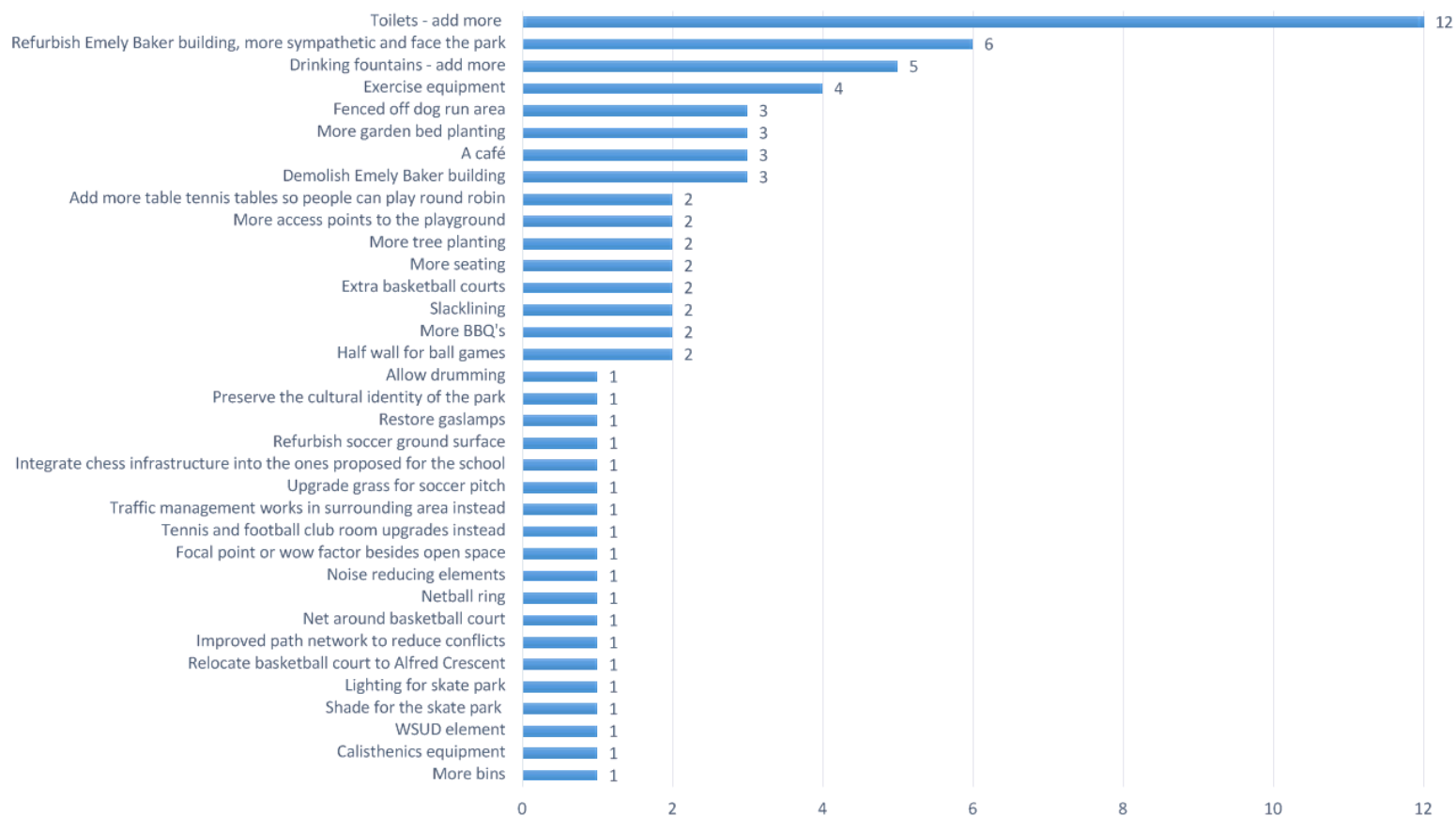
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Themes not supported in the draft northern precinct plan out of 84 responses



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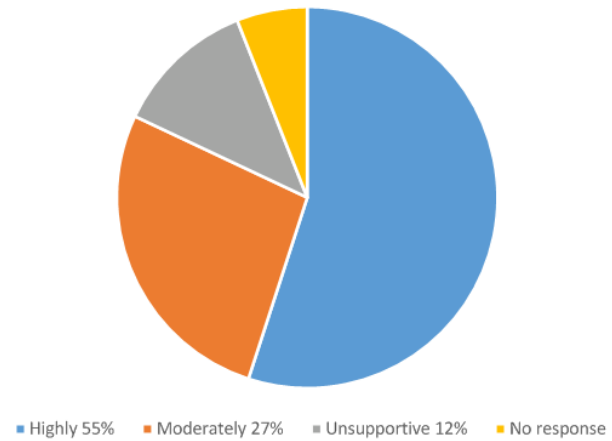
Improvement suggestions for the draft northern precinct plan - out of 84 responses



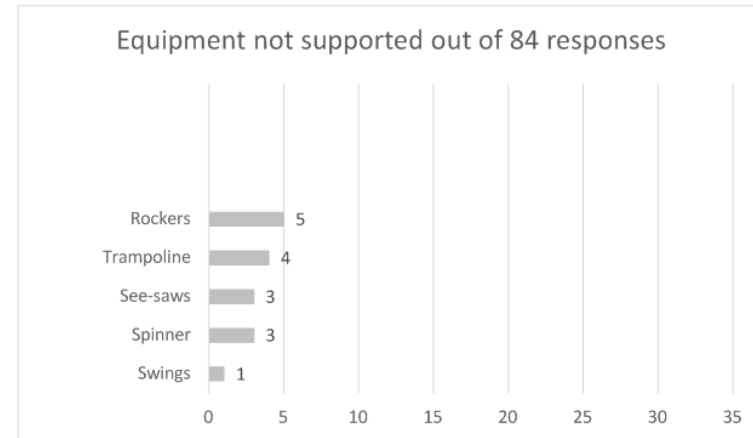
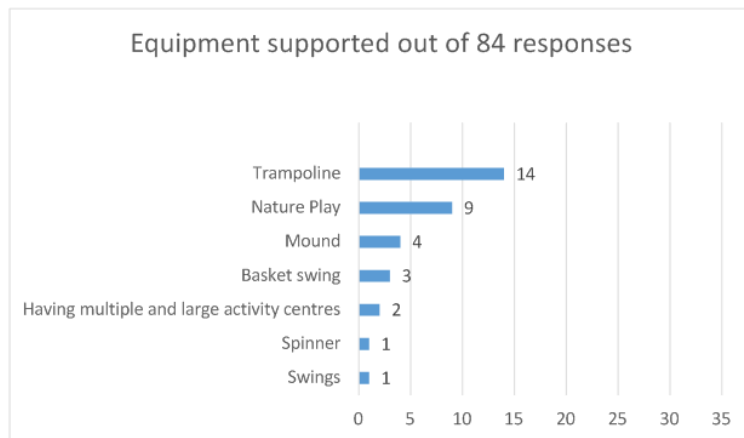
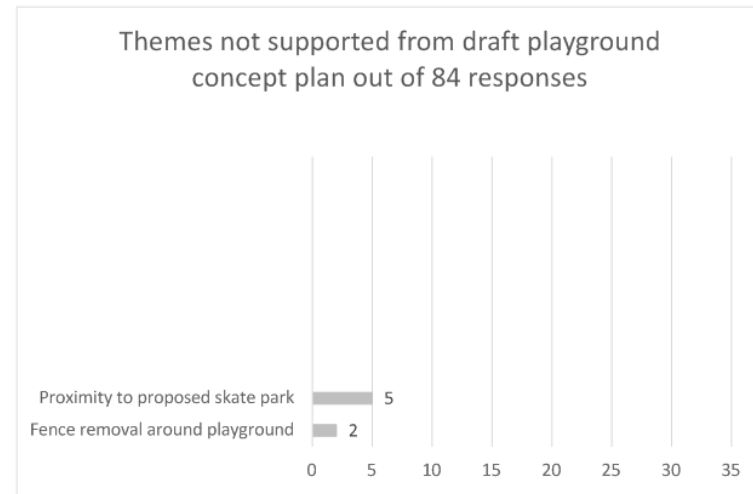
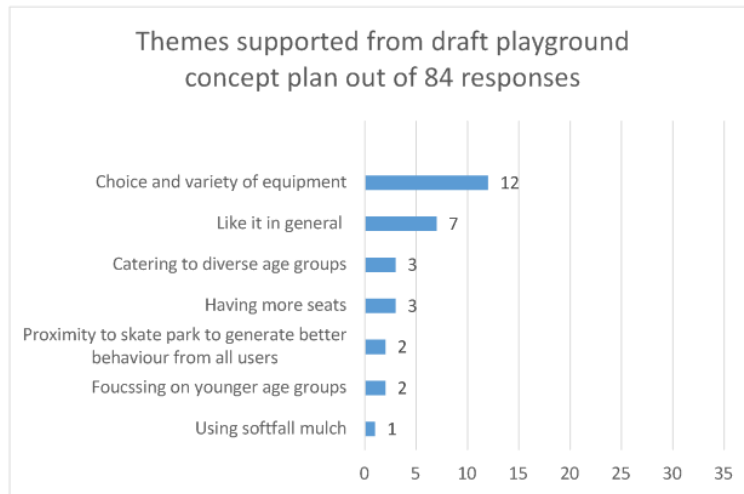
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DRAFT PLAYGROUND CONCEPT PLAN ANALYSIS

82% support for the draft playground concept plan

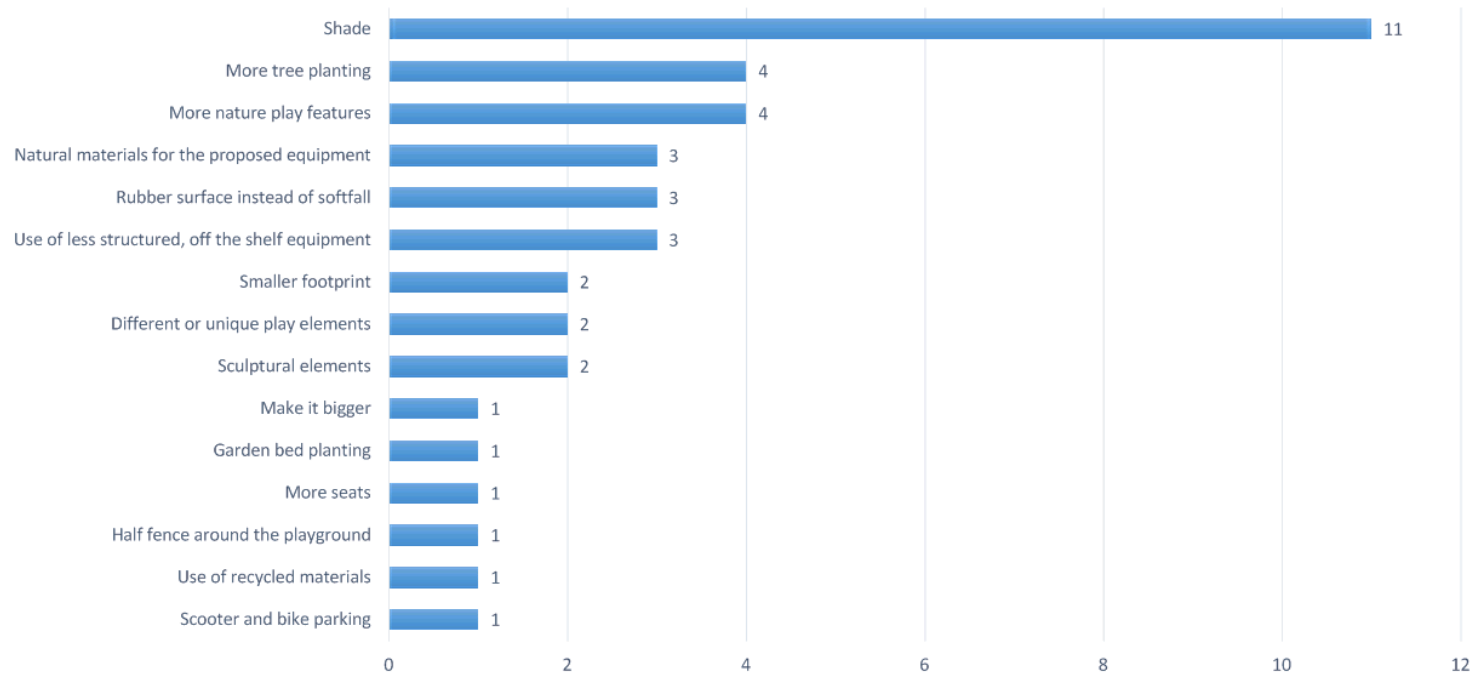


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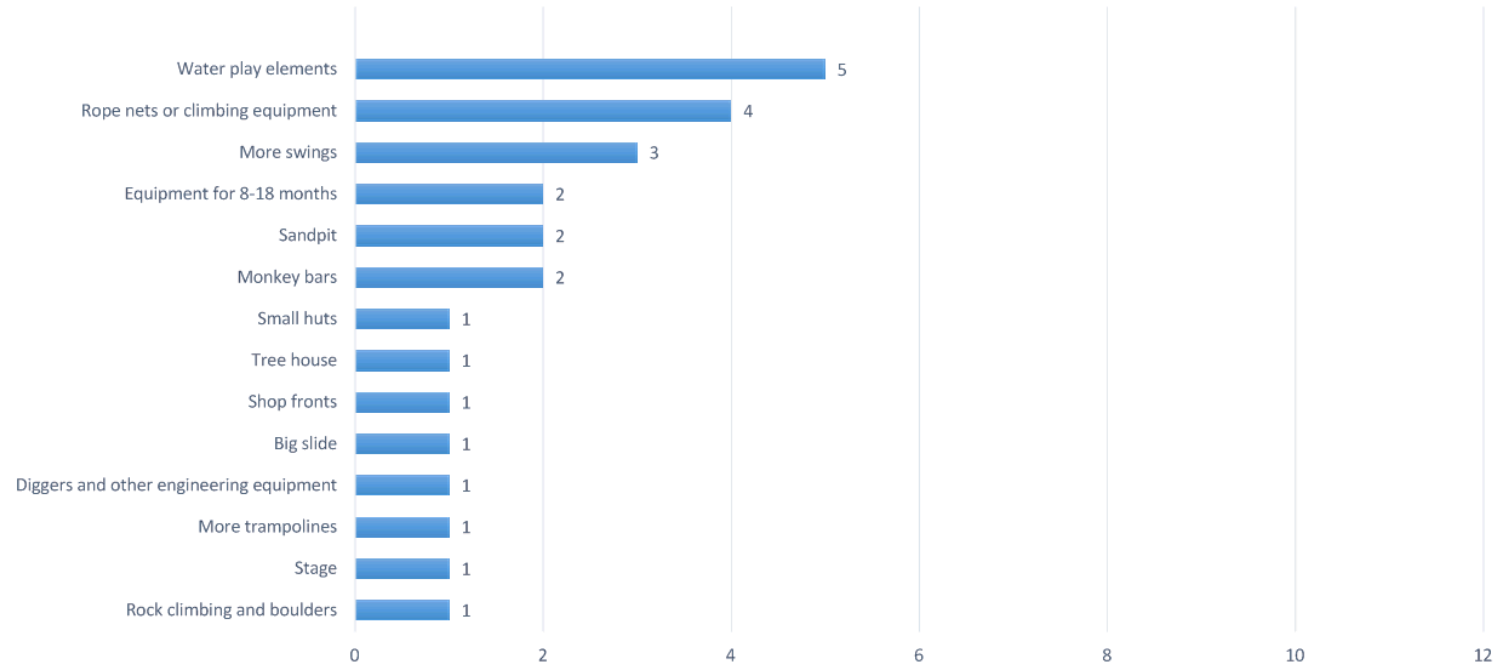
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Themes suggested to improve the draft playground concept plan out of 84 responses



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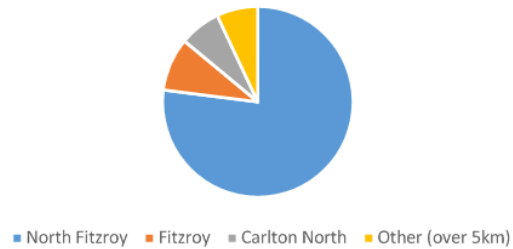
Equipment requested to improve the draft playground concept plan out of 84 responses



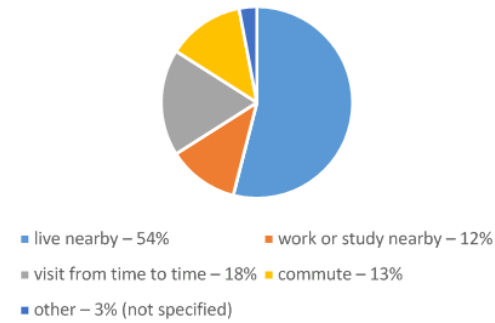
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DEMOGRAPHIC ANALYSIS

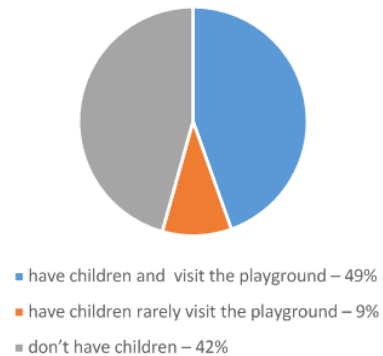
Suburb



Connection to Edinburgh Gardens



Have children and frequency of visits



Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

OUTCOMES

The data generated from the feedback was used in the following ways:

Northern precinct plan

Creating a larger buffer between the playground and proposed skate park area.

