

Chelsworth Park Frequently Asked Questions



The purpose of this information sheet is to answer or clarify questions that have been raised regarding the existing and proposed lease of Chelsworth Park with Ivanhoe Grammar School.

An information evening for petition signatories and Chelsworth Park sports club representatives has also been scheduled to provide an opportunity for further clarification regarding the existing and proposed lease.

Details of the information evening are:

Date: 19 February 2014
 Time: 6.30pm to 7.30pm
 Venue: The Centre Ivanhoe, McCubbin Room.
 Address: 275 Upper Heidelberg Road, Ivanhoe.
 RSVP: tom.zappulla@banyule.vic.gov.au by
 12 February 2014

What is happening with the Chelsworth Park Lease?

Banyule City Council entered into the existing lease with Ivanhoe Grammar School (IGS) in 1994. The existing lease requires IGS to manage and maintain Chelsworth Park and includes an annual \$1 peppercorn rental fee payable to Council. The existing lease provides opportunity for local sporting clubs, schools, community groups and the general public to access the facilities and ground. The current ground allocation ratio is 1 hour school use to approximately 5 hours active community sports use and the park continues to be available for passive recreation at all other times. The existing lease expires in November 2014 and there are no extension options available.

Council has resolved to negotiate a new 20 year lease (with a further ten year option) with IGS for the management and maintenance of Chelsworth Park. Negotiations have begun and a list of Council approved capital works and park improvements will be included in the proposed lease and all proposed works will be funded by IGS.

The proposed lease will incorporate an upfront financial contribution towards the Chelsworth Park Storm Water Harvesting Project (SWHP) of \$1,000,000. This payment will be lieu of rental for the first 20 years of the lease. An agreed rental will be paid over the last 10 year period if the further option is exercised.

The proposed financial arrangement between Banyule City Council and Ivanhoe Grammar School is outlined below.

Contribution Amounts	Cumulative Contribution	Timings for Payment
\$250,000	\$250,000	on signing of lease
\$250,000	\$500,000	1 May 2014
\$125,000	\$625,000	1 November 2014
\$125,000	\$750,000	1 May 2015
\$125,000	\$875,000	1 November 2015
\$125,000	\$1,000,000	1 May 2016

The rental for the further ten year option will commence at \$50,000 per annum with an indexed increase of 4% each year. The following table indicates rental fee appropriate to each year.

Amounts	Cumulative Cost over period of Further Lease Term Contribution	Timing for Payment
\$50,000	\$50,000	1 May 2035
\$52,000	\$102,000	1 May 2036
\$54,080	\$156,080	1 May 2037
\$56,243	\$212,323	1 May 2038
\$58,493	\$270,816	1 May 2039
\$60,833	\$331,649	1 May 2040
\$63,266	\$394,915	1 May 2041
\$65,797	\$460,712	1 May 2042
\$68,429	\$529,141	1 May 2043
\$71,166	\$600,307	1 May 2044

The terms of the proposed lease (as outlined above) provide exceptional value for the Banyule community and existing tenants of Chelsworth Park.

Why is Council proposing to enter into a long term lease?

Council is proposing to renew the existing long term lease and negotiate an improved financial position for Council and better outcomes for the community. The existing lease (previous 20 years) includes a peppercorn rental fee. The proposed new lease is for a similar term with a further option and includes a significantly improved payment arrangement for Council.

The proposed new lease includes a detailed maintenance and turf specification that will be monitored by Council officers throughout the lease period. Council's current Parks and Gardens Department currently do not have the capacity to meet the current level of service being delivered by IGS at Chelsworth Park.

IGS employ two full time staff dedicated to the Chelsworth Park site with a further team of 6 grounds and maintenance people dedicated to all Ivanhoe Grammar School grounds. In contrast Banyule City Council provides five grounds maintenance people for 48 grounds throughout the municipality.

Who pays for the maintenance at Chelsworth Park during the Lease term?

Ivanhoe Grammar School pays for all grounds and infrastructure maintenance, utilities, consumables and equipment for the ongoing maintenance of Chelsworth Park for the term of the proposed lease.

Who administers the oval bookings and maintains the Park and, hard court tennis courts and two pavilions?

All allocations, bookings and maintenance of the grounds will continue to be administered and programmed by the IGS during the proposed lease. The fees and charges, allocation guidelines and regulations will be consistent with Council's Allocation Policy.

New allocations will be applied for via IGS during the proposed lease period. Council officers will be consulted and approve all new allocations during the proposed lease period.

Will the lease be made available for public view?

Yes, Officers will continue to work with the school to finalise the proposed lease. As per statutory requirements the proposed lease will be advertised and made available for public viewing for 28 days.

The public will have opportunity to provide written submissions regarding the proposed lease during this period. Council will then consider all written submissions prior to making a final decision regarding the proposed lease.

Are there any changes to current public access to Chelsworth Park ovals?

No, there are no changes to current public access to the parks ovals with the proposed lease. The park will remain open to the public for leisure activities and the community enjoyment outside of the existing license arrangements with community sporting clubs.

Are the current pavilions subleased?

