

24 July 2018
Mick Cummins – CEO
Bayside City Council
76 Royal Avenue
Sandringham VIC 3191

Dear Mr Cummins,

I hereby lodge a formal complaint of maladministration in respect of the way Bayside City Council (“BCC”) has notified and consulted with interested parties, and reported to Councillors, with regard to the “re-activation” [sic] and subsequent redevelopment of ovals 3&4 at Elsternwick Park South (“Redevelopment”).

It appears that BCC has deliberately communicated in different ways with different groups of interested parties to influence the outcome of an online poll which is being used to inform the Mayor and Councillors regarding community sentiment.

I have outlined below the fundamental problems I see in BCC’s behaviour and process in regard to the Redevelopment.

- 1. BCC neglected its responsibility to effectively communicate with the interested parties who will be most impacted by the Redevelopment,** specifically, local residents and property owners in the North Brighton Ward, and the current casual users of Elsternwick Park South.
- 2. Misleading information**
BCC and its employees have consistently used language, letter box drop leaflet and a draft plan diagram, which are misleading. BCC has also provided statements to an Ordinary Council Meeting which are untruthful and misleading.
- 3. Lack of information**
Bayside Council have provided insufficient information to the interested parties who will be most affected by the Redevelopment.
- 4. An undemocratic and non-transparent poll is being used to inform Councillors.**
BCC has used an on-line polling ‘tool’ (“Quick Poll”) which is open to misuse and is not transparent. The results of this Quick Poll are being relied upon to inform Councillors of community response and influence Councillor’s decision on a Redevelopment plan for Elsternwick Park South which will affect many local residents and users of the park.
- 5. BCC has been biased in it’s communication with interested parties and encouraged third parties to influence the results of the Quick Poll referred to in point 4 (which is being used to inform Councillors).**
While being negligent in its effort to inform interested parties who will be most negatively affected by the Redevelopment, BCC has communicated by email with sporting groups, associations and schools and asked them to encourage their members to vote in the Quick Poll. In doing so, BCC provided considerably more information to these third parties than has been provided to those who will be most negatively affected by the Redevelopment.

I appreciate these are serious accusations and I have detailed each below.

1. **Lack of effective communication with interested parties who will be most impacted by the Redevelopment.**

The timeline is important.

On **24 April 2018**, it was resolved at an Ordinary Meeting of Council:

*That Council receives a report at its June 2018 Ordinary Meeting of Council on the implications and costs of activating Elsternwick Park Ovals 3 and 4 for competition based sport, **and undertakes consultation with the immediate surrounding neighbours.***

This should also have included existing users of the park in its current format.

In the report submitted to the Ordinary Council Meeting – **19 June 2018**, agenda item 10.5, under the heading Community Engagement was the following statement;

Consultation is being undertaken and includes advising residents immediately surrounding the sportsgrounds via a letter box drop of Council's intent to utilise the sportsgrounds for winter sport and the proposed infrastructure to be installed. A "Have you say" [sic] page encompassing all projects at Elsternwick Park is [sic] went live in mid-June. All interested parties are being encouraged to register to receive updates and provide feedback.

Signage is installed at the site, providing an overview of Council's intent.

As at 19th June, there was **NO consultation** being undertaken with "residents immediately surrounding the sportsgrounds" and **they had NOT been advised of Council's intent**.

The first these residents knew about BCC's intent, was when they received a BCC flier in their letterbox on the **2nd or 3rd of July**.

It should be pointed out however, that more than two thirds of the flier is about Elsternwick Park North, and the improvements to ovals 1&2 and the fate of the golf course land. Furthermore, the part that mentions Ovals 3&4 in Elsternwick Park South **does not say anything** about Council's intent. It simply says "**Ovals 3 & 4 will be reactivated for sports use**". There is **no mention** of fencing, lighting, a pavilion, upgrading a pathway to carry vehicles and additional parking. To omit such information is negligent and misleading.

As at 19th June, "**all interested parties**" were **NOT** being encouraged to register to receive updates and provide feedback. Almost **no one** knew anything about Council's intent until early July. In fact many "interested parties", in particular casual parks users, still know nothing about Council's intent!

As at 19th June, signage providing an overview of Council's intent was **NOT "installed at the site"**.