More tree planting

Requests for park infrastructure will be addressed as future projects are implemented.



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Playground upgrade plan

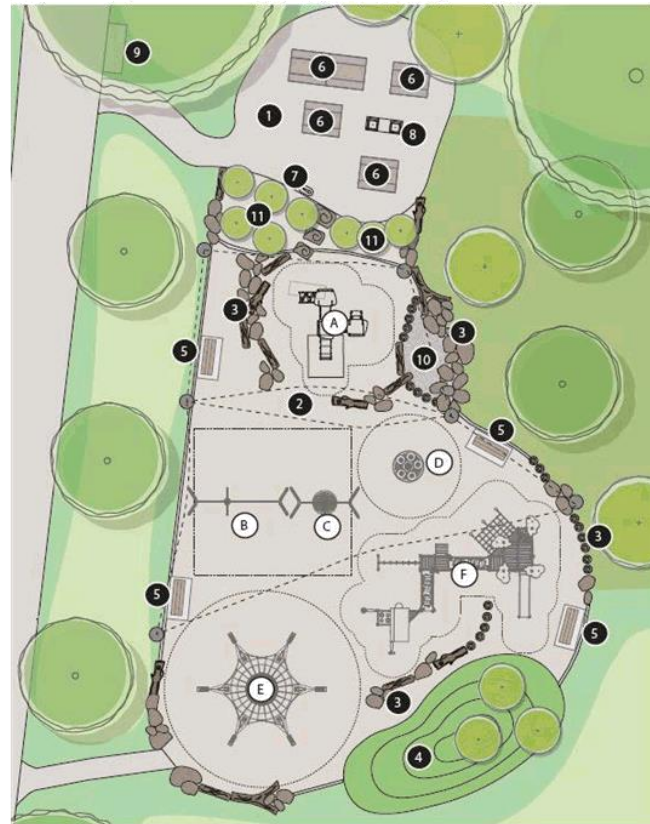
A new shade structure will be added over the playground.

More nature play opportunities have been incorporated into the design.

More planting around the playground and greater separation between the playground and skate park areas.

An additional entry point.

Equipment catered to younger age groups (from 6 months).



LEGEND

- 1 New BBQ area
- 2 New playground
- 3 Nature play areas
- 4 Grassed mound
- 5 New seats
- 6 New picnic tables with chess/ game designs incorporated
- 7 Drinking fountain
- 8 BBQ
- 9 Bins
- 10 Sand play area
- 11 Planted buffer

- Existing tree
- New tree
- Soft fall mulch
- Paving
- Grass
- Grass mound
- Safety zone
- Shade sails

A Activity unit



B Triple swing



C Basket swing



D Spinner



E Trampoline



F Activity unit



Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

ITEMS REQUESTED FOR THE PLAYGROUND AND HOW THEY HAVE BEEN ADDRESSED

Community feedback	Outcome
Need for shade	A new shade structure will be designed and installed over the playground area, aligned with Council's Shade and Recreation Policy.
More nature play opportunities	More nature play elements and natural elements such as logs, boulders and steppers will be incorporated into the design and developed further during the detailed design phase.
More trees	More trees will be planted around the playground to provide amenity and future shade.
Playground surfacing	To align with the nature play focus of the playground, softfall mulch will be used.
Requests for water play elements	Due to the nature of this playground as a small local play area, water play will not be incorporated. In a playground environment, potable water will need to be used, or chemically treated for use and re-use, this contradicts Yarra's sustainable ethos.
Ropes and climbing equipment	These items are provided in the southern playground and will not be replicated in the new northern playground.
Stage	
Sand play area	A sand play area has been added to the final concept design.
Fencing	Most responses have indicated support for removing the playground fence. A natural buffer will be provided around the playground.
Less off the shelf equipment	More natural elements can be incorporated into the nature play areas. The best value for money equipment with play opportunities that comply with Australian standards will be met through using high quality off the shelf equipment.
Add sculptural elements and focal elements	This is a small local playground within a popular and culturally significant park. Sculptural elements will need to be considered in the context of the broader gardens and it is not feasible based on the function of the playground and the available budget.

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APPENDIX - VERBATIM RESPONSES

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

Community engagement November 2017 - verbatim 'Your Say Yarra' responses

No.	Date of contribution	Survey Response									Are you responsible for children and, if so, how often do they visit the existing playground?
		postcode?	connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?		
1	Nov 02 17 05:10:59 pm	3068	I live nearby	Highly supportive	Expansion of the heavily used bmx and skate facility is critical. The existing ramps are significantly over-crowded, and need lighting for evening use, similar to the basketball/tennis/football courts in the park.	Provide lighting for the skate/ Bmx park to be lit until midnight in summer, 10pm in winter	Unsupportive	none	The existing playground is perfectly acceptable. I accompanied my 3 year old nieces there recently and they had a great time. The existing play equipment is aesthetically pleasing and has a retro 1990s appeal. Upgrading this playground is unnecessary and a waste of council rate payers money which could be directed towards expanding the desperately overcrowded skate and bmx ramp.	Don't have children	
2	Nov 02 17 08:54:46 pm	3068	I live nearby	Moderately supportive	The extension to the skate park if it includes an area for younger children to scoot (most try in the larger skate bowl which isn't safe) An extra basketball court	Actually really enjoy the current playground and don't see a lot of change with the new one other than an extra set of swings (which is a good idea) - could be cheaper just to install another set of swings though :) Given the findings from the Australian Child Health Poll regarding the safety of trampolines, I'm not sure this is a good addition to the playground - would prefer safety be a top priority of playground planning	Moderately supportive	Nature play areas Extra set of swings 2 activity centres - must have monkey bars (which current plan does) as the local kids are nuts about monkey bars courtesy of a school program run in the local primary across the road.	Australian Child Health Poll suggests trampolines are not safe for children and advises against them. I can't tell from the design of this but I would prefer this not to be in the park as it will be very hard to stop multiple children from jumping on at the same time (the poll found that most injuries occurred when multiple children used trampolines at the same time)	Have children – regularly visit the playground	
3	Nov 03 17 10:12:18 am	3054	I live nearby	Moderately supportive	Chess	More tree planting	Highly supportive	Diversity of ages	Remove spinner. Traditional monkey bars would be good.	Have children – regularly visit the playground	
4	Nov 04 17 10:09:19 am	3068	I live nearby	Moderately supportive	I like the proposal of a new bbq area, extension of skate park and addition of half basketball courts	I think the playground is not well positioned as it is lacks natural shade	Unsupportive	Not applicable	I think the playground requires some more thought. It appears to be unfenced and has no shade - natural or otherwise. I am a mother of twins and the old playground, being fenced meant that I could take my twins there as babies/toddlers which reduced my risks of isolation and therefore postnatal depression. I think it is important to uphold public spaces which enable mothers (parents) to meet other families, while feeling their children are safely enclosed. I also note the playground does not appear to have any shade, increasing the likelihood of sunburn and heatstroke. The other playground in Edinburgh Gardens also lacks natural and artificial shade and is therefore unused during the hot part of the day in summer-time. It would be better for the playground designers to consider ways to introduce shade if this was the position of the new playground, as the existing playground in the north side of the park has ample natural shade. It would be a great shame for future young families in this area, if this feature was overlooked.	Have children – regularly visit the playground	

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		postcode?	connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
5	Nov 04 17 05:56:27 pm	3068	I live nearby	Moderately supportive	Moving and improving the playground, removing the old building next to skate park	I would love to see a cafe! This would generate a great deal of interest I believe and give the park a European feel. If it was within eyesight of the childrens play area it gives parents somewhere to sit and enjoy the park even more. I do believe this would improve the ambience and also attract extra visitors and locals who may not normally use the park, a lovely place to sit back and enjoy the surrounds, as well as hopefully giving a small business opportunity, for inspiration look no further than the small cafes in Lisbon parks eg. https://www.google.com.au/maps/place/Clara+Ca%C3%A9/@38.715928,-9.123737,3a,75y,90t/data=!3m1!1e2!3m6!1sAF1QipMwE9d9gkP7OMZxQEDTuPxF5UEmKfV97yHQxU%3Dw129-h86-k-no!7!1280!853!4m5!3m4!1s0xd19338aca6cce!7!0xb45e856d363dab2d!8m2!3d38.7159279!4d-9.1237371	Highly supportive	A good chance to improve the older playground and move it away from potentially dangerous mature gum trees	Cafe! Question below needs another category, my children are teenagers, did use to visit playgrounds often when younger	Have children – rarely or never visit the playground
6	Nov 07 17 09:23:30 pm	3068	I live nearby	Moderately supportive	Placement of playground, bbq areas, skate park etc.	Removal of Emely Baker building. Toilets without graffiti on it.	Highly supportive	Variety of activities	Some type of rock climbing activity, more natural play features such as big borders to climb on	Have children – regularly visit the playground
7	Nov 09 17 07:20:00 pm	3068	I live nearby	Moderately supportive	The upgraded playground.	I would like to see some form of fitness equipment put in. They seem to be available in most councils around Brisbane and Sydney and even many Melbourne councils but not Yarra.	Moderately supportive	Upgraded playground.	something more inspired akin to the sculpture playground in the Hakone Sculpture Park in Japan https://www.tripadvisor.com.au/LocationPhotoDirectLink-g298171-d320696-14778477	Have children – regularly visit the playground
8	Nov 10 17 10:36:28 pm	3068	I live nearby, I visit from time-to-time, I commute through the park	Unsupportive	Removal of old playground and old facilities	The current plans are just updates of outdated, conventional ideas on play in public open space. I would scrap virtually all of them and undertake a much more considered, thoughtful approach that actually achieves the objectives of a modern strategy like the recent "Playground Strategies" published by local governments. E.g. http://www.greaterdandenong.com/documen/25762/playground-strategy For example: - Unstructured, imaginative play spaces and equipment, not conventional single-purpose equipment that can be found everywhere else (rockers, see-saws, swings, spinners, etc) - The area should be designed for maximum use in all seasons with overhead cover of at least part of each space (picnic, playground) that is waterproof and also doubles as shade protection. The natural ground should also be designed to be quick drying and interspersed with artificial surfaces that are very fast drying so the area can be used in winter	Unsupportive	None	- Play equipment should be unstructured and imaginative not single-purpose equipment that exists in all other conventional playgrounds. For example, a sandpit should be a central piece of a playground of this budget which can: - be integrated with simple, unstructured water play equipment - form a soft landing area for multi-purpose sitting/balancing/climbing equipment like connected planks (see images below) - connect with nature play including rocks, wooden totem poles, a mound, natural alcoves, native plants, etc - be a place that the community can leave toys for everyone to use (this is common practice in pocket parks and can be extended) - Play equipment should be active (e.g. rope nets to climb) not passive (swings, see saws, spinners) - Most of the play equipment and area should be useful in all seasons not just when the weather is dry - The play equipment should be flexible	Have children – regularly visit the playground
9	Nov 10 17 11:01:11 pm	3054	I live nearby	Highly supportive	Picnic area	Nil	Highly supportive	Trampoline and more natural play	Nil	Have children – rarely or never visit the playground

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		postcode?	connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
10	Nov 11 17 10:55:58 am	3068	I live nearby	Highly supportive	The basketball half court and increased landscaping.	It would be great to see Council integrate more water sensitive urban design by virtue of wetlands or rain water gardens to promote biodiversity and make the flora and fauna an attraction. In addition, low scale vegetation along the border of Alfred Crescent should be considered to provide a transition into the space. A recent successful example which comprises landscaping on the periphery is in Langdon Reserve, Fitzroy North. The basketball court should be located at the entry of Alfred Crescent as it will activate the streetscape and entice people to the park. Again, Langdon Reserve does this well as well as RMIT University basketball courts. It would be nice to see the pavement treated in different colours or patterns. It is great to see Council proactively improving public space for the community to enjoy.	Highly supportive	Playground	The playground could be constructed completely of recycled materials and also be fully constructed in natural elements such as wood to integrate better with the features of the park such as the trunks of the trees. A larger more expansive activity unit would benefit the younger user groups. Water sensitive design could be integrated to be used in summer, where the playground becomes a water park in itself.	Have children – regularly visit the playground
11	Nov 11 17 03:22:12 pm	3068	I live nearby, I work or study nearby, I commute through the park	Highly supportive	Moving and updating playground and barbecue area	Emely Baker is very unattractive building and closed off that park of gardens. If it must be kept, hopefully refurbishment will open it up. Most importantly, I would LOVE a European style cafe serving basics - coffee, toasties & sparkling wine. This could be leased from Yarra and provide revenue. Maybe it could be incorporated as part of the Emely Baker refurbishment	Highly supportive	New equipment	Nothing	Have children – rarely or never visit the playground
12	Nov 11 17 03:34:05 pm	3068	I live nearby	Highly supportive	Expanding playground, moving playground away from Alfred Crescent and mature trees	I would like a shade solution for the playground for both sunny and rainy days (small kids still need to burn off energy in the winter)	Highly supportive	Nature play areas	Shade solution for playground	Have children – regularly visit the playground
13	Nov 12 17 11:13:42 am	3068	I live nearby	Moderately supportive	Removal of building	The park as a whole needs more permanent bins and toilets	Moderately supportive	Simple	Less equipment	Don't have children
14	Nov 13 17 11:53:23 am	3068	I live nearby	Moderately supportive	Seems to be in keeping with current uses of the park.	I wonder if you have considered where to put the parents? At the playground at the southern end of the Gardens, large family groups picnic on the lawn on the periphery of the playground. Presumably so they can keep an eye on the kids. They picnic in the leash-free dog area, which, as a dog-owner, is mildly annoying because the families get irritated when dogs frolic near their food and children. I assume that when this new playground is built, the parents will also want to picnic on its periphery. So you'll need to think about where these large family groups will go. The family groups are unlikely to want to sit near the swearin', drinkin', rappin' bad boys of the skate bowl. And they also might not want their precious kiddies near the bad language either. So the playground might not be best situated right next to the skate bowl.	Highly supportive	I don't know. I don't have kids	I don't know. I don't have kids	Don't have children
15	Nov 13 17 11:02:20 pm	3068	I live nearby, Other	Moderately supportive	Everything other than the proposed expansion of the skate and BMX area.	Strongly disagree with the proposal to expand skate and BMX area.	Highly supportive	I like it all.	No proposed changes.	Don't have children

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16	Nov 14 17 11:13:55 am	6065	I live nearby, I visit from time-to-time, I commute through the park	Moderately supportive	New trees and more open space	Have seen no plan for improved or altered paths to connect the new elements, add focal points, add a wow factor. Other parks in Melb have a draw card, something that attracts, like water feature, sculpture etc, this current plan adds no visual attraction other than more open space.	Unsupportive	The grass mound.	Many play areas are now being designed to be visually appealing, mixing in shapes, colours, natural elements. Sadly the proposed play just looks like standard individual elements in a space. Lack of overall visual appeal, especially for adults, nothing different or unique.	Have children – rarely or never visit the playground
17	Nov 15 17 05:53:45 pm	3068	I live nearby	Moderately supportive	Generally most of it	The plan needs to include more public toilets, particularly at the southern end of the park where there are only single M and F toilets - though the northern end still needs more	Highly supportive	All of it	More toilets!!!!	Don't have children
18	Nov 15 17 06:00:42 pm	3065	I live nearby	Moderately supportive	disnt read it. i jst want more toilets. how cant u see that isnt a priority?	you desperately need more toilets. the extra 2(!) placed in the newish building nr the cricket/park is not even close to being enough. my 5 year old had to wee on a tree because he couldnt queue that long. disgraceful.	Moderately supportive	again. i am only here to moan about ur lack of toilet facilities	need more toilets! still	Have children – regularly visit the playground
19	Nov 15 17 11:03:50 pm	3065	I live nearby, I work or study nearby, I commute through the park	Moderately supportive	Updated equipment to play on for the new generation of children	More trees to create shade from the sun	Highly supportive	The safety boundaries	Children love to make up little performances for their parents and friends so have a small stage for them to use would be nice	Have children – occasionally visit the playground
20	Nov 16 17 08:15:32 am	3053	I work or study nearby, I visit from time-to-time	Highly supportive	extending the bmx/ skate park	Give the basket ball courts, nets and a fence around it to keep the balls inside the court	Highly supportive	Basket Swing and Trampoline	add another multi swing with basket	Have children – occasionally visit the playground
21	Nov 16 17 08:32:25 am	3068	I live nearby	Moderately supportive	I like that the BBQ area is next to the playground, and away from the basketballs and BMX/skate park. I think if it was next to the skate park, at certain times of the week, it could be dominated by them, which may intimidate or exclude families and others.	I would prefer that the skate park is not next to the playground. We have found drugs in the current skate park. The skaters at times also drink and smoke and play loud music with swear words. I like skaters and I think they should be free to do as they wish. I'm not sure that it is safe to expose children to their non-skating activities from a young age. Likewise, I'm not sure that basketballers want to be downwind of smokers. I like that the current playground is well shaded by large trees and more suitable for younger children. Older children tend to go to the playground at the southern end of the park., which can get busy and unsafe for younger children. In the new plan, the playground doesn't look like it has any shade, which is a shame.	Moderately supportive	Interesting range of equipment	To incorporate a separate area for younger children, who are learning to crawl and walk.	Have children – regularly visit the playground
22	Nov 16 17 08:54:15 am	3067	I work or study nearby	Moderately supportive	idk, make more basket ball courts pls	Um more basketball courts	Moderately supportive	idc	idk	Don't have children
23	Nov 16 17 09:01:49 am	3070	I live nearby	Moderately supportive	The open playground sounds good and more seating will be valuable as Edinburgh gardens is a place where a lot of people go to.	Maybe another basketball court as the basketball court is always stacked with people so another court would make it easier to play.	Highly supportive	Everything	Nothing	Don't have children
24	Nov 16 17 09:08:03 am	3754	I work or study nearby	Moderately supportive	tree protection zone	keep the playground	Highly supportive	the trampoline	change nothing	Don't have children