No, the two current pavilions are allocated on a seasonal basis to six community sporting groups throughout the year. In addition the school has access during school approved times.

Does Council fund any upgrades or repairs to infrastructure within Chelsworth Park relating to sporting clubs?

Yes, Council review community sporting facilities and allocate funds for improvement works via Council's New Works and Services Programs which is guided by a 10 year capital works plan. This program provided recent funding for the new cricket nets at Chelsworth Park.

What is happening with the Chelsworth Park sporting clubs?

Council has been communicating regularly with all current tenants (ovals based sports clubs) of Chelsworth Park in relation to details regarding the Storm Water Harvesting Project (SWHP) and the current lease negotiations with IGS. Council has established a Park Tenant Group which includes members from Council, the School and a representative from each sporting club.

What is happening with the Chelsworth Park Tennis Club?

The Chelsworth Park Tennis Club lease (four en tout cas tennis courts and pavilion) expired in December 1996 and has been in 'hold over terms' since.

Council has written to CPTC outlining the lease will continue in 'hold over terms' until a new lease is developed.

What is happening with the concrete surfaced tennis courts?

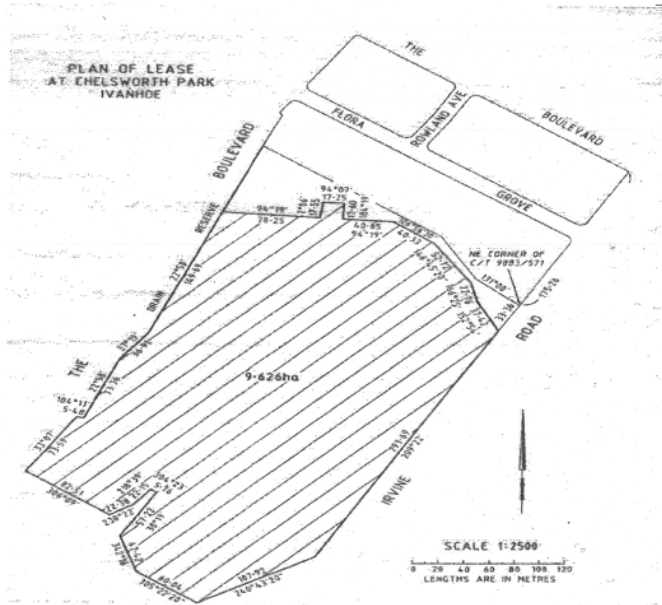
The concrete hard courts will be included in the proposed lease with Ivanhoe Grammar School. Ivanhoe Grammar School intends to upgrade these concrete courts with new surfaces and infrastructure including multi-sport lining on two courts. The courts will be available for hire by community groups and sports clubs outside of school agreed times.

What is Councils strategy in regards to Tennis Courts throughout the municipality?

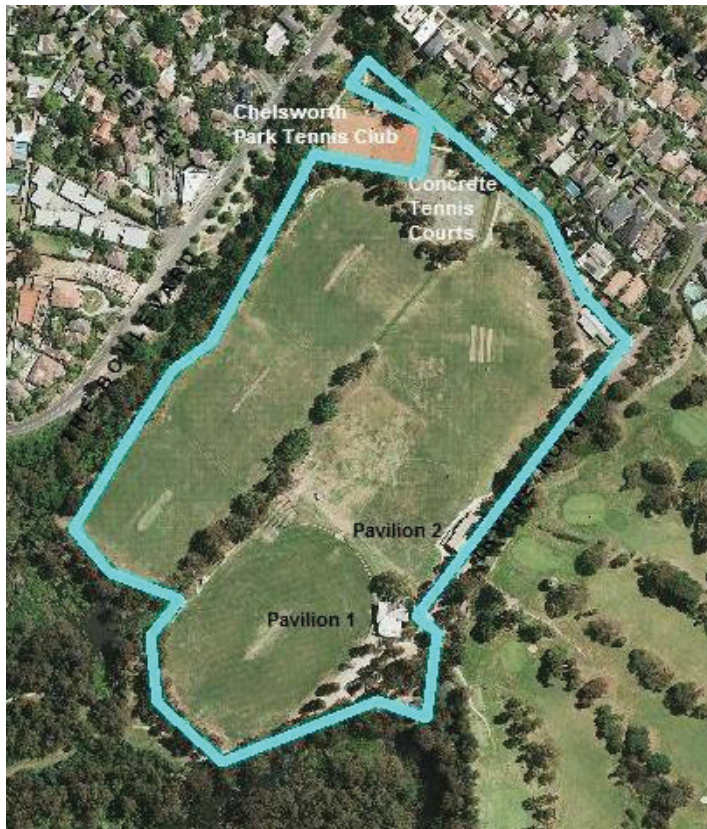
Council recently adopted the Recreation Plan 2013 – 2017 including a recommendation to review the current Tennis Strategy, which will begin in 2014.

What are the areas of the park that will be covered by the proposed lease?

The existing lease plan is included below. A surveyed plan including folio numbers will be included in the proposed lease document.



An indicative plan of the proposed lease area is included below:



What title is the Chelsworth Park Tennis Club (CPTC) on?

