



12.2 EXTENSION TO ALBERT PARK COLLEGE TRIAL USE OF GASWORKS ARTS PARK AND LEMNOS SQUARE

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1. PURPOSE

1.1 To request an extension of time for the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College during school hours.

2. EXECUTIVE SUMMARY

- 2.1 At the Ordinary Meeting of Council on 18 March 2020, Council resolved to endorse the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College during school hours (**Attachment 1**).
- 2.2 A licence to grant access to Gasworks Arts Park and Lemnos Square during recess (11am – 11.20am) and lunchtime (12.20pm – 1.10pm) periods only was approved for Albert Park College, subject to conditions (**Attachment 2 and 3**). The licence expired on 31 December 2020.
- 2.3 Following the Ordinary Meeting of Council on 18 March 2020, students in metropolitan Melbourne were unable to attend school for an extended period due to the COVID-19 pandemic restrictions. Students from Albert Park College were unable to use Gasworks Arts Park and Lemnos Square during this time.
- 2.4 A number of community members have provided feedback on the trial including;
- raising concerns about the trial occurring when students were unable to attend school for an extended period due to the COVID-19 pandemic restrictions.
 - poor supervision and behaviour of the students at Gasworks Arts Park.
 - non-compliance of students and staff not commuting via footpath network between campuses.
 - students entering the arts facility against agreement
 - rubbish and impacts on vegetation.
- 2.5 Council officers are seeking to extend the trial for the 2021 school year. This will ensure Council officers can undertake a fair and effective review of the trial and concurrently develop a municipal wide policy position for school use of public land.
- 2.6 Council officers are also seeking to amend the defined area of use in Gasworks Arts Park that Albert Park College students can access which is responding to community feedback to date and providing a more manageable space for improved teacher supervision. (**Attachment 4**).



3. RECOMMENDATION

That Council:

- 3.1 Notes that Albert Park College students were unable to use Gasworks Arts Park and Lemnos Square for an extended period of the trial due to the COVID-19 pandemic restrictions.
- 3.2 Notes that Council officers have not been able to complete a fair and effective review of the trial due to the COVID-19 pandemic restrictions.
- 3.3 Notes community feedback has been received requesting better teacher supervision and compliance to the agreement by the school.
- 3.4 Endorses the extension of the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College for the 2021 school year.
- 3.5 Endorses the amendment to the defined area of use in Gasworks Arts Park (**Attachment 4**) and Lemnos square unchanged.
- 3.6 Endorses a new Licence for Albert Park College to use Gasworks Arts Park and Lemnos Square during school hours. With the following conditions:
 - 3.6.1 The licence does not provide for exclusive use to the school
 - 3.6.2 The licence covers the defined area in Gasworks Arts Park as per the Victorian Government Gazettal, maintaining the majority of the park for other park uses
 - 3.6.3 The licence restricts access to lunchtime and recess periods only
 - 3.6.4 The licence requires that appropriate teacher supervision be in place at all times
 - 3.6.5 The licence prohibits sporting games or the use of sporting equipment
 - 3.6.6 The licence requires students and teachers to use the path network within Gasworks Arts Park
 - 3.6.7 The licence requires appropriate public liability insurance to be in place
 - 3.6.8 The licence includes requirements for the school to reimburse Council for any maintenance works required due to school use
 - 3.6.9 The licence stipulates that the public amenities within the Gasworks Theatre and Café complex are not to be utilised by the school
 - 3.6.10 The licence has an end date of 31 December 2021.
 - 3.6.11 The preparation of a policy for school access and use of Council managed public space
- 3.7 Note that a review is to be undertaken before the end date of the licence, that considers community feedback, and takes into account views of community members, in its assessment of the effectiveness of the trial, adherence by the school to the conditions of the licence and consideration future licences in-line with the school use policy.



4. KEY POINTS/ISSUES

- 4.1 At the Ordinary Meeting of Council on 18 March 2020, Council resolved to endorse the trial use of Gasworks Arts Park and Lemnos Square by Albert Park College during school hours.
- 4.2 Albert Park College is a public secondary school with over 1300 students and, like many schools within the City of Port Phillip, the amount of open space available at the school is limited due to increasing student numbers.
- 4.3 Gasworks Arts Park and Lemnos Square are located near Albert Park College in Albert Park. Albert Park College have previously used these public open spaces during school hours without any formal agreements from Council.
- 4.4 The community have expressed concerns with the use of Gasworks Arts Park by Albert Park College, particularly about the conflicts between different uses and user groups in the public open space. To manage this, it was determined that formalising the use of Gasworks Arts Park and Lemnos Square by Albert Park College through a licence agreement would allow Council to set conditions to:
- Control times and areas of use
 - Restrict certain activities
 - Reduce damage to vegetation and infrastructure
 - Require relevant public liability insurances
 - Recover financial contributions towards maintenance of the public open spaces.
- 4.5 A licence to grant access to Gasworks Arts Park and Lemnos Square during recess (11am – 11.20am) and lunchtime (12.20pm – 1.10pm) periods only was approved for Albert Park College, subject to the following conditions:
- The licence does not provide for exclusive use to the school
 - The licence covers the defined area in Gasworks Arts Park as per the Victorian Government Gazettal, maintaining the majority of the park for other park uses
 - The licence restricts access to lunchtime and recess periods only
 - The licence requires that appropriate teacher supervision be in place at all times
 - The licence requires students and teachers to use the path network within Gasworks Arts Park
 - The licence prohibits sporting games or the use of sporting equipment
 - The licence requires appropriate public liability insurance to be in place
 - The licence includes requirements for the school to reimburse Council for any maintenance works required due to school use
 - The licence stipulates that the public amenities within the Gasworks Theatre and Café complex are not to be utilised by the school
 - The licence has an end date of no later than 31 December 2020.
- 4.6 As part of the resolution, Council endorsed:



- The preparation of a policy for school access and use of Council managed public space
 - A review to be undertaken following the end date of the licence, that considers community feedback, and takes into account views of community members, in its assessment of the effectiveness of the trial and consideration future licences in-line with the school use policy.
- 4.7 Following the Ordinary Meeting of Council on 18 March 2020, students in metropolitan Melbourne were unable to attend school for an extended period due to the COVID-19 pandemic restrictions. Students from Albert Park College were unable to use Gasworks Arts Park and Lemnos Square during this time.
- 4.8 A number of community members have provided feedback on the trial, including raising concerns about the trial occurring when students were unable to attend school for an extended period due to the COVID-19 pandemic restrictions.
- 4.9 Community feedback has also been received regarding;
- poor supervision and behaviour of the students at Gasworks Arts Park.
 - non-compliance of students not commuting via footpath network between campuses.
 - students entering the arts facility against agreement
 - rubbish and impacts to vegetation.
- 4.10 Council officers are seeking to extend the trial for the 2021 school year. This will ensure Council officers can undertake a fair and effective review of the trial, including ensuring community concerns are addressed.
- 4.11 It is the preference of Albert Park College that Council does not extend the trial and instead enters into a permanent licence arrangement.
- 4.12 Council officers are currently finalising the preparation of a policy for school access and use of Council managed public open space. The extension to the trial will also allow Council officers time to consider the community feedback as part of this policy.
- 4.13 Council officers are also seeking to amend the defined area of use in Gasworks Arts Park that Albert Park College students can access. The defined area of use has been changed in response to community feedback on the trial to ensure there is enhanced visibility of students by teachers.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 A number of community members have provided feedback to Council officers on the trial. To date, the feedback Council has received includes:
- Concerns about the trial occurring when students were unable to attend school for an extended period due to the COVID-19 pandemic restrictions
 - Seeking clarity on how Council will evaluate the outcomes of the trial
 - Concerns with student behaviour and noise
 - Rubbish management.



- 5.2 Council officers will consider this feedback when undertaking a review of the trial and as part of the preparation of a policy for school access and use of Council managed public open space.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 Extending the trial will ensure Council can continue to formally manage the use of Gasworks Arts Park and Lemnos Square by Albert Park College, with conditions that allow Council to require relevant public liability insurances.

7. FINANCIAL IMPACT

- 7.1 Extending the trial will ensure Council can continue to formally manage the use of Gasworks Arts Park and Lemnos Square by Albert Park College, with conditions that allow Council to recover financial contributions towards maintenance of the public open spaces.

8. ENVIRONMENTAL IMPACT

- 8.1 Extending the trial will ensure Council can continue to formally manage the use of Gasworks Arts Park and Lemnos Square by Albert Park College, with conditions that allow Council to reduce damage to vegetation and infrastructure.

9. COMMUNITY IMPACT

- 9.1 Extending the trial will ensure Council can continue to formally manage the use of Gasworks Arts Park and Lemnos Square by Albert Park College, with conditions that allow Council to control times and areas of use and restrict certain activities, to reduce the potential conflicts between different uses and user groups in the public open space.
- 9.2 Extending the trial for the 2021 school year offers the community a longer opportunity to provide feedback to Council. This also provides Council officers more time to consider the community feedback on the trial as part of the preparation of a policy for school access and use of Council managed public open space.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The trial use of Gasworks Arts Park and Lemnos Square by Albert Park College aligns with the following strategic directions of the *Council Plan 2017-27*:
- Direction 1 – We embrace difference, and people belong
 - Providing access to flexible, multipurpose facilities that support participation in community life through sport, recreation and lifelong learning.
 - Direction 4 – We are growing and keeping our character
 - Designing and activating well managed, safe and liveable public spaces for people to enjoy.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- The trial use of Gasworks Arts Park and Lemnos Square by Albert Park College will be extended for the 2021 school year.
- Council officers will brief Council on the policy for school access and use of Council managed public before the end of this trial.



11.2 COMMUNICATION

- Council officers will notify those community members who have provided feedback on the trial of the extension.
- Council's website will be updated and new signage will be installed in Gasworks Arts Park to notify the community of the extension to the trial and to invite them to provide feedback.

12. OFFICER DIRECT OR INDIRECT INTEREST

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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ATTACHMENTS

1. Attachment 1 - Minutes from Ordinary Meeting of Council on 18 March 2020
2. Attachment 2 - Expired licence to grant access to Gasworks Arts Park
3. Attachment 3 - Expired licence to grant access to Lemnos Square
4. Attachment 4 - Amended defined area of use