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25	Nov 16 17 09:35:36 am	3070	I work or study nearby	Highly supportive	I like the abundance of new trees and the effort put towards community sports space.	Make the skate/BMX area more appealing. Decorate the bike and footpaths. Use as much natural play equipment as possible (such as mounds, mini creeks, etc) and add more trees and plants.	Moderately supportive	The new trees and interesting play equipment.	It's a bit tacky. I would like more wholesome materials such as wood and concrete. Wood is always nice and much more appealing than steel and plastic.	Don't have children
26	Nov 16 17 10:33:30 am	3065	I live nearby, I work or study nearby, I commute through the park	Moderately supportive	new playground	I would like more play ground area	Moderately supportive	tramp	It needs a really big slide and a tree house	Have children – regularly visit the playground
27	Nov 16 17 11:23:18 am	3066	I live nearby	Unsupportive	Planting of additional trees, although not much information on this element.	Many playgrounds around Australia are being designed to look good to everyone no just children, even the new Atherton garden play equipment resembles giant metal flowers with solar panels on. Others I've seen use shad cloth to make sculptural designs, or molde the surrounding landscape to creat patterns. The current design sadly just looks like a lot of stuff crammed into a corner.	Unsupportive	The trampoline and raked hill are different, and may draw people, every thing else is very standard.	As mentioned, making the overall plan look better, use something to create an overal design, be it shade cloth, or a design on the ground, sculptures etc. So many other playgrounds look more cohesive and less like a jumble of basic equipment.	Don't have children
28	Nov 16 17 04:54:16 pm	3068	I live nearby	Highly supportive	new facilities bbq area	the new playground area is too large	Unsupportive	none	no comment	Don't have children
29	Nov 18 17 12:18:06 pm	3068	I live nearby	Moderately supportive	It's a good idea to consolidate amenities, but that includes toilets!	Everything is being moved further away from the toilets. As it is, it's not unusual to see skateboarders using trees as urinals. You'll also have young children in the playgrounds for whom this will be a substantial trip. Why not move the toilets further in, or even create a new block? My home fronts onto one of the closest laneways to the gardens. On Cup Day this year, we had substantial numbers of people urinating there. Access to toilets in the Edinburgh Gardens for a variety of reasons seems to be an ongoing problem, and this plan looks set to exacerbate the existing issue.	Moderately supportive	Trampoline	It looks boring and unimaginative!	Have children – occasionally visit the playground
30	Nov 19 17 08:35:00 pm	3068	I live nearby, I visit from time-to-time	Highly supportive	New playground	Nothing really but ensure adequate shade and water drinking fountains (plural)	Highly supportive	Trampoline.	More swings	Have children – rarely or never visit the playground

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		postcode?	connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
31	Nov 19 17 09:48:28 pm	3068	I live nearby	Highly supportive	I like the idea of extending the skatepark and improving the playground facilities. I support moving it further from the road however as a parent of a North Fitzroy school student I hope it's not too far into the middle of the park as I think the proximity to the school and library are great!	While I agree the playgrounds focus on younger children is good I feel that the choice of playground equipment doesn't encourage active and mindful play and feels a little old-fashioned. As a mother of a young child and new to the area I value playgrounds that encourage children to make new friends and play with a wide group of children. In my experience sandpits are great for this as well as water play (I site the playground Kirkdale Reserve on the Merri Creek (close to CERES) as an example of this. I think a trampoline per se is fine but can be exclusive and dangerous. I have seen good examples of inbuilt smaller trampolines into the group which work well for younger kids and are more inclusive. The new Margaret Mahy playground in Christchurch New Zealand has these / it also has water play. Sand play tools (Park Street playground and diggers are also good for kids) basically I love a sandpit and water as I think it just encourages better play and interaction. Small huts also work really well as kids play shops/mummies and daddies etc - a great example of this is a playground in London in Victoria Park in Hackney - surrounding the sandpit were wooden huts so great for	Moderately supportive	Happy with all of it in theory except the trampoline (see my previous page - sorry I filled this out in the wrong order!) except as I have said I don't think the equipment encourages enough active, mindful play that encourages children to be creative and meet and play with kids they don't know.	As I said - sandpits, water play, engineering play (pulleys/diggers etc) Small huts and houses (Princes Park close to Carlton Tennis club next to Ikon park) is another example of these) I can stress enough how they encourage role play and creativity in kids. I used to have a local park in London with a sink and shaped hole and pipe and the hours kids used to spend playing kitchen/restaurants etc I have 2 kids - aged 5 (at Fitzroy Primary) and 2 years and we use this playground practically every day!	Have children – regularly visit the playground
32	Nov 20 17 03:28:08 am	3065	I visit from time-to-time	Moderately supportive	possible expansion of the skate/bmx area and relocating the table tennis table.	not sure, yous do yous	Moderately supportive	i dont mind	nothin	Don't have children
33	Nov 20 17 11:57:20 am	3054	I live nearby, I visit from time-to-time	Highly supportive	The new skate park and basketball court areas. All activities in a similar area.	More public toilets!!!!!!!!!!!!!!	Highly supportive	The play equipment is modern and fun! Lots of benches for parents to sit on.	The current plan looks great.	Don't have children
34	Nov 20 17 12:03:28 pm	3065	I live nearby	Highly supportive	New play equipment	More public toilets. More BBQ areas	Highly supportive	Large activity units	More trampolines	Have children – regularly visit the playground
35	Nov 20 17 12:08:02 pm	3068	I visit from time-to-time	Moderately supportive	Improved and expanded playground area; facilities for teenagers	location of toilets - too far away from playground area; unclear about location of seats and shade, water fountains -all essential; provision of active fitness facilities; unclear how existing walking and cycling routes are affected - it is important that locals are encouraged to walk or cycle to the park.	Moderately supportive	Good range of swing types for toddlers and children; trampoline; 2 different activity units	A water feature would be terrific e.g. like the one on the Merri Trail in East Brunswick - children love it! Ensure there are seats with shade. Shade for the picnic tables. Is there only 1 access point?	Have children – regularly visit the playground
36	Nov 20 17 12:10:42 pm	3073	I visit from time-to-time	Moderately supportive	Mostly I like it	I'm in the park every Sunday for 3-6 hours doing acroyoga. I would like to see slacklining permitted in the park, either as part of the skate park or with its own dedicated area to accommodate public safety.	Highly supportive	The trampoline	Nothing, I like it	Don't have children

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37	Nov 20 17 12:31:14 pm	3068	I live nearby	Highly supportive	The playground and increased green space	The gardens need more public toilets. The eastern side of the Emely Barker building is currently used by patrons to relieve themselves particularly at busy times at the park. Our house faces onto the Emely Barker building and it's a little disturbing for me young kids to see people using the building as a toilet from my front yard. Suggestions - build some garden beds / natural structures around the building to prevent people using the corners of the building as a toilet and/or extend the toilet block to put in additional toileting facilities (or build in new toilet facilities at the back of the Emely Barker building that the public can access). Emely Barker building could also do with a significant facelift in line with the rest of the redevelopment of the gardens.	Highly supportive	the trampoline and the inclusion of natural play areas (grass and rocks)	some additional water fountains, and maybe bike / scooter parking for kids	Have children – regularly visit the playground
38	Nov 20 17 12:46:01 pm	3006	I visit from time-to-time	Unsupportive	N/A	Allow slacklining in the park. How can you have a plan which includes so many things, but neglects slacklining? Every weekend there are lines up. People want to be slacklining in the park, and you should consider this.	Moderately supportive	I don't care	Don't care	Don't have children
39	Nov 20 17 12:48:57 pm	3068	I live nearby, I work or study nearby, I visit from time-to-time, I commute through the park	Moderately supportive	Removal of unnecessary fences and new trees	I'm worried about too many trees being removed so I hope heaps more are planted as everyone loves them more than the man made structures of the gardens, it's what generally draws people in as it's not one of those parks with just grass it has some depth to it and shelter from the sun.	Highly supportive	I like the idea of a new BBQ area I think it's great for the community.	I do think the web was originally a good idea in the playground but I worry that having a trampoline in the centre greatly increased major falls despite the soft fall planned to be laid down. Children may jump and then land hard on the web five and under. It concerns me.	Don't have children
40	Nov 20 17 12:50:22 pm	3068	I live nearby	Highly supportive	The nature play areas of the new playground	Including water play into the nature play	Highly supportive	Nature play	Water play	Have children – regularly visit the playground
41	Nov 20 17 01:34:10 pm	3068	I live nearby	Moderately supportive	Chess board	I would like to see outdoor gym equipment added for adults. Many other councils and Yarra doesn't. A vocal minority prevented this in the darling gardens and many residents subsequently see it as a missed opportunity.	Moderately supportive	Variety of equipment	Na	Have children – occasionally visit the playground
42	Nov 20 17 02:10:32 pm	3068	I live nearby, I work or study nearby, I visit from time-to-time, I commute through the park	Moderately supportive	seems thoroughly thought out, a lot of the proposals make a lot of sense.	what is the existing building currently next to the skate park? how old is it? is it protected? wouldn't want to see it go if it had a history behind it	Highly supportive	grass mound as a barrier to the skate park area -	looks good - just amke sure parents can sight kids from all areas so no areas become dead/scary zones	Don't have children

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43	Nov 20 17 02:28:47 pm	3054	I live nearby, I visit from time-to-time	Highly supportive	More trees, more natural elements, more shade, removal of car park. More passive area.	More creative/imaginative play. The new playground is too formal and high maintenance. Keeping with being more sympathetic to nature and sustainability I would like to see the playground constructed of more natural elements. All the play things proposed create an ongoing burden in the budget far more than natural play elements. Path design that reduces conflict and encourages cooperation between the various user "types" enjoying the park. At the moment long wide paths mean all park users tend to conflict due to off leash dogs, speed, etc	Moderately supportive	It's expanded. It creates a significant play space. Caters for younger children.	Too structured. Too high maintenance. Too formal. Creative, imaginative, natural surfaces would be preferred and lower maintenance. Not enough thought is given to ongoing maintenance costs for rate payers.	Have children – rarely or never visit the playground
44	Nov 20 17 02:48:22 pm	3068	I live nearby	Highly supportive	Lovely treed areas maintained and extra playgrounds & facilities	Look at using latest permeable paving products in tree protection zones	Highly supportive	New and varied apparatus	Maybe change soft fall area materials to rubber based artificial grass	Have children – occasionally visit the playground
45	Nov 20 17 02:57:07 pm	3068	I live nearby	Moderately supportive	Currently the plan does not excite me too much, either way I'm happy with those aspects of the park.	Highly request a calisthenics set up! There are NONE of n the inner northern suburbs. This would include parallelette bars, various chin up bars etc. there is only ONE in Melbourne (Elwood). It would be a unique and huge advantage to the community including a dedicated physical activity space in Edinburgh Gardens.	Moderately supportive	N/a	N/a	Don't have children
46	Nov 20 17 06:10:15 pm	3068	I live nearby	Moderately supportive	Updated playground	A fenced area to let dogs off in a enclosed area.	Highly supportive	new equipment	none	Don't have children
47	Nov 20 17 07:04:26 pm	3068	I live nearby, I commute through the park	Highly supportive	The ropes with a trampoline in the centre of the roped climbing frame and the large knotted swings. I also like the idea of the more environmental play equipment with natural spaces and plants.	I would improve the Draft Northern Precinct Plan by adding more adventure play equipment and larger spaces to have picnics and climb. I would also introduce some more trees and plants in the dog park for them to discover more smells with. Swanee Mahalia Myles-Malone aged 9.Thank you	Highly supportive	The update and utilising the old maternal health nurse building	I would love to see a tree house in the plan	Have children – regularly visit the playground
48	Nov 20 17 07:09:52 pm	3068	I live nearby, I visit from time-to-time, I commute through the park	Highly supportive	Proposed new BBQ area, new playground - the space DEFINITELY needs an upgrade to the skate park (expanded also).	It looks fantastic and the proposed plans are highly needed - nothing to change.	Highly supportive	All of it - the existing playground at the northern end of EG is in desperate need of an upgrade / TLC.	no changes / is fantastic as is!	Have children – regularly visit the playground
49	Nov 20 17 08:39:36 pm	3068	I live nearby	Highly supportive	Expanded playground area and BBQ area.	Add in more natural features, such as boulders and logs to create seating and a native planting to create a sort of 'bushland' setting in the park.	Highly supportive	The size of it and the nature-play elements.	It's a minor point, but I'd prefer the playground was in more natural colours- like maybe greens and browns- instead of the yellow panels. I think more natural colours would blend into the park better.	Have children – regularly visit the playground
50	Nov 20 17 08:46:42 pm	3068	I live nearby	Highly supportive	Expanded BMX and Skate Park. It is one of the most consistently used elements in the park. New BBQ area.	The children's playground seems particularly large. There is already a large and particularly extensive children's playground area. I would reduce this in size.	Unsupportive	The seats. The tables.	I cant see from the attached image but I dont like the idea of the BBQ area being within the children's playground. I have a dog and we use this BBQ area often. If the bbq area is within the fenced playground there wont be a BBQ area that is dog friendly.	Don't have children

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51	Nov 20 17 09:14:46 pm	3068	I live nearby	Highly supportive	Lovely big park for littler children sounds amazing.	More public toilets - there are always HUGE 30 minute long queues on nice weekends - this is just simply not tolerable for families.	Highly supportive	The trampoline looks cool.	Although this is targeted at the younger kids, I see a lack of play opportunities at ground level for crawlers say aged 6-18 months (i.e. not walking) - like little mounds/bridges to crawl over, things to pull themselves up to standing, activity units that are not too far off the ground, patterned ground (that squishy asphalt stuff)/reflective things on the ground, a sandpit, tunnel etc. etc. My 12 month old wouldn't be able to play independently at this playground.	Have children – regularly visit the playground
52	Nov 20 17 10:04:53 pm	3078	I live nearby	Moderately supportive	Renewal of playground. I like the new bmx area. There is not much for kids 8+, younger kids are well catered for.	The Emily Baker building if being reused needs to face / address the south. Alternatively it should be demolished and returned to public open space. There needs to be a balance between green space and active uses / paved areas. Overall the park needs to be managed well in conjunction with users / citizens. Please allow drumming gatherings in the park.	Moderately supportive	Trampoline	Baby rockers are very rarely used even by babies, they are using a lot of space for these. Please use less plastic material.	Have children – regularly visit the playground
53	Nov 21 17 11:00:15 am	3068	I live nearby	Moderately supportive	I like expanding skate park and getting a new playground, and the new basketball area. Great ideas - but need modifications	There really needs to be a separation between skate area and playground. They draw very different user groups - often skate area has loud music, drinking etc. This is fine as it suits those using the area - but really not great to have that close to a playground with young kids. Also the BBQ area - good idea to include but again often those using these facilities are drinking, smoking etc - so difficult to deal with when young kids in playgrounds. Just need to be smarter with the layout. Perhaps the basketball court could separate the skate and playground? Also PLEASE include a netball ring in the basketball area. Netball rings are never included.	Unsupportive	Swings - always highly used.	The main users of current playground are kids under 5, the other playground caters for older kids. This needs to be considered when designing this space. What will ground surface be? Please no bark chips. Will there be shade? This is a must. The elements you have included for playing are not well thought through. A, B, F and G - kids don't use these. They really don't. A trampoline would be great - needs to be in-ground. Investigate other amazing play spaces (look up Malcolm Reserve in Semaphore Park in Adelaide - brilliant play area). If going to build a new play space - how about putting some decent design thought and money into it. This will be such a well used play space - please give us a good one.	Have children – regularly visit the playground
54	Nov 21 17 01:12:15 pm	3066	I live nearby, I visit from time-to-time	Moderately supportive	Active area	Off leash dog area	Moderately supportive	Basket swing	Off leash dog area	Don't have children
55	Nov 21 17 04:53:54 pm	3068	I live nearby	Moderately supportive	A new BBQ area and a new playground area	It would be great if the addition of adult exercise bars/equipment could be added to the park so that adults could use the park for fitness. Why does the table tennis court have to be moved? consider noise reduction elements especially around the skate & BBQ area. living nearby, these are the areas that seem to get very noisy at night. could they be moved further into the park?	Highly supportive	The variety of play equipment is good.	Perhaps the addition of a rope climbing area could be included - something like a web of ropes for children to climb through/over/around.	Don't have children
56	Nov 21 17 06:22:00 pm	3068	I live nearby	Highly supportive	the new playground		Highly supportive	trampoline	Noise reduction elements, especially around the playground. The children can get noisy, no bad thing but trees of noise reduction screens would be great.	Don't have children