Volume 5883 and Folio 1176571

What title are the Eaglemont Scouts on?

Volume 7926 and Folio 1251113

The Eaglemont scout hall is not included in the Chelsworth Park leased area.

Do the Eaglemont Scouts or Ivanhoe Sea Scouts have an existing lease?

Eaglemont Scouts have an existing lease which has been on over holding terms since 23 February 2003. A renewed lease will be negotiated with the Eaglemont Scouts group.

1st Ivanhoe Sea Scouts did occupy a building on VicTrack land however the group has now relocated to the Heritage Centre premises in Donaldson's Reserve and have a current lease with Council.

What happened to the space allocated to Yarra Valley Hockey Club when the club vacated the park?

The area previously allocated to Yarra Valley Hockey Club was maintained and allocated by IGS under the current lease. The Yarra Valley Hockey Club was relocated to a purpose built facility in Cyril Cummins Reserve, West Ivanhoe. Following the Hockey clubs relocation, the area was reallocated to existing sporting clubs who use Chelsworth Park.

When Council changed from Heidelberg CC to Banyule CC did existing leases continue with the same validity under law?

Yes.

How did the Commissioners ensure existing leases were maintained during the changeover?

Existing leases remained in operation with full force and effect.

Who manages park signage and public notices?

All permanent park signage has to be approved by Council and must follow Councils Signage Guidelines.

Have any of the existing or past leases for Chelsworth Park included penalty clauses?

No, however under the terms of the lease the Landlord (Council) can resort to its remedies under the lease in the event that the Tenant defaults e.g. fails to pay rent, repair the premises etc.

What are the details of the Storm Water Harvesting Project?

The Banyule Stormwater Harvesting Project is an innovative water conservation and water quality improvement system

designed to capture, treat and store water underground for the irrigation of Chelsworth Park and Ivanhoe Golf Course.



Modelling indicates that more than 30 Olympic swimming pools worth of stormwater will be harvested per annum (approximately \$200,000 worth of potable water). The storage has a capacity for 80 mega litres of water and improvements to the irrigation infrastructure at Chelsworth Park and the Ivanhoe Golf Course has occurred.

The local environment will benefit from litter, sediment, nitrogen and phosphorous being filtered out and prevented from entering waterways. Key water quality improvements include the removal of approximately 20 tonnes of litter, 50 tonnes sediment, 300 kilograms nitrogen and 90 kilograms phosphorous from stormwater flows to Reedy Billabong and Yarra River.

Stormwater will be harvested from a main drain flowing alongside The Boulevard, then treated, stored and distributed for irrigation on Chelsworth Park and Ivanhoe Golf Course.

The Project is a unique partnership between Banyule City Council, Government and Ivanhoe Grammar School. The Australian Government is supporting this project through the National Urban Water and Desalination Plan, a key component of the Water for the Future initiative. The Victorian Government has provided funding and Melbourne Water has also provided funding through the Living Rivers Stormwater Program.

Was a planning permit required for the pump house on the Boulevard?

A planning permit was required for the pump house on the Boulevard and was issued on 15 January 2013. Pursuant to the following planning controls:

Land Subject to Inundation Overlay (LSIO)

Melbourne Water, as the relevant Referral Authority were satisfied that pump house would not affect flood flow, or be affected by flood flow.

Heritage Overlay (Schedule 168)

The location, bulk, form or appearance of the pump house

is not considered to adversely affect the significance of the heritage place, which relates principally to the bluestone channel and avenue of Oaks along Irvine Rd, and the sports pavilion.

Residential I Zone (RIZ)

This is a narrow strip of land that runs between Chelsworth Park and The Boulevard

A permit is not required for the pump house as the use is associated with, and incidental to, the existing use of the land for informal outdoor recreation.

Environmental Significance Overlay – Schedule 1 (ESO1)

A permit is not required for drainage works undertaken by a responsible authority.

Who maintains the waterways in Chelsworth Park?

The two main drains and open ponds at Chelsworth Park are maintained and cleaned by both Melbourne Water and Banyule City Council.

The open ponds located on the west side of the park are built to Australian standards and have been planted with native plants and grasses. These will form a natural barrier to the ponds. There are no plans for fencing or barriers to be installed however; if plans for fencing eventuate Council will conduct a community consultation process and request feedback from park users prior to installation. The concrete paving has been built for access to plant and associated areas for maintenance purposes.

Who pays for the water at Chelsworth Park and Ivanhoe Golf Course?

All potable water at Chelsworth Park which is used for drinking, pavilions and secondary (backup) system for ground irrigation is paid for by IGS. The primary irrigation source will be provided by the Storm Water Harvesting system.

All potable water at Ivanhoe Golf Course which is used for drinking, pavilions and backup system for irrigation is paid for by the Ivanhoe Golf Course. The Yarra River allocation is paid for by the golf course operator. The primary irrigation source will be provided by the Storm Water Harvesting unit.

Who pays for the water at Chelsworth Park Tennis Club?

All potable water at Chelsworth Park Tennis Club courts is paid for by the tennis club.