On **3rd July** the first signs appeared at the park – they consisted of an A4 laminated sheet which was cable-tied to fences or signs at a handful of locations around the (14.9 hectare) park. (See attached photo below). The signs simply said

"Elsternwick Park South Ovals 3 & 4"

"Community information session"

"When: Sunday 8 July 11am – 1pm"

"Where: South shelter between Ovals 3 & 4"



Clearly, the sign did NOT provide “an overview of Council’s intent”. It simply announces a “Community information session” - but about what? The sign said nothing about Council’s intent.

Furthermore, at this point in time, the vast majority of park users did not know where “Ovals 3 & 4” are – there are no signs anywhere to identify the ovals. “Ovals 3 & 4” is Council’s nomenclature, which was meaningless to the general public. Myself and others who have been using the park daily for 20+ years didn’t know where ovals 3 & 4 were!

It should also be noted that the sign provided just four days notice of one “information session”, in the middle of school holidays when many local residents are away.

On 5th July, the A4 signs were removed and replaced with four larger signs on stakes, which announce a further two information sessions (one of which was early on a Tuesday morning during the school holidays). It is hard to see how just four signs can possibly be adequate to communicate with all users of a 14.9 hectare park, with almost unlimited entry points.

On the night of **13th July** one of the four signs (NE corner of the park) was destroyed by vandals (image to the right), and **as at 23 July 2018** has not been replaced, despite Council representatives removing other signage and leaflets that concerned local residents had put up around the park to notify people of BCC’s intent.

This shows that BCC are not serious about *really* informing people about its intent.



Ironically, BCC’s own report to the Council Meeting 19th June, states;

*“While dog off-leash activity can still be appropriately accommodated if the formalisation of the ovals proceeds, it will be a significant change in use and **will require broad communication to inform park users.**”*

However, BCC’s attempt to communicate with park users has been extremely limited, and BCC neglected its responsibility in this regard. Furthermore, BCC actually went out of its way to prevent other people from informing park users of its intent to fence ovals, erect lighting towers and build a pavilion, and the likely impact these changes will have on existing park users, and the neighbourhood.

No notification to Have Your Say web page subscribers

I am subscribed to BCC’s Have Your Say web pages, however, despite being informed of numerous other matters since I registered in Oct 2016, I was not informed of the launch of the page for “Elsternwick Park - Improvements to Ovals 3 & 4”

The last email I received as a subscriber was titled “Have Your Say is Getting a Makeover” on 13 June 2018.

2. Misleading information

Language used

In BCC's four larger signs, it's flier put in the letterboxes of (some) residents "immediately surrounding the sportsgrounds" titled "The Future of Elsternwick Park", and on the Have Your Say web page, BCC consistently talk about the "**reactivation**" of the ovals.

The word "reactivation" gives the impression that the ovals *were* used for winter sport and have since been de-activated. It gives the impression that BCC is simply restoring the ovals to their previous state. This is not true and I believe someone in BCC decided to use this term to deliberately mislead those who may object to the proposal.

I note that the word "reactivation" was not used anywhere in the original motion regarding this matter, nor in the report by BCC to the 19th June Council Meeting.

The BCC flier titled "The Future of Elsternwick Park" also says;

*"Following a decision by Council at its 19 June meeting, Ovals 3 & 4 **will be** reactivated for sports use"*

Unsurprisingly this gave people the impression that Council had already made the decision to go ahead with the Redevelopment and they would be wasting their time objecting.

It should be noted that this flier was offered as a resource on the BCC Have Your Say web page until 13 July, thereby continuing to mislead visitors to the web page.

Information regarding capacity of existing facilities

On BCC's Have Your Say web page for this project it says "Currently, Council has 45 ovals in 26 reserves operating at 99% capacity". This is obviously not true to even the most casual observer. There are existing ovals that are used nowhere near capacity – two examples are Elsternwick Park North oval 2 and the William Street Reserve in Brighton. There are very likely others, but even if it is only these two reserves that are not fully utilised, then the 99% capacity claim is misleading (AKA a lie).

Information regarding lighting

The Elsternwick Park Ovals - Draft Concept drawing (A02 SITE PLAN rev02) that is available on the Have Your Say web page titled "Elsternwick Park - Improvements to Ovals 3 & 4", which apparently went live mid June, **shows only two** "Oval Lighting" labels. This is misleading, because **there will in fact be eight** lighting towers. An enlarged version of the same drawing was displayed at **all three** BCC "Information Sessions", (despite numerous people pointing out that this was inaccurate).