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57	Nov 21 17 06:38:58 pm	3068	I live nearby, I visit from time-to-time	Moderately supportive	The plan to expand the skate/bmx facility.	Skate/bmx area should be expanded. Currently the bowl is excellent but can only safely accommodate one rider at a time. Often there are queues of 20 people waiting for a turn. It badly needs to be extended to incorporate a 'street' section, which would greatly increase the number of people able to use the facilities at any one time.	Moderately supportive	Not interested in playground plans	Not interested in playground plans	Don't have children
58	Nov 22 17 11:13:21 am	3068	I live nearby, Other	Unsupportive	Expansion of skate park	Seems like a complete waste of money, I like the open space which resulted from removing the building next to the skatepark. I think this proposal will just crowd out that space. I would prefer open space	Unsupportive	None of it.	By not building it.	Don't have children
59	Nov 22 17 11:44:22 am	3058	I visit from time-to-time, I commute through the park	Moderately supportive	Removal of car park.	Keep table tennis table well away from other activities.	Moderately supportive	no comment	no comment	Don't have children
60	Nov 24 17 03:54:10 pm	3068	I live nearby	Highly supportive	Improved playground facilities	Could you include more toddler swings? I have twin granddaughters and have never found a park where there are enough; there are always queues. The multi swing only seems to have one swing - same issue once they get a bit bigger. Toddler swings are the one thing very small children can do. Rockers and see saws never seem popular. Can you also get the sort of slides that don't get so hot you can't use them? (I take twins to park every week and consider myself an expert)	Highly supportive	soft fall mulch is good, better than the rubberised material many new parks use. Also grassed mound sounds good.	Activity units can be worrying, especially once toddlers get over ambitious and climb out of reach. Very stressful, especially with two children. Maybe a few more seats? A lot of grandparents take small children and there are only three seats at the moment. Is the toilet nearby?	Have children – regularly visit the playground
61	Nov 24 17 05:06:09 pm	3068	I live nearby, I visit from time-to-time, I commute through the park, Other	Highly supportive	Expanded BMX & skate area, BBQ area, and.. sigh.. I guess the kids area is good too.	It's okay but if we're expecting more children and families to come, then perhaps more bathrooms would be a good idea. And have them operational until the evening.	Highly supportive	I like that you haven't decided to go with over-designed modern concepts - simply and playful, and safe (of course).	Looks good as long as it doesn't impinge on the BMX/skate area or the fun that is to be had by single, non-children loving people who use the park every weekend, who have chosen not to overpopulate the world and just rock out with mates.	Don't have children
62	Nov 25 17 01:19:41 pm	3068	I live nearby	Moderately supportive	New and larger playground area, new BBQ area and increased open space / tree planting.	Do not proceed with the "possible expanded skate and BMX area" which is proposed directly adjacent to the new playground area. In and around the existing skate park we have often seen often broken glass and people smoking / using offensive language - not appropriate directly adjacent to a young children's playground. We strongly oppose any expansion of the existing skating / BMX area.	Highly supportive	New BBQ's next to playground, more equipment and the nature play areas.	Shade sail over BBQ / table area.	Have children – regularly visit the playground
63	Nov 26 17 09:30:53 pm	3068	I live nearby, I work or study nearby, I visit from time-to-time, I commute through the park	Highly supportive	I like the improvements to the playground, moving it will also create a nice green space to the north along Alfred Cres. It's a good idea to keep it for younger kids (under 5) as the adventure playground to the south is very popular with older kids. I am very supportive of removing the car park. It seems crazy to me that you can drive in and park in the middle of this park. Any expansion to the skate park facility I am very supportive of. It is well used and I enjoy watching the skaters, and my daughter is showing more interest in skating since seeing young girls skate here.	I would reconfigure Emely Baker community building to face inwards (rather than towards Alfred Cres) and have an deck/stage built into the design. This would be attractive to users for hiring the space and would also allow opportunity for formal live music events.	Highly supportive	I like that it is still focused on younger children. I used this a lot when my kid was 1-4, now we mostly go to the adventure playground to the south. I love the idea of the grassed mound.	I've heard that Fitzroy North Primary School's has received funding to create a chess playing area on their grounds. Rather than duplicate across the road in the park, could you have a conversation with them about integration/shared use?	Have children – regularly visit the playground

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64	Nov 27 17 11:56:40 am	3068	I live nearby	Unsupportive	I would prefer less of our money spent on the park of non residents to enjoy. Better tennis club rooms and football rooms would be great.	We have too many people parking in the streets and littering in the park that we have to pay for. It would be great if the council could focus on traffic management such as speed humps in Scotchmer St, a zebra crossing so our kids are nearly killed by car crossing at the old train line on Scotchmer St. No more BBQ's, the locals don't use. We don't want to have the park as a draw card for day trippers. Please use our rates to support the infrastructure our community for the people who live here.	Moderately supportive	The playground is fine. My kids love the one that's there. The new one is always full of visitors or parties so we use the smaller one	It just needs to be basic, I don't need to spend all day at the park. Not everyone had kids at the park. I think we have more desperate areas to spend our money. Such as slowing down the traffics cutting through our suburb so we can walk to school safely	Have children – regularly visit the playground
65	Nov 27 17 09:39:00 pm	3068	I live nearby, I work or study nearby, I visit from time-to-time, I commute through the park, Other	Moderately supportive	Good to see the remnants of old buildings etc removed. Larger playground is good.	The playground is too close to the skateboard area, given the amount of alcohol and dope that is consumed by the skateboarders (I don't have a problem with them doing that, just not closer to young children). There should be more than one drinking fountain in the playground.	Highly supportive	Good mix of different play options	1. More than one drink fountain. 2. Shade cloth areas, especially near the seats.	Have children – regularly visit the playground

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Community engagement November 2017 - verbatim pop-up session responses

No.	Date of contribution	Verbal responses recorded at pop-up session by officer (key issues and levels of support verbally confirmed by participants)								
		What is your postcode?	What is your connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
1	18.11.2017	3068	I live nearby	No response	No response	Activate the old vacant building. Move playground further towards the centre. Placement of BBQs should take wafting of smoke into nearby areas into account.	Highly supportive	No response	No response	Have children - regularly visit the playground
2	18.11.2017	3068	I live nearby	Highly supportive	Skate park	Provide shade for skate park. Restrict car access to entire park.	Highly supportive	No response	More shade for the playground. Make safety a priority.	Don't have children.
3	18.11.2017	3068	I live nearby	Moderately supportive	Basketball halfcourt	Close proximity of playground and skate park may produce tensions - perhaps separate with more landscaping. Do something to discourage long queues at toilets and public urination.	Highly supportive	No response	No response	Have children - oldest uses basketball halfcourt regularly
4	18.11.2017	3065	I live nearby	No response	Happy that skate park will remain easily observable by surrounding park users. Believes that this will discourage anti-social behaviour.	More toilets. Add wall with painted tennis net to allow people to play tennis against it.	Moderately supportive	Happy to see the large activity units included (H and C) to encourage imaginative play. Happy to see nearby gum tree retained.	More shade for the playground.	Have children - regularly visit the playground

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No.	Date of contribution	Verbal responses recorded at pop-up session by officer (key issues and levels of support verbally confirmed by participants)								
		What is your postcode?	What is your connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
5	18.11.2018	3068	I live nearby	Moderately supportive	Expansion of skate park.	Investigate potential for BBQ lids. Retain older elements of the park where possible. Keen for flow/feel of existing skate park to be retained during any expansion (consult with local skaters).	No response	No response	Keep a fence around the playground to keep high speed skate activity separate from young children.	No response
6	18.11.2019	3068	Live nearby and commute through the park	No response	Skate park	Add RC track (remote controlled car track)	No response	No response	No response	No response
7	18.11.2020	3068	Live nearby			Skate park no near playground BBQ area and broken glass away from playground	Moderately supportive	No response	Shade for parts of playground	Have children - regularly visit the playground
8	18.11.2021	3068	I live nearby	Highly supportive	expansion of skate park so younger age groups can use.	Shade for BBQ/picnic	Highly supportive	Trampoline	Double rockers better than smaller. Shade for playground.	Have children - regularly visit the playground
9	18.11.2022	3068	I live nearby I visit commute	Highly supportive	Expanding playground and skate park	No response	No response	No response	No response	No response

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

No.	Date of contribution	Verbal responses recorded at pop-up session by officer (key issues and levels of support verbally confirmed by participants)								
		What is your postcode?	What is your connection to Edinburgh Gardens?	In general, how much do you support the Draft Northern Precinct Plan?	What elements of the Draft Northern Precinct Plan do you like most?	What elements of the Draft Northern Precinct Plan would you like to change and how would you improve it?	In general, how much do you support the Draft Playground Concept Plan?	What elements of the Draft Playground Concept Plan do you like most?	What elements of the Draft Playground Concept Plan would you like to change and how would you improve it?	Are you responsible for children and, if so, how often do they visit the existing playground?
10	18.11.2023	3065	I live nearby	Highly supportive	No response	No response	Highly supportive	combination of nature and built elements	Fencing or part fence Shade	Have children, occasionally visit playground.
11	18.11.2024	3068	I live nearby I work or study nearby	Highly supportive	Trampoline, spinner, nature play - more please, less fencing	More nature play, natural elements	Highly supportive	All of it		Have children, regularly visit the playground
12	18.11.2025	3068	live, work/study, visit, commute	Highly supportive	Playground upgrade BBQ area and chess board	Increased BBQ's - 4 burners	Highly supportive	Kids like trampoline and spinner	More drinking taps	Have children - regularly visit the playground
13	18.11.2026	3071	other, skates here	Highly supportive	Extension to skate park	Skate park extension ideas: no street skating area but put in a mini bowl for practicing tricks. (St Kilda has one). 1.2m high, 3m across.	Highly supportive	Make bigger	Nothing	Have children, rarely or never visit the playground (older)
14	18.11.2027	3070	live, visit	Highly supportive	Skate park expansion.	Extend skate park, more bowls (smooth) no street course! Mini ramps, 1.2m high like St Kilda.	Highly supportive	All of it	Bigger kids playground	Have children - occasionally visit the playground

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

Community engagement November 2017 - verbatim email responses

Thank you for contacting me. In general I think the new design looks good. My only suggestion is that as the skate area frequently attracts a number of spectators there would be merit in either establishing grassy mound where spectators could sit to watch the action, or alternatively a couple of lines of seats along one side.

Regards,

Generally I support the draft northern precinct plan, subject to the comment below.

I don't support the draft playground concept plan, which is boring and unimaginative - children need to explore and develop from finding out, even the swings are anodyne - what is wrong with the adventure playground model, so successful elsewhere (Fitzroy, Atherton Gardens and St Kilda)? At least, introduce some contours, etc.

Two suggestions for the northern precinct plan, based on observations of many years as to use of the Gardens:

1. The grassed expanse along the northern boundary abutting Alfred Crescent is often used for soccer - there is no soccer pitch in the Gardens: this area should be regraded and resurfaced so that it can be used as soccer pitches, not exclusively but at least fit for that use.
2. The area marked 7 for possible half basketball court should have a full sized basketball court - the demand for the court next to the cricket pavilion is often too crowded, impromptu games have to play half a court or players have to wait - given the schools in the area and the popularity of impromptu games there is enough demand to justify a full sized court, plus it is a real local community hallmark.

There is ample space and demand for the suggested improvements, and the additional cost would not be out of proportion to the benefits.

Kind regards

Hi Nicols Ward Councillors

Could you or Yarra Council send me the most recent editions of the Edinburgh Gardens CMP and Master Plan.

Whatever happened to our original cast iron gas lamp standards that have been removed from the Gardens.

I have questioned but received no answer on the following points:-

- how both gas standards were assessed as being in a state of disrepair requiring removal - was this an in-house decision or did a structural engineer certify these heritage cast iron posts were a Public Risk?
- how were they disposed of and is there a paper trail that shows what happened to these heritage items?

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018

- does the Council be replacing them?

With respect to the proposed redevelopment of the northern playground and the area around the skate rink - has Yarra prepared an update of the CMP, the Master Plan and was a Heritage Impact Statement prepared for this proposed playground redevelopment that explains how the proposed works will 'preserve and enhance' the Cultural Significance of the Edinburgh Gardens.

Thanks

I support the draft in general for both the northern precinct and playground plans.

I like the range of activities we are encouraging the community to participate in. The existing skate and BMX area attracts a wide range of ages from toddlers to adults - its great to see this being expanded.

The grassy mound at the southern end of the playground sounds lovely.

I would like to see MORE nature play areas either stretched out around the playground or incorporated in it. It is great to see them included but more space is needed - as they are they will get a lot of wear and tear. Logs to climb, bushes to dodge through, rocks to scramble on. Stretch it out as a garden but make it obvious that it is encouraged for kids to play in the garden beds!!

Kind Regards,

Dear Sir/Madam

Thank you for the opportunity to provide feedback on the proposed upgrades to the northern precinct and playground of Edinburgh Gardens.

Living at the bottom of Fergie Street, we use this area frequently and are directly impacted by the activity in that section of the park.

Whilst we're thrilled about the planned upgrades, we have concerns regarding the proposed extension of the skate park. Our concerns are twofold, being:

- Users of the skate park frequently bring amplified music, and at times temporary lighting fixtures, which result in noise permeating into the surrounding neighbourhood, sometimes late into the night. Our fear is that an increase in the skate facilities will attract more users and more of this behaviour.
- The fundamental purpose of a park is to provide much needed green space to local residents who otherwise lack this in an urban environment. Increasing the skate park will bring more concrete mass to the park at the expense of this beloved green space.

Thank you again for the opportunity to provide feedback on this important upgrade. Please feel free to contact us if you would like any further input or clarification.

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018



PLAYGROUND UPGRADE - FINAL CONCEPT PLAN



LEGEND

- 1 New BBQ area
- 2 New playground
- 3 Nature play areas
- 4 Grassed mound
- 5 New seats
- 6 New picnic tables with chess/ game designs incorporated
- 7 Drinking fountain
- 8 BBQ
- 9 Bins
- 10 Sand play area
- 11 Planted buffer

- Existing tree
- New tree
- Soft fall mulch
- Paving
- Grass
- Grass mound
- Safety zone
- Shade sails

EQUIPMENT

- A Activity unit



- B Triple swing



- C Basket swing



- D Spinner



- E Trampoline



- F Activity unit



WHAT'S DIFFERENT?

- Reconfigured BBQ area and a clearer separation from the playground
- Shade sails have been added
- More nature play areas have been added by removing equipment deemed to be less frequently used
- New toddler activity unit catering to younger age groups (from 6 months)
- Additional seat
- More tree planting
- Additional entry point to the playground

Attachment 2 - Edinburgh Gardens North Precinct - consultation material February 2018



NORTHERN PRECINCT PLAN



LEGEND

- 1 Old playground area (to be removed)
- 2 Proposed new BBQ area
- 3 Old table tennis area (to be moved)
- 4 Proposed new playground area
- 5 Expanded skate and BMX area
- 6 Existing skate and BMX area
- 7 New active play area (table tennis and half court basketball)
- 8 Public toilets
- 9 Emely Baker building

Existing infrastructure (to be removed)

Tree protection zone:

○ Existing tree

● New tree

WHAT'S DIFFERENT?

- A larger buffer between the skate park and the playground
- More tree planting

Attachment 3 - Edinburgh Gardens North Precinct - verbatim responses consultation February 2018

Edinburgh Gardens North Precinct, playground upgrade consultation 2 - February 2018		
No.	Community Feedback	Officer Response
1.	<p>Brilliant, looks great. Better shade (has really come to my attention this is lacking in current playgrounds the last few months) More nature play areas Separate area for younger children Good range of play options</p> <p>Looks great!</p> <p>Cheers, [REDACTED]</p>	Noted
2.	<p>Hi, generally in favour of the Draft Northern Precinct and Playground plans, however more public toilets and dog drinking taps are required.</p> <p>At the moment, queues for the toilets can be more than 50 deep on busy summer days. And small children are not noted for their ability to hang on.</p> <p>More dog water bowls are also required.</p> <p>[REDACTED]</p>	<p>A toilet feasibility study will be undertaken aligned with the Council resolution from the meeting on 19 December 2017.</p> <p>A dog tap can be added to the new drinking fountain and will be considered as part of future furniture implementation.</p>
3.	<p>Hi</p> <p>I strongly oppose the trampoline given the results of the recent Australian Child Health Poll which demonstrated the significant injury rate associated, particularly when more than one child plays simultaneously (more than likely in a popular playground)</p> <p>Would a climbing wall or some other challenge for the older age group be an appropriate substitute?</p> <p>Or have I misunderstood the concept? Is it not so much a trampoline as a soft landing in climbing ropes?</p> <p>Thanks for taking my concern seriously</p> <p>[REDACTED]</p>	The proposed trampoline aligns with the current Australian Standards for play equipment.
4.	<p>I see that issues with toilets were amongst the most common concerns raised in relation to the proposed redesign of the north end of the Gardens. I pointed out specifically that they would be even further away from amenities than they currently are.</p> <p>On the weekend, I saw a skateboarder urinating against a tree by the skating bowl. A friend left my</p>	A toilet feasibility study will be undertaken aligned with the Council resolution from the meeting on 19 December 2017.

Attachment 3 - Edinburgh Gardens North Precinct - verbatim responses consultation February 2018

	<p>house to find 3 people urinating in the laneway that I live on -- it is the closest laneway to the existing toilets, if you can't wait and decided to leave the gardens. Neither of these occurrences is at all unusual.</p> <p>I cannot stress enough that the toilet issue needs urgent attention. The response -- to look into peak-time usage further -- seems vague and unsatisfying. And nor does this take into account that the problem caused by the toilets is not limited to the physical location of the gardens, or to peak times -- many skateboarders make no effort to use them.</p> <p>I urge the council to supply more toilets, *further from the edges of the gardens*, and to do something to enforce current laws regarding public urination.</p> <p>Thanks, [REDACTED]</p>	
5.	<p>Hi there</p> <p>As a local resident I just wanted to say thanks for taking our thoughts into consideration with the new playground plans - am so excited that a sandpit and nature area has been added.</p> <p>Amazing to live with a council that listens to its residents - thanks so much!</p> <p>[REDACTED]</p>	Noted
6.	<p>Dear Open Space Planning and Design Team</p> <p>Well done on the new plan, it looks great and I especially love the design for the trampoline and basket swing. I don't have kids myself, nor do I like them very much, but it will make the families happy.. and that's a good thing.</p> <p>I spend many a weekend in the park and one thing I know it could do with are more toilets. If we enhance the park for the better, surely it will bring more people to it. It would make sense then to increase the number of amenities available.</p> <p>Just a thought. But thanks so much for all your hard, clever work.</p> <p>Regards [REDACTED]</p>	A toilet feasibility study will be undertaken aligned with the Council resolution from the meeting on 19 December 2017.