I note that the Sportsground Lighting tab on the Have Your Say web page was updated on 13th July to state that there will in fact be eight lighting towers. Of course the people who simply rely on the drawing for their information, or who visited the web page before 13th July, won't know this.

I should also point out that BCC initially said that the lights will be on from 5pm to 8:30pm, April-September, but as of the 13th July the Sportsground Lighting tab on the Have Your Say web page says they will be on until 9pm. At the time of writing, the tab says 8:30pm in one paragraph, and 9pm in two later paragraphs. See the BCC Have Your Say web page screenshot below.

BCC are therefore not only misleading people by providing inaccurate plans and other information, but it is inviting people to vote in a poll and comment, then it is later changing the information.

Click for more information about other projects in Elsternwick Park.

DOG FRIENDLY	FORMALISING THE SPORTSGROUND	BALANCING THE SPACE FOR ALL
SPORTS PAVILION	SPORTSGROUND LIGHTING	INCREASED PARKING

The sportsground lighting design for Ovals 3 and 4 forms part of Council's 2017/18 and 2018/19 budgets and is currently being designed to include 50 lux lighting for Oval 3, suitable for training purposes and 100 lux lighting for Oval 4 suitable for AFL competition purposes and training purposes for both AFL and Soccer.

The lighting system will meet all relevant standards and mitigate light glare and spill into surrounding properties. This is achieved through the height of the poles and the positioning of the lamps, ensuring that the light is directed onto the sportsground and not into surrounding properties.

Lighting will be programmed to operate during the months April to September between 5.00 – 8.30pm and will be on a timer to ensure lights are automatically turned off each evening.

What impact will sportsground lighting have on local wildlife?

The lighting system proposed would meet all relevant standards and be designed and operated to ensure there is no impact on local wildlife. This can be achieved by avoiding light glare and spill from the sportsground areas and by programming the system to operate during the months April to September between 5.00 – 9.00pm, with automatic timers to turn off the lights each evening.

What impact will sportsground lighting have on local residents?

The design of the proposed lighting system would meet all relevant standards to illuminate the sportsgrounds only and not produce glare and spill into surrounding properties. This is achieved through the height of the poles and the positioning of the lamps, ensuring that the light is directed onto the sportsground and not into surrounding properties.

Lighting would be programmed to operate during the months April to September between 5.00 – 9.00pm and would be on a timer to ensure lights are automatically turned off each evening.

The 'Information Sessions'

I attended the first two so called 'Information Sessions' . In both cases the two Council employees that were present (different BCC employees at each meeting), were clearly in favour of Council's intent to redevelop the two ovals, and used the sessions to argue the case for Council's proposal rather than, provide meaningful and accurate information.

██████████ was present at the first session and apparently told some of those attending the meeting that the "Quick Poll" (on BBC's Have Your Say page) suggested that 70% of people were in favour of Council's intent, which gave people the impression they were wasting their time. This is very poor form for a Councillor to be giving this impression to the public at the very first public information session.

There were also several representatives of the East Brighton Vampires Junior Football Club ("The Vampires") at the first information session. They told me that *they* would be using the redeveloped ovals 3 & 4 for training sessions each week night and all day on Sundays for matches.

At the second Information Session I asked BCC employee ██████████ some specific questions regarding expected numbers of additional people that would attend the organised sport events (assuming the Redevelopment was completed), and how many extra car parking spaces would be created.

██████████ was unable to answer either questions, but he took my name and contact details and said he would get back to me. I am still waiting for a response.

So BCC are holding public information sessions where even the most basic information is not available.

In regard to number of additional people expected at the organised sports events, BCC employee ██████████ said;

"based on expected demand probably assume a couple of hundred at different times during a Sunday afternoon, would probably access the park. Fifty to sixty at a time extra. "

I asked [REDACTED] if this meant fifty to sixty per game, he replied:

“probably a hundred on site extra at any given time, and with current demand, probably assume three games on a Sunday afternoon and a training session or two during the week”.

Obviously this conflicts with what I was told by the Vampires representatives at the first information session on 8th July. It also conflicts with what actually happens at junior AFL match venues such as Hurlingham Park on Sundays where several hundred people are usually in attendance and many players and their families watch several matches.

“Mid-Consultation Update: Elsternwick Park Ovals 3 and 4”

On 13th July 2018 BCC added a section on their Have Your Say web page titled “Document Library” which included a link to a document titled “Mid-Consultation Update: Elsternwick Park Ovals 3 and 4”.

It says “Since opening for consultation on 29 June 2018”. It is clear that almost no-one knew there was a “consultation” occurring. Early in July some people were made aware there was an “Information Session” being held on 8th July. At this point there was no mention of “consultation”.

However, on 13th July, BCC announced the ‘consultation’ period was extended to 17 August. So even if the ‘consultation’ had in fact started on 29th June (which it didn’t), how can 13th July be “mid-consultation”, when it had another 34 days to go?

Furthermore, the “Mid-Consultation” update states that “close to 830 people have provided their feedback to Council.” 150 of these people were apparently at the two information sessions on 8th July (120) and 10th July (30). There are two problems with this statement. Firstly, the information session on the 8th July was attended by at least 200 people – we know this because over 200 people signed a petition against BCC’s plans for Elsternwick Park South. Secondly, many people were not spoken to due to the small number of BCC representatives in attendance – and there was very little note taking going on.

So the “Mid-Consultation Update” is yet another example of BCC’s misleading information.

3. Lack of Information

Nothing in any of BCC communication with residents “immediately surrounding the sportsgrounds” or other park users or affected parties, has talked about the number of additional people and vehicles that the redeveloped ovals are expected to bring into the area.

I note that BCC added an “FAQ” section to the Have Your Say web page on 13th July (approx. one month after the page apparently went live). However, the information is still vague. For example it does not provide the number of extra parking spaces that will be provided.

Once again, those who are likely to be impacted the most by the Redevelopment, are provided with minimal information.

It should also be noted that BCC’s web page titled “The Future of Elsternwick Park” <https://www.bayside.vic.gov.au/future-elsternwick-park> does not mention any changes to ovals 3 & 4.

4. An undemocratic and non-transparent poll is being used to inform Councillors

The “Quick Poll”

From the outset (apparently mid June according to BCC) The Have Your Say web page <https://yoursay.bayside.vic.gov.au/ElsternwickParkOvals3and4> has included a “Quick Poll”, asking the question;

“Do you support the activation of Ovals 3 & 4 in Elsternwick?” (Ovals 3 & 4 are actually in Brighton).

Possible answers are *“Yes, No, Unsure”*

There is also the facility to give feedback. Initially the form allowed 200 characters for comments, later this increased to 255 characters.

In an email to a resident adjacent to Elsternwick Park South, on 5 July 2018, BCC Planner, [REDACTED], made it clear that the results of the Quick Poll would be used to inform Councillors to support their decision making. In other words, the results of the Quick Poll would likely influence the decisions of Councillors.

The fact that the poll results would influence Councillors was also confirmed by the views expressed by Cr [REDACTED] at the 8th July Information Session.

It should be noted that while the Quick Poll requires registration in order to participate, no validation of the information is undertaken, therefore **people can use any username and a made up email address and can easily register and vote in the Quick Poll multiple times**. It was not possible to see what comments other people had made nor were the voting tallies visible (which is standard practice for on-line polls).

Therefore, the Quick Poll used by BCC has no integrity – literally anyone could vote multiple times.