11.2 Property Strategy

Trim Record Number: D18/14546

Responsible Officer: Chief Executive Officer

Purpose

1. To consider and adopt a:

- (a) **Property Strategy** which will provide an holistic framework for the responsible overarching management of Council's property portfolio; and
- (b) **Property Strategy Assessment Framework** which will importantly, set the guiding principles for all future assessments of the need for and appropriate use of properties in the portfolio;

in a manner which will both guide ongoing alignment of the portfolio with Council's property management obligations, in a manner which will maximise the community benefit and service delivery opportunities from each property in the portfolio.

Background

2. The 2017/2018 Budget was resolved on 1 August 2017 and a number of items for review and consideration were noted. These items included Council's determination to:

Complete the delivery of a comprehensive property management strategy with targets to increase revenue from more effective use of assets and prudent management of assets surplus to Council needs.

3. The purpose of the Property Strategy is to accord with Council's obligations under the *Local Government Act 1989* (The Act), including, "*maintaining the viability of the Council by ensuring that resources are managed in a responsible and accountable manner*"; and thus, to provide a clear charter for guiding and directing the manner in which Council will undertake ongoing management of the property portfolio on behalf of its community.

4. As background I note the presentations:

- (a) Property Strategy as **Attachment 1**; and
- (b) Property Strategy Assessment Framework as **Attachment 2**.

Property Strategy:

5. The Property Strategy is founded on the following overarching principles, that:

- (a) Council is the custodian on behalf of the community, of a wide range of land parcels and buildings, and there is a statutory obligation to manage these assets in a responsible and accountable manner;
- (b) it will drive the Council's approach to managing property in the context of:
 - (i) the appropriate maintenance of the property's condition and value:
 - a. *(i.e. it is appropriately protected from deterioration in a manner to ensure the asset value is maintained);*
 - (ii) monitoring any risk issues *(i.e. to minimise / mitigate any risks to Council from its properties);*
 - (iii) ensuring the property is both appropriate and fit for purpose:
 - a. *(i.e. is its location and design most appropriate for maximum community benefit, service and delivery?); and*
 - b. *(undertaking periodic inspection to ensure any essential works are carried out to ensure a "fit for purpose status" is maintained); and*

- (iv) overall maximising the efficient use of the property for community benefit / service delivery requirements:
 - a. *(i.e. the property is managed in a manner to achieve this principle); and*
- (c) it will guide any future consideration of the acquisition, disposal or other form of management, of properties within a community infrastructure and service delivery framework.

Property Strategy Assessment Framework:

6. The Property Strategy Assessment Framework will separately, provide guidance in the process of undertaking any review and assessment of properties for future consideration and actioning by Council, by taking into account such as:
 - (a) its purpose and objectives;
 - (b) demands for community services in the locality and suitability for providing the dedicated services from that property;
 - (c) the key principles and guidelines;
 - (d) the property classes and types:
 - (i) *open space, roads, buildings, etc.; and*
 - (ii) *freehold ownership, manager, leasee, etc.; and*
 - (e) the makeup and function of a “Property Review Group”;
 - (f) a range of essential “assessment criteria” to be applied;
 - (g) the important nature of the several Phases of assessment and Reporting to Council, including:
 - (i) legislative and statutory requirements;
 - (ii) risk management criteria; and
 - (iii) community engagement.
7. The critical aspect arising from the Property Strategy is that **before** any determination is made on the future of any property, it will be necessary to undertake the comprehensive Assessment Framework process, which will include reviewing the range of assessment criteria as noted in this report.
8. The Property Strategy Assessment Framework will require particular focus on the properties required for community service delivery.
9. The questions of when does a property become suitable for consideration of change. To assist in informing decision making, questions will include such as:
 - (a) Is the building fit for purpose and if not, provide an outline of deficiencies and estimated costs?
 - (b) Are there any sustainability implications and if so, define these?
 - (c) Does the Community Infrastructure Framework advise any relevant issues?
 - (d) Is there a community attachment to the property and if so, define?
 - (e) Capacity and Current Usage data?
 - (f) Are there any Service Delivery implications and if so, outline same?
 - (g) Are there any cost factors involved, and if so, define?
 - (h) Are there any risks to Council and if so, define?
10. The Property Strategy Assessment Framework process will also present the following property management information which will provide context for possible future actions and outcomes to be considered by Council:

- (a) possible cooperative arrangements with other organisations to enhance service delivery and/or to maximise return on investment;
- (b) options for generating / increasing value from underperforming assets;
- (c) options for reorganising property assets to maximise portfolio value in terms of improved service delivery potential or decreased maintenance expenses;
- (d) operational efficiencies by creating better operational economies of scale; and
- (e) potential new revenue streams.

External Consultation

11. There has not been external consultation on the Strategy or Assessment Framework. Importantly, the *Local Government Act* 1989 does require formal community consultation on a range of specific events, e.g. the leasing of land and the sale of land must be publicly advertised and community submissions invited and formally considered by Council. In the instance that the processes outlined in the Strategy Assessment Framework as Phases 1 to 3 led to Council making a determination to propose a lease or sale, the statutory requirement to undertake external consultation would apply.

Internal Consultation (One Yarra)

12. Preparation of the Strategy and Assessment Framework were projects which have actively engaged all relevant branches of the Executive.

Financial Implications

13. The intention of each of the Property Strategy and the Property Strategy Assessment Framework is to have an over-arching standard process to direct the manner in which overall management of Council's property portfolio shall be undertaken.

Economic Implications

14. The Council on behalf of its community has substantial resources invested in its property portfolio and it is a primary responsibility on Council's to maintain the viability of the Council by ensuring that resources are managed in a responsible and accountable manner. The Strategy and Assessment Framework are framed to formally guide consideration of economic implications.

Sustainability Implications

15. The environmental implications of managing a large portfolio of properties inclusive of many buildings, is captured in the Building Asset Management Plan (2013). Council is successful in addressing ways to reduce carbon emissions, embed climate change adaptation into decision making, minimise waste, etc., into the normal operating processes for managing its properties.

Social Implications

16. Council's property portfolio has a direct connection with Council's service delivery standards and cost implications. The task is desirably for Council's to maximise the public benefit from its property portfolio through such as, the most suitable form, most appropriate location and use to deliver these principles.

Human Rights Implications

17. There are no specific Human Rights Implications associated with this report.

Communications with CALD Communities Implications

18. There are no specific Communications with CALD Communities implications associated with this report.

Council Plan, Strategy and Policy Implications

19. The Proposed Council Plan 2017-2021, provides direction in the first objective: *The City of Yarra, a place where Community, Health, Safety and Wellbeing are a focus in everything we do.*

Legal Implications

20. In terms of managing its property holdings, the *Local Government Act 1989* includes requirements that a Council shall:
- (a) provide and maintain community infrastructure in the municipal district;
 - (b) maintain the viability of the Council by ensuring that resources are managed in a responsible and accountable manner; and
 - (c) publicly advertise any notice of intention to lease or to dispose of land and to seek community submissions prior to making a final determination on leases or sales.
21. Depending upon the nature of any proposed lease, sale, joint venture or other innovative arrangement, there may well be other specific legal implications and costs associated with proposed projects.

Other Issues

22. Nil noted.

Options

23. Nil noted.

Conclusion

24. As noted:
- (a) the adoption of the **Property Strategy** will importantly, set an overarching framework for Council to strategically guide the process for management of its property portfolio;
 - (b) the adoption of the **Property Strategy Assessment Framework** will importantly, set the process for the **later** comprehensive review of individual properties (*proposed to be presented to Council over the next six months*), to assist the Council in its progressive consideration of individual properties in its portfolio, in a manner which will enable Council to:
 - (c) meet its statutory obligations;
 - (d) consider the existing and future needs of the community;
 - (e) take into account the adequacy of current community facilities and community expectations;
 - (f) be aware of any exposure to risk; and
 - (g) consider and assess the most effective and efficient use of its resources.

RECOMMENDATION

1. That Council:
 - (a) adopt the Property Strategy (**Attachment 1**);
 - (b) adopt the Property Strategy Assessment Framework (**Attachment 2**); and
 - (c) note that Officers will progressively present reports prepared in accord with the Property Strategy Assessment Framework, to assist the Council in its progressive consideration of individual properties in its portfolio, in a manner which will enable Council to:
 - (i) effectively meet its statutory obligations;
 - (ii) consider the existing and future needs of the community;
 - (iii) take into account the adequacy of current community facilities and community expectations;
 - (iv) be aware of any exposure to risk; and
 - (v) consider and assess the most effective and efficient use of its resources.

CONTACT OFFICER: Ivan Gilbert
TITLE: Group Manager Chief Executive's Office
TEL: 9205 5110

Attachments

- 1 Property Strategy
- 2 Property Strategy Assessment Framework

Attachment 1 - Property Strategy



COUNCIL PROPERTY STRATEGY

Introduction

Property is a significant, highly valued, and diverse resource that directly impacts the capacity and performance of service delivery within the City of Yarra.

Yarra City Council has a critical role as the caretakers responsible for the management of public land on behalf of the community and it is essential that the portfolio is safe, compliant, economically and environmentally sustainable and most of all relevant to and considerate of our community.

Purpose / Objectives

This Property Strategy has been developed to provide a holistic framework for the management of all property assets and establishes guiding principles for the alignment of Council's property portfolio with its future community and service delivery requirements.

Council's vision for community infrastructure planning is:

To identify current and future needs so that Council can deliver and influence the provision of quality, flexible and responsive community infrastructure to support a prosperous, livable and sustainable City of Yarra.

Council's three goals of community infrastructure planning are:

- Build and support a safe, healthy and cohesive community.
- Support a sustainable city with responsive and flexible community infrastructure.
- Embed a holistic approach in planning and delivery.

This strategic framework will enable Council's vision and objectives for community infrastructure to be achieved in a sustainable and measured way through a consistent transparent and evidence based decision making process.

Key Principles/ Guidelines

The Property Strategy identifies the following principles that should drive Council's approach to managing the property portfolio. This process will also consider the various ways in which property can or could be managed now and into the future.

- Strategically manage the property portfolio for the long term in the best interest of the community and service level requirements;
- Provide Councillors and Council Officers with a framework to guide decisions and actions regarding the management of Council properties, in

Attachment 1 - Property Strategy

such a way as to maximise community benefit and support financial sustainability;

- Provide a consistent and transparent process to enable the evaluation of all Council property according to their usage, suitability and physical characteristics;
- Formalise assessment and evaluation principles, thus ensuring due consideration of social, cultural, economic, environmental and risk implications;
- Ensure properties are 'fit for purpose' to deliver services and benefits to the community;
- Manage properties that are maintained to a safe, compliant, energy efficient and modern-day standard and generally protected from deterioration;
- Enable new and ongoing partnerships with community organisations to maximise the community benefit arising from facility use;
- Ensure best practice and compliance with legislative requirements and consistency with existing strategy, process and policy positions.

Property Classes

Council currently catalogues properties into three primary assets classes.

Open Space

Yarra has a total of 235 hectares of open space for the enjoyment and recreational pursuits of its community and visitors. The Yarra Open Space Strategy 2006-2016 guides the future provision, planning, design and management of public land reserved for recreation and nature conservation purposes – the parks, gardens and other reserves that make up Yarra's open space network. This strategy will continue to guide the management of open space pending the 2018 revision that is currently underway.

Roads

As the Coordinating Road Authority, Council manages both Local and Government roads. The management of Council Roads – those contained on the Road Register – from an asset renewal, and sustainable traffic viewpoint are addressed in Council's Road Management Plan 2013 -2017. Arterial Roads within the municipality are managed by Vic Roads in accordance with the Road Management Act 2004.

Land and Buildings

This class of asset groups together all Council owned and managed land and buildings and Crown buildings. Currently there are 152 primary properties that are relevant to this Property Strategy.

This includes the following property types:

- | | |
|----------------------------|------------------------------|
| • Town Halls | • Community Halls |
| • Leisure centres | • Neighbourhood Houses |
| • Libraries | • Aged & Disability Services |
| • Childcare, MCHC & Youth | • Pavilions & Sporting Clubs |
| • Arts & Cultural Services | • Grandstands |

Attachment 1 - Property Strategy

- Depots
- Offices
- Carparks
- Commercial
- Miscellaneous

Property Types

As caretakers of Public Land Yarra City Council has an involvement with a diverse range of property and property-based assets.

Council's property portfolio consists of land which is:

- Owned by Council in freehold – the City of Yarra is the registered proprietor of the land on the Certificate of Title. Council manages this land in accordance with its powers under the Local Government Act.
- Owned by the Crown and for which the Council is appointed as the Committee of Management in accordance the Crown Land Reserves Act.
- Owned by the Crown and for which the Council is the Coordinating Road Authority. Councils manage this land in accordance with the Local Government Act and with reference to the Road Management Act.
- Land which Vests in Council - whilst the Certificate of Title might show a registered proprietor other than Council, the land is deemed to vest in Council as its use is deemed for public purposes.
- Council as Lessee – Council has number of properties for which it is the Lessee. The majority of these properties are leased from statutory authorities or Government.

Classification & Assessment Framework

The classification and assessment of all properties is essential to support the effectiveness of the Property Strategy. This framework is designed to provide a consistent and transparent process for the classification of all properties to support informed analysis, reporting and decision making.

This framework contains three key phases (1, 2, and 3) and includes the establishment of a cross organisational review group to manage and implement the process. In addition, a series of key assessment principles will be established that will support the evaluation process in conjunction with the Legislative, Statutory, Asset and Risk Management requirements.

Property Review Group

An integral part of the property classification and assessment framework is the establishment of a cross organisational panel responsible for the management and implementation of the Strategy framework.

This Property Review Group (PRG) will be responsible for the strategic and systematic assessment of all property to ensure a timely, comprehensive and coordinated approach. This group will also provide briefings and advice to the Executive Team and Council to support with the various phases of the process.

Attachment 1 - Property Strategy

The group will be chaired by a member of the Executive Team (EMT) and includes internal representatives and subject matter experts from various Council departments, who will meet as required to investigate, assess, discuss and progress property opportunities.

The group will be further supported by various Council departments and commercial property and financial experts on an 'as needs' basis.

Assessment Criteria

As part of the assessment process all Council owned, and managed properties will be evaluated considering the Economic, Environmental, Climate Adaption and Financial requirements, commonly known as the "Quadruple Bottom Line". In addition, there a number of additional factors that will be considered as part of the assessment framework.

This will include but not limited to:

- Social Impacts
- Suitability -Fit for purpose
- Sustainability & Environment
- Community Infrastructure Framework
- Community Requirements
- Capacity & Current Usage
- Condition & Functionality
- Risk Management
- Service Delivery Options
- Cultural Aspects & Needs of the Community
- Capacity & Current Usage

Phase 1 – Classification & Assessment

This initial phase will consolidate all relevant property information into site specific property reports to support the initial high-level assessment and classification of all properties. In addition, this phase will involve internal representatives to assist the Project Working Group (PRG) in confirming the initial evaluation and performance criteria.

The outcome of this initial assessment will be that all Council property will be assigned to one of the categories listed below.

- Identified for further investigation and assessment
- Currently utilised and fit for purpose
- Deferred for potential future consideration

To allow for flexibility within the framework process a property may be re-assigned if circumstances or conditions change at the discretion of the Property Review Group (PRG). At the conclusion of this initial phase a detailed briefing will be provided to the Executive Management Team (EMT) outlining the outcomes and recommended classifications.

Phase 2 – Further Investigation & Due Diligence

The objective of this second phase is that each site identified for further investigation in phase one receive a more detailed secondary assessment.

This will include physical site inspections to further filter and classify these properties for reporting and decision making in line with all legislative, statutory, condition, capacity, functionality and risk management requirements. This process will endeavour to categorise these remaining properties into the following descriptions.

Attachment 1 - Property Strategy

- **Operational / Service Delivery**
This relates to Councils role in delivering quality services and the key facilities that support this. Given the changing nature in the way we will provide services for the future there is the opportunity to review the way similar or enhanced community services can be provided.
- **Lease / Licence**
This relates to Councils role as landlord (lessor) in either leasing properties to third parties to deliver community services or concessions leasing to non-for profit or community associations.
- **Maintain / Hold**
This refers to properties that are currently vacant or not utilised for various reasons (condition, capacity useability) and require further assessment or consideration to determine their future. These sites must be responsibly managed regardless of occupation or use as they are a liability to the organisation if not maintained to minimum safety, environmental and security standard.
- **Generate Income / Commercial**
This relates to the classification of property where the maximisation of the income stream is considered to be the primary objective. Property in this area will be developed to the highest and best use of the site in line with market rates.
- **Develop / Partner**
This refers to the potential opportunities to increase the value of land and buildings through alliances or partnerships with third parties. Interested parties can range from Statutory Authorities, to Not-for-Profit organisations, to Public companies to Private Organisations and take various forms from Public - Private Partnerships (PPP), 173 Agreements, Joint Ventures or land swaps/ transfers.
- **Acquisition**
This function relates to an identified need or opportunity to strategically acquire a property to support or deliver a service for council or the community. This would involve detailed commercial due diligence for the assessment of options and evaluation / analysis of purchase and life cycle costs, community benefits and long term financial impacts.
- **Dispose / Discontinuance**
This function relates to the assessment of property for which there is no ongoing service need or where the delivery approach has altered, and the property is no longer required to supply services to or for the community and is surplus to council's needs. This would consider all disposal options; testing alternative uses of capital and the timing to maximise returns.