The Quick Poll is undemocratic

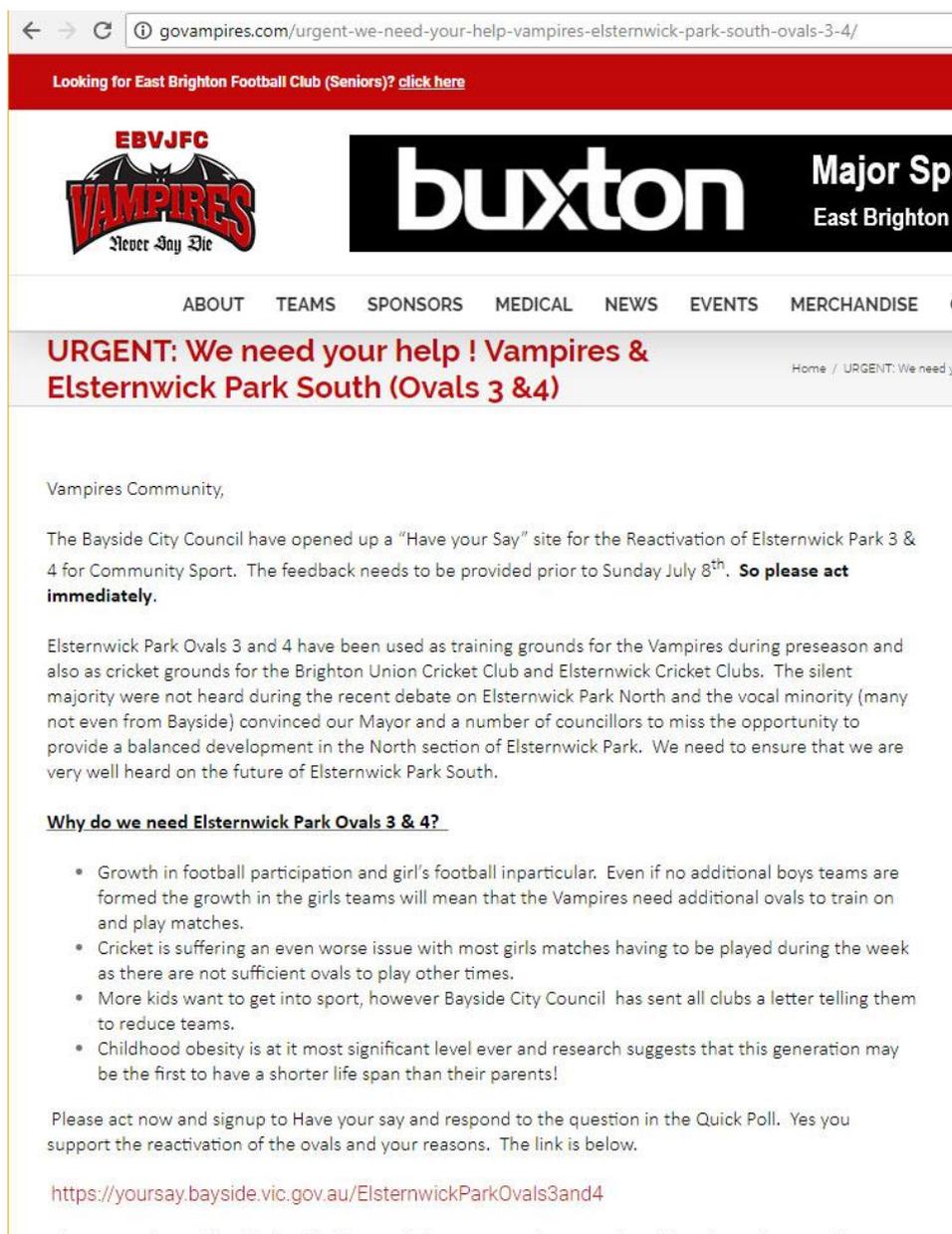
It should be noted that the many different categories of current users of Elsternwick Park South and nearby residents are largely a disparate bunch of people with no organised connection. There is no list of email addresses, phone numbers, social media site or formal Association which can be used to contact all of the people who are likely to want Elsternwick Park South to remain as it stands, and are therefore likely to vote “No” in BCC’s Quick Poll.

However, on the “YES” side there are many organised sports clubs and associations who can instantly communicate with all of their members through email and/or ‘club’ pages on Social Media, and who collectively number in the thousands. Some of these clubs have used their club web sites, email lists, and Facebook pages to urge their members to visit BCC’s Have Your Say web page and vote Yes in the Quick Poll. Despite the fact that the majority of them don’t live anywhere near Elsternwick Park South or use it on a regular basis.

On the following pages are some examples of this action by sporting clubs;

Action by The Vampires to promote the Quick Poll

On the 2nd July, The Vampires posted a message on their website and Facebook page urging their members to go the BCC "Have Your Say" web page and vote "Yes" in the Quick Poll. See screenshots below.