At the conclusion of this phase a detailed briefing will be provided to the Executive Management Team (EMT) outlining the status and recommended classifications. Once confirmed a subject specific Councillor Briefing will be scheduled to summarise the background and outcomes at this stage of the process.

Attachment 1 - Property Strategy

Phase 3- Reporting & Implementation

This third phase will begin with a report to Council confirming the proposed recommendations for properties that will progress through to the final tertiary assessment process. This final and detailed phase will include specific strategic investigations that may include commercial property or financial analysis and advice to support decision making.

Following the completion of the tertiary assessment process undertaken in this final phase a detailed briefing will be provided to the Executive Management Team (EMT) outlining the outcomes of the process to date and confirm recommendations for Council consideration.

Given there may be several properties for discussion and consideration in this phase reports will be staged and presented on a "case by case" basis or further Council briefings scheduled if required.

Associated Strategies Policies & Procedures

The Property Strategy will be administered with reference to the existing internal strategies, policies and procedures:

- Council Plan
- Annual Plan
- Long Term Financial Plan
- Service Plans
- Parks & Open Space Strategy
- Buildings Asset Management Plan
- Lease and Licencing Policy
- Risk Management Plan
- Service Level Agreements
- Policy for Managing Planned Encroachments
- Policy for the Discontinuance and Sale of Roads.

Legislative and Statutory requirements

Council's property portfolio will be managed within the necessary legislative and statutory requirements including those enacted in the following.

- Local Government Act 1989
- Crown Land (Reserves) Act 1978
- Land Act 1958
- Planning & Environment Act 1987
- Retail Leases Act 2003
- Road Management Act 2004
- Valuation of Land Act 1960
- Subdivision Act 1988

Risk Management

Whatever opportunities are developed for consideration as part of the Property Strategy process is it essential that the identification and management of risk is made a priority.

Risk is currently coordinated through a formally established Risk Management Review Panel (RMRP) comprising of the CEO, Directors, Executive Managers and the Risk Management and Insurance Coordinator.

Attachment 1 - Property Strategy

Council has an adopted risk management framework that provides guidance on the management of risk related data stores (risk register, risk treatment plans, policy and procedural documents and reports). Risk management in relation to the operational aspects of our service delivery are assessed, reviewed and managed by each business unit.

Community Engagement

As a minimum, Council will meet all statutory obligations for notification and community consultation as part of the implementation phase of the Property Strategy process.

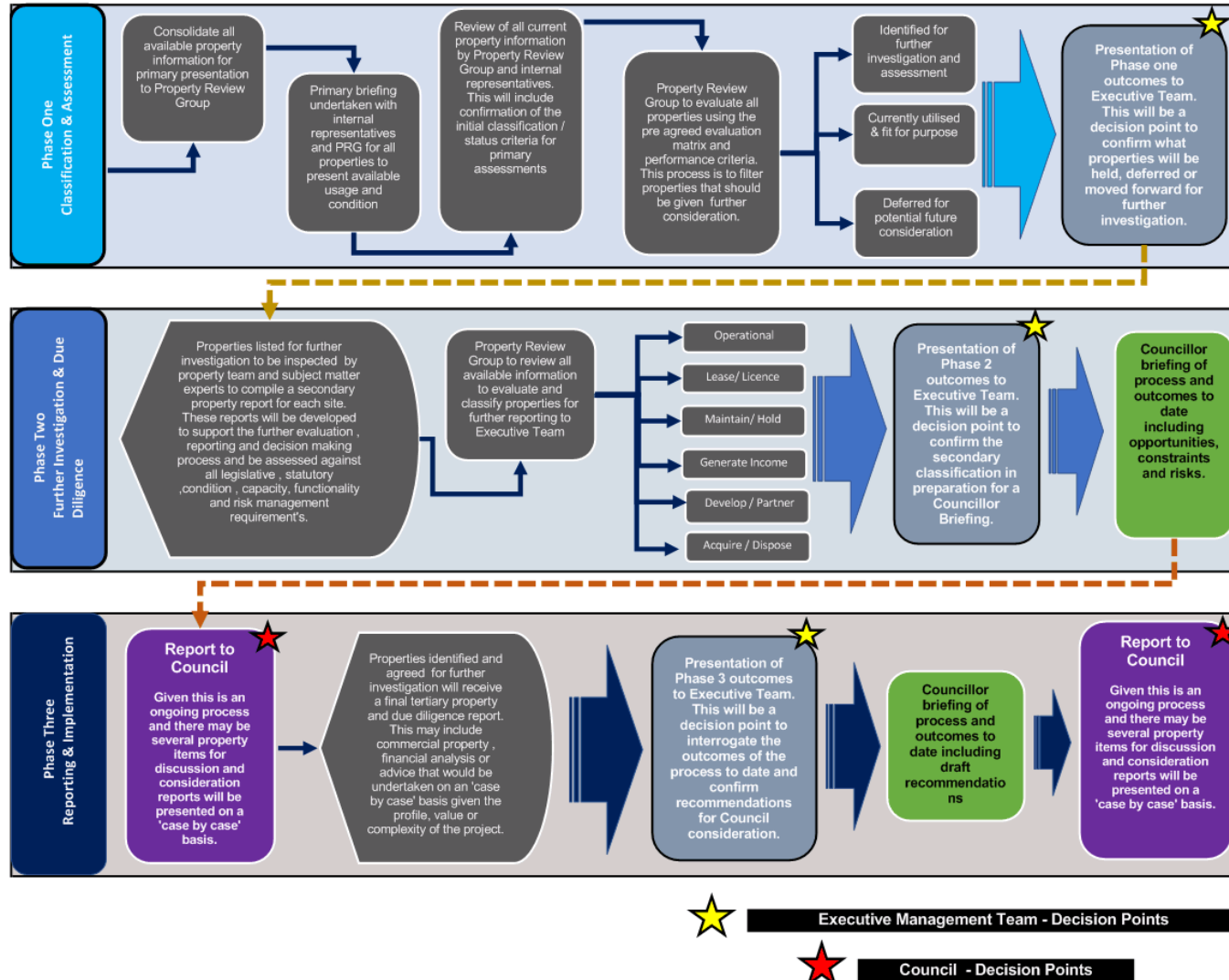
Attachments

- Process Flowchart

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Attachment 2 - Property Strategy Assessment Framework

Property Strategy Assessment Framework - Draft V3- 3/2/2018



11.3 Submission to the Exposure Draft of the Local Government Bill 2018

Trim Record Number: D18/38448

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To seek Council endorsement of the draft Yarra City Council submission to the Exposure Draft of the Local Government Bill 2018 (refer to the draft submission attached as **Attachment 1**).

Background

The Review

2. Since late 2015, the State Government has been undertaking a comprehensive review of the *Local Government Act 1989* (the Act). In launching this review, the then Minister for Local Government, Hon Natalie Hutchins said "we want to build an Act that creates strong, accountable and responsive local government, and an Act that reflects and responds to the needs of our state" (media release 7 September 2015). The review does not extend to a review of legislation for Acts for which the Minister does not have responsibility.
3. The first stage of the review was the release of a consultation paper which focussed on community feedback, and in particular seeking feedback about what people expect of their local Councils and what they believe the appropriate role of Councils is now and into the future. It also questioned the level of consultation and engagement with communities by Councils about key decisions, and complaint handling.
4. Yarra City Council submitted a formal response to the Discussion Paper in December 2015.
5. In June 2016, a Directions Paper was released, which identified the challenges posed by existing legislative requirements and sets out the reforms proposed in the development of a new Act. The paper (which is available at www.yourcouncilyourcommunity.vic.gov.au) described the following ten major reform directions:
 - (a) **Mayors leading councils:** Enable a mayor to provide greater leadership to their council by having two-year terms and extending their powers and responsibilities;
 - (b) **Consistent representative structures:** Improve the consistency of council representative structures by establishing a consistent formula for determining councillor numbers and having councils either be un-subdivided or consist entirely of uniform multi-member wards;
 - (c) **Consistent, simpler voting arrangements:** Simplify voting arrangements for council elections by using the state roll to determine eligible voters (except in the City of Melbourne), introducing partial preferential voting and having a consistent voting method for all Council elections determined by the Minister;
 - (d) **Deliberative community engagement:** Require councils to undertake a deliberative community engagement process before adopting a four-year Council plan by December of the year after their election;
 - (e) **Integrated, strategic planning and reporting:** Require Councils to have an integrated strategic planning and reporting framework including (as well as the four-year council plan) a 10-year community plan, 10-year financial plan and 10-year asset plan;
 - (f) **Effective Ministerial intervention:** Strengthen the Minister's powers to deal with individual Councillors who are contributing to or causing serious governance failures at a Council;
 - (g) **Transparent CEO employment and performance:** Require all Councils to have a CEO remuneration policy and to have an independent advisory mechanism to guide recruitment, contractual arrangements and performance monitoring of CEOs;

- (h) **Power to innovate and collaborate:** Improve the financial sustainability of Councils and strengthen their capacity to be innovative and to undertake collaborative activities;
 - (i) **A consistent rating system:** Establish a single method for valuing land for rates, modernise exemptions from rates and increase transparency in the levying of differential rates; and
 - (j) **Autonomous decision-making balanced by a principle-based Act:** Extend autonomy to Councils by deregulating Council decision-making processes and replacing them with high-level principles requiring transparency and accountability.
6. Yarra City Council submitted a formal response to the Directions Paper in September 2016.
 7. In November 2017, the government released the Exposure Draft of the Local Government Bill 2018, which progressed many of the proposed changes from the Directions Paper (and introduced some additional ones) and set them out in legislation. The purpose of the Exposure Draft is to provide an opportunity to identify inconsistencies, omissions and other problems with the Bill before it is introduced into Parliament.
 8. The major reform directions described by the Minister for Local Government are:
 - (a) *“Mayors will provide greater leadership to councils by adopting more extensive responsibilities and undertaking a commitment to report progress annually to their communities on the Council Four Year Plan;*
 - (b) *Consistency of council representative structures will be improved by establishing a consistent formula for determining councillor numbers and having councils un-subdivided or comprise uniform councillor numbers per ward;*
 - (c) *We will increase participation, formal voting and fairness in council elections by adopting a consistent voting method for all elections (attendance, postal or electronic);*
 - (d) *Councils will undertake deliberative community engagement processes before adopting a four-year Council Plan and four-year Budget so communities better inform strategic directions and spending priorities of council;*
 - (e) *Councils will integrate strategic planning and reporting and adopt a long-term approach, comprising a four-year Council Plan, a four-year Council Budget, a long-term community vision, 10-year financial plan and 10-year asset plan;*
 - (f) *The Act will strengthen the Minister’s powers to deal with individual councillors who are contributing to or causing serious governance failures at a council;*
 - (g) *All councils will have a CEO employment and remuneration policy and an independent advisory mechanism to guide recruitment, contractual arrangements and performance monitoring of the CEO;*
 - (h) *Councils will have greater autonomy with prescriptive decision-making processes replaced by a requirement to comply with high-level principles requiring transparency, accountability and sound financial management;*
 - (i) *Financial sustainability of councils will be strengthened as the Act reinvigorates their capacity to innovate and collaborate with other councils, other government agencies and the private sector; and*
 - (j) *The new Act will establish a single method for valuing land, clarify exemptions from rates and increase transparency in the levying of differential rates.”*
 9. The sector is invited to make submissions on the Exposure Draft until 16 March 2018.
Our submission
 10. The attached draft submission is presented in three parts:
 - (a) Part One: responds to the process itself, and expresses concern that the changes are being rushed and that much of the work is unfinished;

- (b) Part Two: builds on the previous submissions and reiterates Council's opposition to four key issues: creating new powers for the Mayor; removal of attendance voting; making CIV valuation mandatory and broadening the Minister's powers to intervene; and
- (c) Part Three: identifies a range of specific implementation problems that would occur if the Exposure Draft became law and suggests some specific improvements to the drafting and identifies some minor administrative matters which should be addressed before the Bill is presented to Parliament.

External Consultation

- 11. No external consultation has been conducted in relation to this stage of the project.

Internal Consultation (One Yarra)

- 12. Preliminary internal consultation has been undertaken, including circulation of relevant information to Yarra's Senior Management Team and key staff.

Financial Implications

- 13. There are no direct financial implications arising from this stage of the review.

Economic Implications

- 14. There are no direct economic implications arising from this stage of the review.

Sustainability Implications

- 15. There are no direct sustainability implications arising from this stage of the review.

Social Implications

- 16. There are no direct social implications arising from this stage of the review.

Human Rights Implications

- 17. The Exposure Draft has been accompanied by the a Statement of Compatibility with the *Charter of Human Rights and Responsibilities Act 2006* which identifies the interaction between the Bill and the Human Rights Charter. These interactions and limitations are all proportionate to the purpose of the legislation and officers have no concerns with the assessment.

Communications with CALD Communities Implications

- 18. As there has not been a need to undertake external consultation, there are no CALD communications implications arising from this stage of the review.

Council Plan, Strategy and Policy Implications

- 19. There are no direct policy implications arising from this stage of the review.

Legal Implications

- 20. While the wholesale review of the Local Government Act will likely have significant legal implications for Council, there are no specific legal issues arising at this stage of the review.

Other Issues

- 21. There are no other identified issues arising from this stage of the review.

Conclusion

- 22. The City of Yarra's submission of a response to the Exposure Draft of the Local Government Bill 2018 provides an opportunity both to influence the review and to signal Council's intention to pursue the policy issues which remain outstanding.

RECOMMENDATION

1. That in response to the Victorian Government's ongoing review of the Local Government Act 1989 and specifically the publication of the Exposure Draft of the Local Government Bill 2018, Council:
 - (a) endorse the *Yarra City Council – Submission to the Exposure Draft of the Local Government Bill 2018* attached to this report as Attachment 1; and
 - (b) submit the endorsed response to the Local Government Act Review Secretariat by 16 March 2018.
2. That the Mayor send copies of Council's submission to:
 - (a) The Hon. Marlene Kairouz MP, Minister for Local Government;
 - (b) David Morris MP, Shadow Minister for Local Government;
 - (c) Samantha Dunn MP, Local Government portfolio holder, Victoria Greens; and
 - (d) Lizzie Blandthorn MP, Chairperson, Scrutiny of Acts and Regulations Committee.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

- 1 Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Submission to

Exposure Draft of the Local Government Bill 2018

Adopted by Council on 6 March 2018

DRAFT

Enquiries regarding this submission can be directed to:

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Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Introduction

In our submission to the Discussion Paper in December 2015, Yarra City Council welcomed the opportunity to be involved in the long overdue review of the Local Government Act 1989. We looked forward to a review with outcomes that would support the basic principle of enabling local communities and their elected representatives to make decisions about those matters of importance to them. We also looked forward to our participation in the review.

In September 2016, we expressed disappointment that the Directions Paper showed little attempt at genuine reform and a piecemeal and limited attempt at legislative change.

We now make this submission in response to the release of the Exposure Draft of the Local Government Bill 2018. Our submission is in three parts:

Part One: A Missed Opportunity?

This review presents a once in a generation opportunity to restructure and modernise the enabling legislation for local government, and to respond to the desire of the sector for an Act that provides for flexibility and responsiveness to local communities. It is a chance for a reduction in prescriptive legislation and regulation and a streamlined, minimalist Act that fosters community self-determination.

This section sets out a number of concerns we have with the structure of the intended legislative framework, the process thus far and intended way forward.

Part Two: Getting the Policy Settings Right

The Exposure Draft provides the mechanism to implement those policy shifts first canvassed in the Directions Paper. In addition, the draft puts in place a number of changes which were not considered in the Directions Paper and have not been the subject of broad consultation with the sector.

This section highlights a small number of specific matters which we feel warrant reconsideration before the Exposure Draft is finalised and presented to Parliament.

Part Three: Practical Difficulties

Setting aside for the moment Council's views regarding the intent of elements of the Exposure Draft, we have reviewed the legislation and considered how it might be implemented in our organisation. This process has identified a number of specific matters which warrant further review. We have also identified a number of matters which may cause difficulties with interpretation or where there appears to have been errors or omissions.

This section sets out some specific issues where the Exposure Draft would be confusing, conflicting or unworkable. For consideration, we have suggested a solution in each of the identified issues.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Part One: A Missed Opportunity?

This review presents a once in a generation opportunity to restructure and modernise the enabling legislation for local government, and to respond to the desire of the sector for an Act that provides for flexibility and responsiveness to local communities. It is a chance for a reduction in prescriptive legislation and regulation and a streamlined, minimalist Act that fosters community self-determination.

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DRAFT

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



DECREASED LEGISLATION IN FAVOUR OF GREATER REGULATION

In her Ministerial Statement on Local Government in August 2015, the then Minister for Local Government said:

"Since its creation there have been over 90 amending Acts resulting in hundreds of individual amendments to the Local Government Act 1989. The result is an Act that is poorly structured and unclear – even contradictory – in some places. It contains historic and redundant clauses which obscure meaning and can be an obstacle to efficient administration by councils."

It seems that the primary response to this issue is to restructure the proposed new framework to rely more heavily on Regulations in an attempt to streamline the Act. While this is effective at first glance, it potentially leads to a confusing and cumbersome legislative framework that is increasingly impenetrable to the public, to Councillors and to the professionals in the sector.

Further, the process for developing new and updated Regulations does not have the same level of Parliamentary rigour as a change to the Local Government Act would require, and we have concerns that this new framework will result in more frequent change and adjustment – something the 1989 Act has been criticised for in recent years.

UNFINISHED BUSINESS

Many provisions of the Local Government Act 1989 have not been translated into the Exposure Draft, as it is intended to include those provisions in later amendments to other Acts. The road safety and road management provisions for example, do not find a home in the Exposure Draft. Further, the increased reliance on Regulations rather than the Act itself means that it is essential that both the proposed act *and* its supporting Regulations be the subject of stakeholder consultation and feedback.