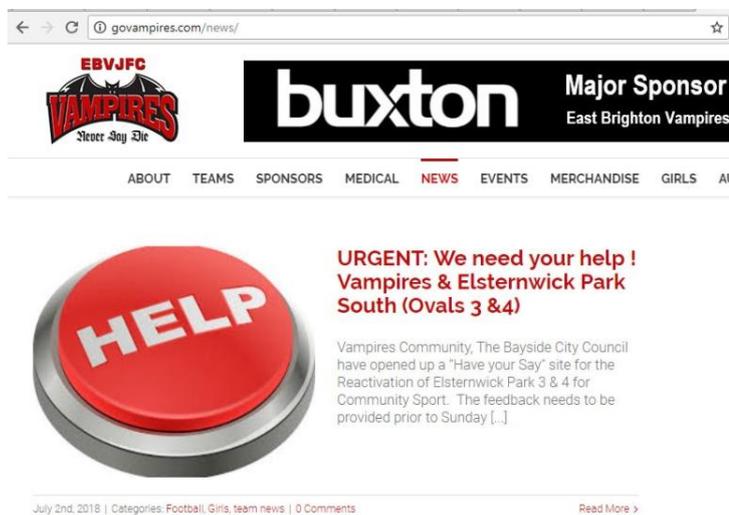


The screenshot shows the website for the East Brighton Vampires (EBVJFC). The page features a red navigation bar with the text "Looking for East Brighton Football Club (Seniors)? [click here](#)". Below this is the club's logo, which includes the text "EBVJFC", "VAMPIRES", and "Never Say Die". To the right of the logo is a large black banner with the word "buxton" in white lowercase letters, followed by "Major Sponsor" and "East Brighton Vampires". A navigation menu below the banner includes links for "ABOUT", "TEAMS", "SPONSORS", "MEDICAL", "NEWS", "EVENTS", and "MERCHANDISE". The main content area has a grey header with the text "URGENT: We need your help ! Vampires & Elsternwick Park South (Ovals 3 & 4)" in red. Below this, the text reads: "Vampires Community, The Bayside City Council have opened up a 'Have your Say' site for the Reactivation of Elsternwick Park 3 & 4 for Community Sport. The feedback needs to be provided prior to Sunday July 8th. **So please act immediately.** Elsternwick Park Ovals 3 and 4 have been used as training grounds for the Vampires during preseason and also as cricket grounds for the Brighton Union Cricket Club and Elsternwick Cricket Clubs. The silent majority were not heard during the recent debate on Elsternwick Park North and the vocal minority (many not even from Bayside) convinced our Mayor and a number of councillors to miss the opportunity to provide a balanced development in the North section of Elsternwick Park. We need to ensure that we are very well heard on the future of Elsternwick Park South. **Why do we need Elsternwick Park Ovals 3 & 4?**

- Growth in football participation and girl's football in particular. Even if no additional boys teams are formed the growth in the girls teams will mean that the Vampires need additional ovals to train on and play matches.
- Cricket is suffering an even worse issue with most girls matches having to be played during the week as there are not sufficient ovals to play other times.
- More kids want to get into sport, however Bayside City Council has sent all clubs a letter telling them to reduce teams.
- Childhood obesity is at it most significant level ever and research suggests that this generation may be the first to have a shorter life span than their parents!

Please act now and sign up to Have your say and respond to the question in the Quick Poll. Yes you support the reactivation of the ovals and your reasons. The link is below.

<https://yoursay.bayside.vic.gov.au/ElsternwickParkOvals3and4>



The screenshot shows a news article on the website. The header is identical to the previous screenshot. The main content area features a large red button with the word "HELP" in white. To the right of the button is the text: "URGENT: We need your help ! Vampires & Elsternwick Park South (Ovals 3 & 4)". Below this is a short paragraph: "Vampires Community, The Bayside City Council have opened up a 'Have your Say' site for the Reactivation of Elsternwick Park 3 & 4 for Community Sport. The feedback needs to be provided prior to Sunday [...]". At the bottom of the page, there is a footer with the text: "July 2nd, 2018 | Categories: Football, Girls, team news | 0 Comments" and a "Read More >" link.

Action by Brighton Soccer Club to promote the Quick Poll

Brighton Soccer Club claim to be the largest community soccer club in Victoria with more than 1300 members.

Early in July the following post appeared on their web site (the screenshot below is dated 7th July when it was updated to add an image of a Leader Newspaper Article which is below this post on their website). The same post also appears on the Club's Facebook page.

The post advises their members:

"I do note in the poll that council has identified AFL and cricket as the two sports that will likely inhabit the new ovals, which is disappointing, but I encourage you to still vote "yes" but note in your comment your disappointment with the exclusion of soccer."

Brighton Soccer Club is instructing members to use a YES vote in the poll to voice their disappointment about the exclusion of soccer!

The post also says; *"At present the ovals on the South side are not used AT ALL in the winter months!"*

This is not true. Both ovals are used by many casual park users and winter cricket is played on oval 4.