On this basis, it is impossible to form a clear position on whether the Exposure Bill can be supported, as it is not yet clear which of the now missing provisions will find a home elsewhere, or what form they will take if they are translated.

The Yarra City Council looks forward to an opportunity to be involved in further stages of this review.

TAKING TIME TO GET IT RIGHT

We are advised that it is currently planned to bring the Bill to Parliament in May 2018, enabling sufficient time for the first elements of the legislation to come into effect on 1 July 2018. This timeframe does not, in our view, enable sufficient time to resolve the significant number of outstanding issues – particularly those that were not canvassed in the Directions Paper.

Given the magnitude of the changes being proposed, it is the preference of the Yarra City Council that further time be taken to further consider the impacts of the proposals and the feedback of stakeholders before bringing the bill to Parliament.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)

Part Two: Getting the Policy Settings Right

The Exposure Draft provides the mechanism to implement those policy shifts first canvassed in the Directions Paper. In addition, the draft puts in place a number of changes which were not considered in the Directions Paper and have not been the subject of broad consultation with the sector.

This section highlights a small number of specific matters which we feel warrant reconsideration before the Exposure Draft is finalised and presented to Parliament.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)**THE ROLE OF LOCAL GOVERNMENT**

The 1989 Act set out in Part 1A the role, purpose, objectives, role and functions of Councils – a series of high level statements that still reflect the contemporary role of local government. Indeed, it was this transition away from the service delivery obligations in the 1958 Act that empowered local government to truly take its place as one of the three levels of government in Australia.

In the Exposure Draft, these clear statements are gone – replaced by a role statement and a series of governance principles by which Councils must abide. These principles, self-evident as they mostly are (surely it serves no purpose to include an obligation on Councils to comply with the law) contain a clear omission and a worrying insertion.

The omission – a statement in support of Council’s significant advocacy role – leaves Council vulnerable to accusations that they have no role in public policy discourse, and play no part in lobbying or otherwise seeking the best outcomes for their communities. The insertion – a requirement that Councils “cooperate with other governments and public bodies” – suggests that Councils are no longer in control of their own destiny, and in many ways, are worse off than they were in 1958.

The Exposure Draft speaks at length at the value of community participation, and underpinning Council’s decision-making and policy development with comprehensive community engagement. It is hard to see how this is supported by the governance principles in the Exposure Draft.

The Yarra City Council does not support these changes.

CHANGE TO THE STATUS OF MAYORS

For as long as local government has been in existence, Mayors have been the ‘first among equals’, with no distinction in legislative power between Councillors and the Mayor. Mayors have played an important ceremonial role and provided leadership to both the Council and the community but, aside from the ability to have a casting vote, have had the same power in the Chamber as every other Councillor. Even that casting vote power has been qualified by the long standing convention that the vote be used to maintain the status quo.

The Exposure Draft seeks to establish a role for Mayors that is more akin to a “Lord Mayor”, with proposals to provide certain executive powers to the Mayor and introduce the role of Deputy Mayor. These new Mayors are envisaged to have new powers in the Council Chamber and the ability to make a range of decisions without the support of the Council. Many of these powers are not intended to be subject to any ability for Council review.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



The following specific powers have been enumerated for the Mayor, and are not supported by the Yarra City Council:

- to appoint Chairpersons to delegated committees and to override any appointment made by the Council;
- to lead engagement with the municipal community on the development of the Council Plan;
- to advise the Chief Executive Officer on the setting of Council Agendas;
- to direct a Councillor to leave a Council meeting in certain circumstances;
- to require the Chief Executive officer to report on the implementation of a Council decision.

Further, all of these powers are conferred on the Deputy Mayor in the absence of the Mayor. The Yarra City Council does not support this proposal.

This extraordinary departure from a model of collective decision-making to one of executive authority is anathema to the very ideal of representative local government and potentially disenfranchises hundreds of local Councillors.

REMOVAL OF ABILITY TO DETERMINE VOTING METHOD

An important element of local government autonomy is that communities have the flexibility to determine the democratic representation model that suits their circumstances. Yarra City Council has concerns that the Exposure Draft sets out a vision for local government elections that:

- Places an inflated value on consistency in voting method between municipalities, while placing no value on consistency between local and state or federal elections.
- By mandating a consistent voting method across Victoria, effectively spells an end to local attendance elections and makes the introduction of a future trial of electronic elections almost impossible.
- Fails to implement a number of key recommendations of the Georgiou review into the electoral franchise in local government.
- Places key decisions about the manner of the election, the number of Councillors and the electoral structure in the hands of the Minister and the Victorian Electoral Commission, with no obligation for community consultation.

Elections in the City of Yarra have long been conducted by attendance voting, and the Yarra City Council is disappointed that the Exposure Draft makes this unlikely to continue.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)**LAND USED FOR CHARITABLE PURPOSES**

The Directions Paper canvassed the application of a rate exemption to land owned by a for-profit organisation but leased to a charitable organisation. This direction was not supported by Yarra City Council, and we are pleased that it has not progressed. That said, we did make the observation that the treatment of land used for charitable purposes would be best managed through Council's powers to apply concessions and rebates, as well as direct grants. In this way, it would be possible to better reflect the contribution these landowners are making to the wellbeing of the local community.

The reason for this is that the simple application of a rate exemption is far too blunt an instrument to adequately reflect the contribution that charitable organisations make to a local community. In Yarra, by way of example, there are two very large private hospitals – both exempt from rates and both serving a catchment well beyond the City of Yarra. Their contribution to the City of Yarra is unquestioned, but is no more remarkable than their contribution to municipalities across Melbourne and indeed, Victoria. The removal of these two high value property owners from the rate pool essentially means that ratepayers across the City of Yarra are contributing more in order to offset these losses.

REQUIREMENT TO MOVE TO THE CAPITAL IMPROVED VALUE SYSTEM

A significant change to the Exposure Draft is the extent to which local communities are involved in decision-making. Gone is the reliance solely on the four year election cycle for communities to have their say, and in its place is a requirement to have a community engagement policy that gives effect to the community engagement principles. Councils must consult with communities in the development of budgets, and must be able to demonstrate community support if applying for a special Order to increase the Council's average rate cap.

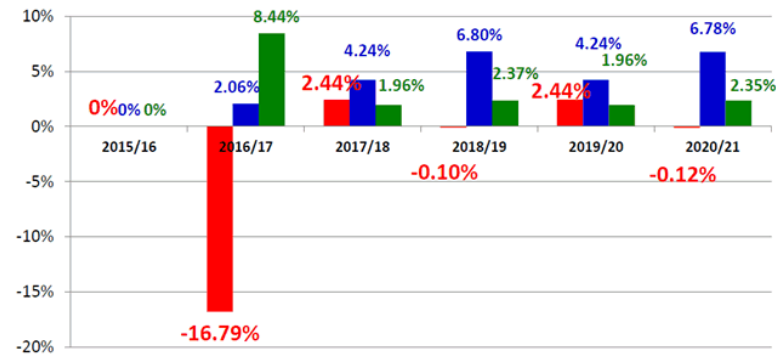
Given this strong commitment to community involvement, the removal of flexibility in distributing rate obligations is puzzling, as it reduces the ability of Councils to put in place a rate distribution that reflects community desires.

Yarra City Council currently allocates rate charges using the Net Annual Value of properties. In 2015, Council undertook a comparison of NAV and CIV which quantified the impact of moving from one system to the other. The analysis showed that without the introduction of differential rates, residential rates in the municipality would increase in the first year by an average of 8.44%, with a reduction in commercial rates of 16.79%.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Analysis of the impact of moving to CIV



**IMPACT OF
CHANGE TO CIV**
(Year-on-Year change to Ave.
Rates & Charges per
assessment)
Inc. any charges

■ Commercial ■ Industrial ■ Residential



Mach 2 Consulting, 2015

While the impact of this change could be partially addressed through the introduction of differential rates, the analysis further showed that the distribution within each rating class would change in a way that could not be addressed through differential rates. In both commercial and industrial properties, the relative gap between low and high value properties would decrease (effectively transferring rate charges from high value commercial properties to small businesses in Yarra's shopping strips). In residential properties, the gap would increase (placing a greater share of the rate on those income poor, asset rich residents of Yarra's inner city suburbs).

Yarra City Council is disappointed that the Exposure Draft includes a requirement to use Capital Improved Value in future. We are further concerned that there are inadequate transition provisions to enable this change to be made over a number of years – softening the blow on those property owners most affected.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



EXTRAORDINARY POWERS FOR THE MINISTER

Yarra City Council has a concern with the large number of measures in the Exposure Draft which will undermine the role of local government as a distinct and essential tier of government as set out in the Constitution Act 1975.

The Exposure Draft establishes significant and potentially far-reaching powers for the Minister for Local Government. Yarra City Council has concerns about the Minister's powers to:

- determine the level of allowances for the Mayor, Deputy Mayor and Councillors at an individual Council level;
- set Councillor numbers and representative structures without a requirement for community consultation;
- retain the ability to set a general rate cap for the sector;
- direct a Council to submit detailed financial statements and supporting information without providing grounds for the request;
- place a Council into administration following the creation of two or more vacancies;
- make orders in relation to the restructure of municipal districts (including amalgamation, abolition and alteration of boundaries).

It is hard to see how local government could be considered "distinct" if its empowering Act includes these provisions.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)

Part Three: Practical Difficulties

Setting aside for the moment Council's views regarding the intent of elements of the Exposure Draft, we have reviewed the legislation and considered how it might be implemented in our organisation. This process has identified a number of specific matters which warrant further review. We have also identified a number of matters which may cause difficulties with interpretation or where there appears to have been errors or omissions.

This section sets out some specific issues where the Exposure Draft would be confusing, conflicting or unworkable. For consideration, we have suggested a solution in each of the identified issues.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
3 Definition of confidential information	<p>The existing Act includes a mechanism for Council (or the CEO for 50 days) to declare information to be 'confidential'. There is also a provision for a Council to determine that information that once was confidential is no longer so, and can therefore be released. The Exposure Draft does not contain these provisions.</p> <p>By taking the determination of whether information is confidential out of the hands of the Council and relying solely on the definition, the Exposure Draft seeks to narrow the scope of the confidentiality provisions and improve transparency. However, with no provision for Council to determine whether information is confidential, it leads to the perverse outcome that information which a Council wishes to release is caught by the inflexible provisions and cannot be released.</p> <p>For example, it is arguable that the practice now followed by many Councils of releasing details of successful tenders (after the decision has been made) could be interpreted as disclosure of 'private commercial information' and would be prohibited. Similarly, there is no mechanism to address the situation where confidential information has become available in the public domain, and Council wishes to be able to participate in public discussion about that information.</p> <p>Further, the definition of confidential information in this way makes it impossible to give full effect to Recommendation 1 of the Victorian Ombudsman in the December 2016 report <i>Investigation into the transparency of local government decision making</i> that the Act include "a requirement for councils to include a 'sunset' provision in relation to all items discussed in closed meetings."</p> <p>Solution</p> <p>It is suggested that the definition of 'confidential information' include a provision to enable Council to determine that information is not confidential, regardless of the fact it falls within categories (a) through (g) and where appropriate, category (j); including an ability for information to automatically become public when a sunset provision is triggered.</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
3 Defining 'unreasonable disclosure'	<p>The Exposure Draft defines 'confidential information' in a manner roughly akin to the provisions in the Freedom of Information Act. Among the definitions is a provision for 'personal information', which requires a test as to whether disclosure would be 'unreasonable'. While the FOI Act [at s33(2A)] provides guidance as to what constitutes 'unreasonable', the Exposure Draft omits this guidance.</p> <p>Solution</p> <p>It is suggested that the definition of 'personal information' include guidance as to what constitutes 'unreasonable disclosure'. Alternatively, consideration could be given to calling directly upon the provisions of the FOI Act (plus any necessary additions which are specific to the sector), rather than creating a new definition for this purpose.</p>
10 CEO's power of sub-delegation	<p>The Exposure Draft includes restrictions on the power of delegation at s10(2). The wording of s10(2)(a) differs from the existing Act in that it reads "<i>the</i> power of delegation" rather than "<i>this</i> power of delegation". This wording change arguably has the effect of limiting the ability to delegate authority for matters only to those specifically delegated by the Council [s46(1)] or conferred under the Act [s46(2)]. For example, the Freedom of Information Act confers specific powers upon the Chief Executive Officer to make determinations on applications. The Exposure Draft does not appear to provide a mechanism for the CEO to delegate this authority to a member of Council staff.</p> <p>Solution</p> <p>It is suggested that the wording "<i>this</i> power of delegation" be used.</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
10(4) Delegation must include a maximum monetary limit	<p>This section is unnecessary. Given it could essentially be circumvented by the setting of a comically large limit, it adds nothing to the Act and serves only to suggest that a financial limit is the most appropriate condition to place upon this delegated power. Further, it raises questions about whether multiple payments to a single vendor should be cumulatively assessed against the limit, or whether each individual contract should be assessed separately.</p> <p>Given Councils will be developing their own procurement policies which set out matters like quotation and tender thresholds, it is appropriate that Councils should determine whether a financial restriction in the CEO's Instrument of Delegation is appropriate, and how this should be structured.</p> <p>Solution Removal of section 10(4) from the Exposure Draft.</p>
14(1)(e) Governor may order the number of Councillors to be elected in each ward	<p>This section adds nothing and is adequately covered by 14(1)(a) and 14(1)(c).</p> <p>Solution Removal of section 14(1)(e) from the Exposure Draft</p>
14(2)(a) and 14(2)(b) Minister must seek to ensure balance between wards	<p>The words 'per Councillor' in both clauses are unnecessary, as all wards in any Council will have equal numbers of Councillors.</p> <p>Solution Remove the words 'per Councillor' from sections 14(2)(a) and 14(2)(b) in the Exposure Draft</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
18(1)(a) Mayor to appoint Chair of Committees	<p>The City of Yarra has a delegated Committee comprised of three of Yarra's nine Councillors, on a rostered basis. This produces 84 different Councillor combinations (or 336 combinations if the possibility of absences is considered). The current process provides for the Committee to elect a chairperson at the commencement of each meeting. It would be unworkable to appoint a chairperson in advance of each meeting. Further, section 61(2)(b), which requires that appointment cannot be made by the committee itself, reduces the flexibility to appoint a chairperson in the event of absences.</p> <p>It is Yarra City Council's position that a decision to empower the Mayor to appoint the chairs of committees should be one for the Council to make, and it is a matter best set out in that Council's Governance Rules. This is the current situation at the City of Melbourne, where the Council has the ability to delegate the power to make Committee appointments to the Lord Mayor. This arrangement eliminates the risk of a Mayor (in this case, the Lord Mayor) making appointments in opposition to the wishes of the Council.</p> <p>Solution</p> <p>Section 18(1)(a) be reworded to read <i>"to appoint a Councillor, subject to any procedures or limitations specified in the Governance Rules, to be the chair of a delegated committee;"</i></p> <p>Section 61(2)(b) be removed from the Exposure Draft, and a new section 61(2A) be added, reading:</p> <p><i>"(2A) A delegated committee must be chaired by a Councillor appointed -</i> <i>(a) by the Council or the Mayor;</i> <i>(b) if no Councillor has been appointed by the Council or the Mayor, by the Committee; or</i> <i>(c) if the Councillor appointed by the Council or the Mayor is absent, by the Committee.</i></p> <p><i>(2B) For the purposes of the appointment of a Chairperson in circumstances described in sub section 2A(b) and (c), the meeting is to be chaired by the Chief Executive Officer or their delegate until an appointment is made."</i></p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
19(2)(c) Appointment of an Acting Chief Executive Officer	<p>If a CEO is planning to be absent for a few days, the practice at the City Yarra is for the CEO to appoint a replacement. In the event of an extended absence, the Council would be asked to make an appointment by resolution.</p> <p>Section 10(2)(c) of the Exposure Draft removes the ability of the CEO to appoint a replacement CEO for short absences, and will require the convening of an urgent Council meeting on each occasion of an unexpected absence (such as due to illness), or placement of all duties on hold until the CEO's return.</p> <p>Solution</p> <p>It is suggested that this restriction on short-term appointments be removed and the clause read <i>"the power to appoint a permanent Chief Executive Officer or an acting Chief Executive Officer for any period greater than 28 days;"</i></p>
20 and 26 Replacing a Mayor after declaring the office vacant	<p>The Exposure Draft includes provisions at s20 for Council to declare the office of Mayor to be vacant. In these circumstances, it would be advantageous for a Council to immediately elect another Councillor to be Mayor. Currently, the only requirement is at s26(6) which requires the election of a new Mayor occur within one month.</p> <p>Solution</p> <p>It is suggested that a clause be inserted either at s20 or s26 which requires the election of a Mayor <i>"immediately after declaring the office of Mayor to be vacant at a meeting under s20(3)"</i>.</p>
22 Declaring the Deputy Mayor's office vacant	<p>The Exposure Draft includes provisions at s20 for Council to declare the office of Mayor to be vacant. There are no equivalent provisions for ending the term of the Deputy Mayor. While the effect of s22(a) would be that the Deputy Mayor's term would end upon the election of the Mayor (which also avoids the possibility that a Councillor could hold both offices simultaneously), there is no standalone provision for the removal of the Deputy Mayor.</p> <p>Solution</p> <p>It is suggested that a clause modelled on s20 be inserted into the bill immediately following s22, and set out a mechanism for declaring the office of Deputy Mayor to be vacant and that a s22(f) be inserted (modelled on s19(f)).</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
27(2) and 26(8) A casual vacancy in the office of Deputy Mayor	<p>The Exposure Draft requires that a casual vacancy in the office of Deputy Mayor be replaced within one month of a vacancy occurring. In these circumstances, section 26(3) requires that the Council first determine whether the Deputy Mayor is to be elected for a 1 year or a 2 year term. This is clearly not the intention, and would be of no effect in any case, as the Deputy Mayor's term would effectively come to an end upon the election of a new Deputy Mayor under the provisions of section 27(1).</p> <p>Solution</p> <p>It is suggested that s27(2) be modified to include a reference to s26(8).</p>
27(2) and 26(3) Mayoral and Deputy Mayoral term lengths	<p>The Exposure Draft enables Council to determine the term of appointment for both the Mayor [s29(3)] and the Deputy Mayor [s27(2)]. Notwithstanding the Department's advice that <i>"the deputy mayor's term parallels the term of the mayor, that is either one year or two years, as agreed by the council"</i>, the wording of section s27(2) is that there is no requirement that these terms be of the same length, meaning it would be open to a Council to appoint a Mayor for one year and a Deputy Mayor for two years, or vice versa. This presents a number of problems with the construction of the Exposure Draft. It is understood from discussions with the Department that this was not the intended outcome.</p> <p>Solution</p> <p>It is suggested that s27(2) be modified to exclude the reference to s26(2) and s26(3) and that a further section be added at 27(1A) reading <i>"The Deputy Mayor must be elected for the same term as the Mayor"</i>.</p>
28(3) Councillor's duties do not include CEO's duties	<p>Section 28(3) has the effect of contradicting s28(2)(e), which requires a Councillor to support the Mayor.</p> <p>Solution</p> <p>The role of a Councillor does not include the performance of any responsibilities or functions of the Chief Executive Officer.</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
33(1)(e) & 33(2) Councillor ineligible if absence without leave for 4 months	<p>The Exposure Draft uses the word 'leave', which is widely misinterpreted by the sector and interpreted akin to 'annual leave'. Further, it is suggested that the wording be altered to make in unambiguous that such permission can only be granted by a resolution of the Council at a meeting, not by the CEO under delegation.</p> <p>Solution</p> <p>Section 33(1)(e) be reworded to: <i>"subject to this section, is absent from meetings of the Council for a period of 4 consecutive months without permission obtained by a resolution made at a Council meeting."</i></p> <p>Section 33(2) be reworded to <i>"The Council must not unreasonably refuse to grant permission."</i></p>
33(3) and 33(4) Circumstances where a Councillor is not taken to be absent	<p>Both provisions include the phrase 'A Councillor is not to be taken to be absent'. It is arguable that this could have the effect of requiring a Councillor to be recorded as in attendance for the purposes of determining whether a quorum has been reached. Similarly, it could be interpreted as meaning that a Councillor should not be recorded as 'absent' in the minutes of a meeting held during a period of suspension or parental leave.</p> <p>Solution</p> <p>Both section 33(3) and 33(4) be reworded to commence <i>"For the purposes of this section, a Councillor is not to be taken to be absent..."</i></p>
33(4) Provision for 6 months' parental leave	<p>This clause should be sufficiently flexible as to allow a Councillor to commence the period of leave upon commencing responsibility for the care of a child. For example, if a Councillor assumes primary care responsibilities for their child at six months of age, they are unable to draw on this provision.</p> <p>Solution</p> <p>Section 33(4) be reworded to <i>"A Councillor is not to be taken to be absent from meetings of the Council during an unbroken period of 6 months within 12 months after the Councillor—"</i></p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
33(4)(b) When parental leave provisions are triggered.	<p>The wording of this clause suggests a Councillor could take leave upon the establishment of a relationship with a person with a child of any age (even an adult), provided 'responsibility for the care' can be established. It is suggested that this is not the intention of this section.</p> <p>Solution</p> <p>Section 33(4)(b) be reworded to <i>"becomes the spouse or de facto partner of a person who is a natural parent of a child under the age of 16 years; or"</i></p>
33(4) When parental leave provisions are triggered.	<p>The wording of this clause does not include the scenario where a Councillor becomes the spouse or de facto partner of a person who has adopted a child under the age of 16 years.</p> <p>Solution</p> <p>Section 33(4) include a provision at 33(4)(d) reading <i>"becomes the spouse or de facto partner of a person who has adopted a child under the age of 16 years."</i></p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
43 Dismissal of the Chief Executive Officer	<p>For the first time, the Local Government Act will include a provision to enable a Council to cut short the term of a sitting Mayor. These provisions introduce a new concept of 'a majority of at least three-quarters of all of the Councillors in office'. Given the significance of ending a Mayoral term early, this is an important provision to ensure that a Mayor is only ousted from office with the support of a significant majority of the Councillors, rather than only slightly more than half.</p> <p>While a decision to shorten the term of a Mayor is undoubtedly significant, a decision to terminate a CEO before the expiry of their contract arguably has a greater impact on the organisation, and almost certainly has a more significant financial impact.</p> <p>It is important that any provision requiring a greater level of support among Councillors before a CEO's contract is terminated, not limit the ability of a Council to determine not to re-appoint a CEO once their contract has expired. Further, if it is desired to summarily dismiss a CEO (due to fraud or some other malfeasance), the Act should not prevent the Council from issuing a lawful direction to a CEO that they take leave until such time as a formal decision on their employment can be made.</p> <p>Solution</p> <p>It is suggested that a provision similar to that dealing with the Mayor be introduced into the new Act after section 43. The provision would read:</p> <p><i>Dismissal of a Chief Executive Officer</i></p> <ol style="list-style-type: none"> (1) A Council may only dismiss a Chief Executive Officer in accordance with this section. (2) A notice of motion to dismiss a Chief Executive Officer must be— <ol style="list-style-type: none"> (a) signed by an absolute majority of the Councillors; and (b) lodged with the Mayor at least 14 days before the day on which the meeting to consider the motion is proposed; and (c) provided to each Councillor by the Mayor without delay. (3) The Chief Executive Officer can only be dismissed if the motion to dismiss the Chief Executive Officer is passed by a majority of at least three-quarters of all of the Councillors in office. (4) For the purposes of subsection (2)(a), absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council. (5) Nothing in this section affects the ability of a Council to determine not to re-appoint a Chief Executive Officer upon the expiry of their contract of employment.