→ www.brightonsoc.org.au/pageitem.aspx?id=158722&id2=1&eID=7983&entityID=7983



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Poll on Reactivation of Elsternwick Park South Ovals - PLEASE VOTE!

Brighton Soccer Club, Sat Jul 7, 2018 9:52AM



Hi all,

This will only take a couple of minutes of your time and is critical as part of our ongoing battle to have the council recognize the needs of our sports-loving children. Even though council has identified AFL and cricket as the two sports that will likely inhabit the new ovals, which is disappointing, but it is encouraged you to still vote "yes" but note in your comment your disappointment with the exclusion of soccer. The more fields that are available within the municipality, the better. At present the ovals on the South side are not used AT ALL in the winter months! The council has a community meeting at the site on Sunday (middle weekend of the school holidays and our away round) and gave very little notice.

The information below is copied directly from Felicity Frederico's Facebook post:

Another Thanks to Bayside Leader for running this story (attached) and another good reason to vote to ensure that our voice is heard this time round for Elsternwick Park South. The silent majority were not listened to during the recent debate on Elsternwick Park North. The vocal minority convinced the council representatives to miss the opportunity to provide a balanced development.

Due to the growth in cricket, AFL & soccer participation and in particular girl's sport we need additional sporting grounds along with developed pavilions for our junior teams.

Please act now by taking 2 minutes, signup to Have your say and respond to the question in the Quick Poll.

Select "Yes" to show you support the reactivation of the ovals and then enter your reasons.

<https://yoursay.bayside.vic.gov.au/ElsternwickParkOvals3and4>

The poll is critical, we need to let the Mayor and Councillors know where we stand as a community, otherwise valuable sporting grounds may be converted into open space & lost.

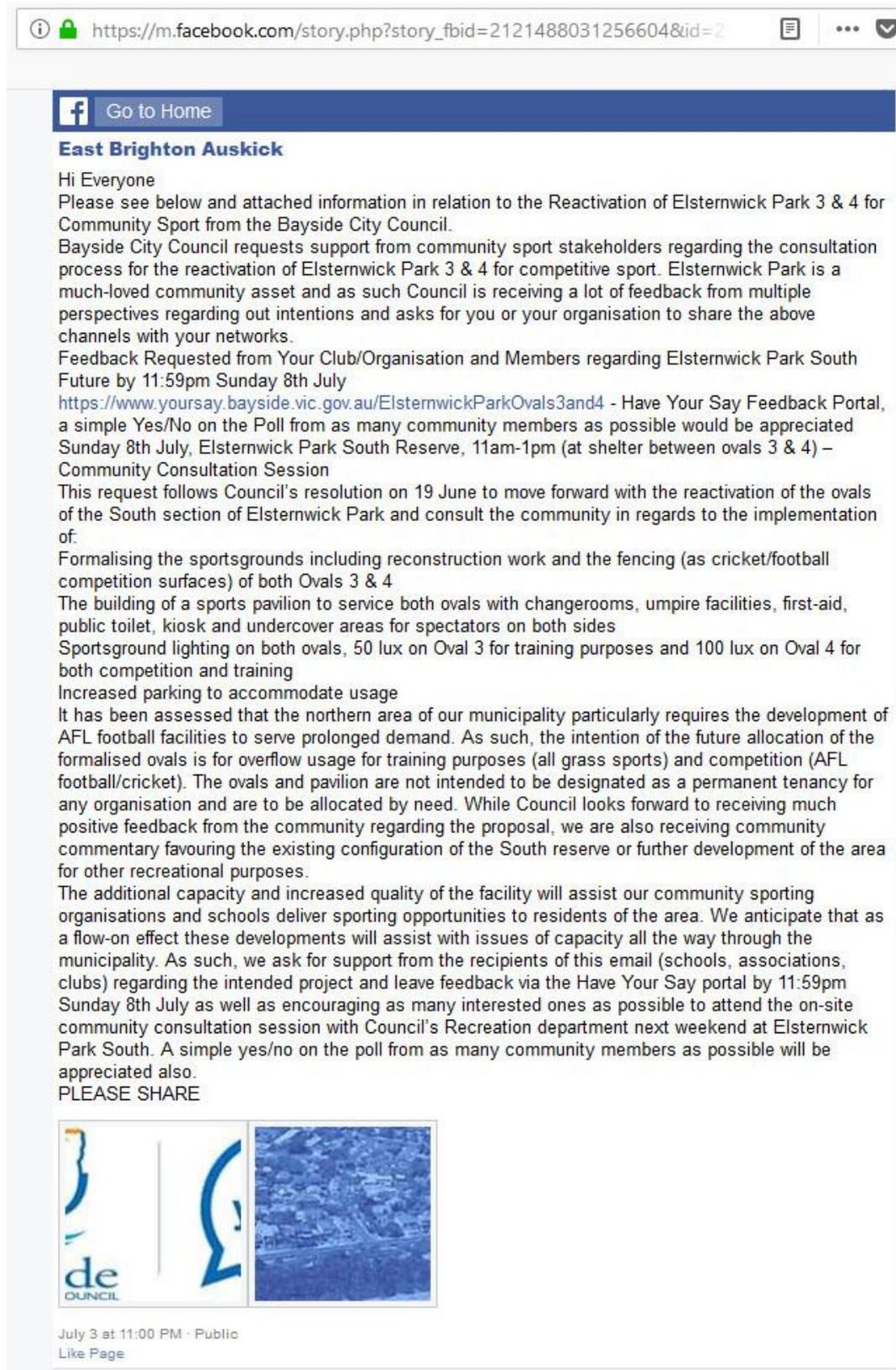
Action by East Brighton Auskick in relation to the Quick Poll