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
47(2) Definition of a senior officer for the purposes of the Evidence Act.	<p>This clause refers to the power to witness statutory declarations, but not the power to take affidavits. It further creates a situation where a Chief Executive Officer would need to authorise themselves before exercising this power.</p> <p>Solution</p> <p>Section 47(2) be reworded to read <i>“For the purposes of sections 107A(1)(o) and 123C(gc) of the Evidence (Miscellaneous Provisions) Act 1958, a senior officer of a Council is the Chief Executive Officer or a senior member of Council staff who is authorised in writing by the Chief Executive Officer to witness statutory declarations and take affidavits.”</i></p>
63(5) Recording confidential decisions in the minutes	<p>The Exposure Draft at section 63(5) requires that where a meeting is to be closed to the public, the Council or delegated committee must record the reason for determining to close the meeting to the public in minutes of the meeting that are available for public inspection. A literal reading of this clause is that the reason can only be one of the three circumstances set out in section 63(2). It would appear that this clause is intended to apply only to circumstances where the meeting is closed to consider confidential information, and the requirement is that the minutes record the applicable classification from section 3(1).</p> <p>Further, it is arguable that the Exposure Draft does not give full effect to Recommendation 1 of the Victorian Ombudsman in the December 2016 report <i>Investigation into the transparency of local government decision making</i> that the Act include “a requirement for more detailed reasons in relation to the closure of meetings to be specified in the minutes”.</p> <p>Solution</p> <p>It is suggested that clause 63(5) read:</p> <p><i>“If a Council or delegated committee determines that a meeting is to be closed to the public in order to consider confidential information, the Council or delegated committee must record the classification of the confidential information from section 3(1) and summary of the matter considered in minutes of the meeting that are available for public inspection.”</i></p>

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Exposure Draft section	Feedback
63(5) Closed meetings are not confidential	<p>The narrow definition of confidential in the Exposure Draft means that the proceeds of meetings that are closed to the public under the new section 63(2)(a) are not, in themselves, confidential. This removes an important and long standing tradition on local government regarding the confidentiality of decision-making in relation to sensitive matters.</p> <p>By way of example, if a meeting were held to consider the appointment of a Chief Executive Officer, and the minutes recorded the names of the Councillors who were opposed to the appointment, the Exposure Draft would not prevent a Councillor from disclosing an extract from the minutes of the Council meeting showing the names of the Councillors who are opposed to the appointment. This information would not fall within any of the definitions listed in section 3(1).</p> <p>Solution</p> <p>It is suggested that the definition of confidential information at section 3(1) include:</p> <p><i>“the official record of any deliberation or decision of a closed meeting or part of a closed meeting (other than the official record under section 63(5) in the minutes of a meeting)”</i></p>
66 Repeated reference to avoiding ‘Council decisions’	<p>The term ‘Council Decision’ is used repeatedly in this clause without definition. The 1989 Act has a similar provision, prohibiting ‘inappropriate decisions made by a Council’. Given the fact that all delegated decisions are, in effect, ‘made by a Council’, this clause has always been problematic in application. For example, on its face, the wording of the Exposure Draft (and the 1989 Act) would prohibit a Council officer from ordering stationery during an election period, provided there are enough supplies to keep going until the next Council is in place (as this decision could be ‘reasonably deferred’).</p> <p>Solution</p> <p>It is suggested that the term ‘Council Decision’ be defined for the purposes of this section as:</p> <p><i>Council decision means a decision taken by Council resolution or delegated authority during an election period, but does not include a routine administrative and operational decision by a Council officer under delegation.</i></p>

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Exposure Draft section	Feedback
<p>66(2)(c) & (d)</p> <p>Council must not make a decision on a matter if it 'considers' it could be deferred.</p>	<p>Council cannot 'consider' anything without a resolution, and the Exposure Draft does not impose any positive obligation on a Council to undertake the necessary consideration. On this basis, it is difficult to see how this provision could be given effect.</p> <p>Solution</p> <p>It is suggested these clauses be reworded to require a resolution by Council at each caretaker meeting that Council considers that the matters to be considered at that meeting cannot be reasonably deferred and should be made during the election period. This would also then allow section 66(4) to be expanded to reference both 66(2)(c) & (d).</p>
<p>162(3)(c)</p> <p>Misuse of position includes directing staff</p>	<p>This section has been carried over from the current Act, with one important difference. In the 1989 Act, the clause was listed under the heading "Improper Direction", which had the effect of permitting Councillors to give "proper direction".</p> <p>For example, if a Mayor walked into their office and said to their personal assistant: "Hi Chris, please get me a meeting with CEO next week", this would now fall under the definition of 'Misuse of position'.</p> <p>Solution</p> <p>Section 162(3)(c) be reworded to read <i>"improperly directing or influencing, or seeking to improperly direct or influence a member of Council staff; or"</i>.</p>
<p>179(7)</p> <p>Code of Conduct cannot be inconsistent with human Rights Charter</p>	<p>A subordinate instrument cannot be incompatible with the Human Rights Charter unless it is "empowered to be so by the Act under which it is made" (see s32(3)(b) of the Charter of Human Rights and Responsibilities Act 2006). This basic principle of legislative construction need not be restated here.</p> <p>Solution</p> <p>Removal of section 179(7) from the Exposure Draft.</p>

Attachment 1 - Yarra City Council Submission to the Exposure Draft of the Local Government Bill 2018 (draft)



Exposure Draft section	Feedback
180(1) A Council may review or amend a Code of Conduct	Council may review or amend any of its policy documents or rules at any time. The inclusion of this clause specific to the Code of Conduct serves no purpose. Solution Removal of section 180(1) from the Exposure Draft.
182(2) Council must table the findings of an arbiter	It is not clear from this wording whether it is intended that the findings be published in the minutes of the meeting. It is suggested that the wording specify that they are to be included in the minutes, and that the minutes are available to the public. Solution Section 182(2) be reworded to read <i>"A Council must table the findings of an arbiter at the next Council meeting after the findings have been made and include them in the minutes of the meeting."</i>
182(3) Council may table the reasons with the findings of an arbiter	This clause provides a mechanism to table the reasons, except where they contain confidential information. The effect of section 181(4) (which defines what internal resolution information is confidential) and section 3(1) (which sets out what information is confidential) is that the reasons themselves cannot be confidential. Solution Removal of section 182(3) from the Exposure Draft.

12.1 Notice of Motion No 2 of 2018 - Review Fees for Community Garden Spaces

Trim Record Number: D18/40595

Responsible Officer: Group Manager Chief Executive's Office

I, Councillor Misha Coleman, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 6 March 2018:

“That Council revise the adopted fee for community growing spaces to \$0 for 2017/18.”

Purpose

1. To encourage and support urban agriculture and community planting, which is a low-cost, high value activity that is consistent with the City of Yarra's sustainability agenda and is embedded in a number of strategic plans and strategies across our operations.

Background

2. In 2017 Council introduced an annual fee of \$55 for community growing spaces (planter boxes, nature strips and fruit trees). The purpose of the fee was to:
 - (a) discourage uncommitted or uncertain residents from applying for the program; and
 - (b) raise revenue to offset some of the rising costs of running the program.
3. It was clear from the documentation provided by the City of Yarra to the residents who adopted the planter boxes, that no fees would be incurred to residents. Furthermore, there was no indication that fees would be introduced in the future either.
4. Additionally, it was not made clear to Councillors in the 2017/2018 budget documents that this new fee was being introduced.
5. Therefore, following petitions received and feedback from many of these early adopter residents, a temporary hold on applying the fee was implemented in November 2017. Applications and renewals for 2017/18 are thus not being processed pending a decision on whether or not a fee should be charged and if yes, the level of fee that is appropriate.
6. In 2012, Council introduced urban agriculture guidelines under the “Community Growing Spaces” program to manage ‘guerrilla’ gardening that has occurred on Council-managed land. The program provides an opportunity for the community to work together, building more resilient and liveable neighbourhoods through growing, producing and sharing fresh and healthy food. The program creates small gardens located on public land, supported by Council, tended and cared for by the community. These are an effective means of inspiring and enabling food growing in the city and building social and economic wellbeing in communities. For further information on the program can be found at <https://www.yarracity.vic.gov.au/services/living-sustainably/grow-your-own-food/how-do-i-get-a-planter-box-or-a-laneway-garden#tab-planter-boxes>
7. The ‘growing spaces’ covered by this program include nature strip gardens and planter boxes. Planter boxes provide the vast majority of the growing spaces.
8. The number of planter box applications has risen over the last few years going from 7 in 2012 to 58 in 2017. There are now 120 agreements with 161 planter boxes, which average out to:
 - (a) 24 agreements/year since the commencement of the program of 2012, or;
 - (b) an average of 32 planter boxes/year since the commencement of the program of 2012.
9. Most of the growing spaces are well-cared for, however, there are some ongoing issues which require attention:

- (a) this care and attention is largely provided by the residents in the streets where they are positioned, noting that to date this has been a free program;
 - (b) for the minority that are not actively cared for by residents, it's considered that any care required is a highly worthwhile use of Council funds and that this expenditure is entirely consistent with our Urban Agriculture agenda; and
 - (c) the current annual cost of the material for the boxes is estimated to be \$8500. This cost is likely to grow due to increasing numbers of applications and rising delivery costs.
10. As a result of the temporary hold on the application of a fee, current community growing space users have not yet been invoiced for the 2017/18 year.

Consultation

11. In May 2015, a nominal fee of \$55 for community growing spaces was presented to the Yarra Urban Agriculture Advisory Committee. The Committee did not oppose the then proposed fee.
12. An annual fee of \$55 for community growing spaces was included in the 2017/2018 budget and subsequently adopted.
13. After the approval of the 2017/2018 budget, letters were sent to all participants of the community growing spaces program (120 people). Council received 17 responses to this letter, objecting to the new fee. A petition opposing the fee was tabled at the Council meeting on 6th December 2017. The petition was signed by 32 people, 4 of whom had also written a submission opposing to the fee and 18, who did not own a planter box.

Financial Implications

14. The available budget for materials is \$8500 per annum.
15. A summary of costs is provided below:
- (a) Planter box construction \$135/box
 - (b) Delivery from depot to site \$50/box
 - (c) Robust plaque \$18.50/box
 - (d) Planter box removal \$70/box
 - (e) TOTAL MATERIAL COSTS: \$273.50/box
16. Without a fee, a maximum of 31 new boxes per year could be installed (based upon current material costs). The program popularity (based on attendance numbers at workshops) indicates that demand may exceed this capacity, which would be a desirable outcome in terms of urban agriculture objectives.
17. The projected demand should be considered in terms of budget allocation for 2018/2019 (i.e. consideration as to whether the available budget of \$8500 should be increased or not).

Legal Implications

18. As the community garden spaces are located on public land, the Council is responsible/accountable for ensuring any community safety and public risk management issues are addressed. This will require that the garden spaces are monitored and managed according to the Council's adopted Guidelines and will include that periodic inspections be undertaken by the responsible officer.

Options

19. In a recent briefing paper three options have been presented for consideration:
 - (a) retain the fee at the current budgeted rate of \$55 per year;
 - (b) remove the approved budgeted fee; and
 - (c) retain the \$55 fee and introduce a concession rate of \$27.50 per annum per agreement.
20. For the minority of planter boxes that are not actively cared for residents, it's considered that any care required is a highly worthwhile use of Council funds and that this expenditure is entirely consistent with our Urban Agriculture agenda, as is the provision of a small number of new boxes (31).

RECOMMENDATION

1. That Council revise the adopted fee for community growing spaces to \$0 for 2017/18.