On 3rd July, East Brighton Auskick posted a message on their Facebook page which begins;

“Please see below and attached information in relation to the Reactivation of Elsternwick Park 3 & 4 for Community Sport from the Bayside City Council.”

This was followed by what appears to be the contents of an email from BCC to “schools, associations, clubs”;

I have addressed this in more detail in the next section of this document regarding BCC’s biased communication.



https://m.facebook.com/story.php?story_fbid=2121488031256604&id=2

East Brighton Auskick

Hi Everyone
Please see below and attached information in relation to the Reactivation of Elsternwick Park 3 & 4 for Community Sport from the Bayside City Council.
Bayside City Council requests support from community sport stakeholders regarding the consultation process for the reactivation of Elsternwick Park 3 & 4 for competitive sport. Elsternwick Park is a much-loved community asset and as such Council is receiving a lot of feedback from multiple perspectives regarding our intentions and asks for you or your organisation to share the above channels with your networks.
Feedback Requested from Your Club/Organisation and Members regarding Elsternwick Park South Future by 11:59pm Sunday 8th July
<https://www.yoursay.bayside.vic.gov.au/ElsternwickParkOvals3and4> - Have Your Say Feedback Portal, a simple Yes/No on the Poll from as many community members as possible would be appreciated Sunday 8th July, Elsternwick Park South Reserve, 11am-1pm (at shelter between ovals 3 & 4) – Community Consultation Session
This request follows Council’s resolution on 19 June to move forward with the reactivation of the ovals of the South section of Elsternwick Park and consult the community in regards to the implementation of:
Formalising the sportsgrounds including reconstruction work and the fencing (as cricket/football competition surfaces) of both Ovals 3 & 4
The building of a sports pavilion to service both ovals with changerooms, umpire facilities, first-aid, public toilet, kiosk and undercover areas for spectators on both sides
Sportsground lighting on both ovals, 50 lux on Oval 3 for training purposes and 100 lux on Oval 4 for both competition and training
Increased parking to accommodate usage
It has been assessed that the northern area of our municipality particularly requires the development of AFL football facilities to serve prolonged demand. As such, the intention of the future allocation of the formalised ovals is for overflow usage for training purposes (all grass sports) and competition (AFL football/cricket). The ovals and pavilion are not intended to be designated as a permanent tenancy for any organisation and are to be allocated by need. While Council looks forward to receiving much positive feedback from the community regarding the proposal, we are also receiving community commentary favouring the existing configuration of the South reserve or further development of the area for other recreational purposes.
The additional capacity and increased quality of the facility will assist our community sporting organisations and schools deliver sporting opportunities to residents of the area. We anticipate that as a flow-on effect these developments will assist with issues of capacity all the way through the municipality. As such, we ask for support from the recipients of this email (schools, associations, clubs) regarding the intended project and leave feedback via the Have Your Say portal by 11:59pm Sunday 8th July as well as encouraging as many interested ones as possible to attend the on-site community consultation session with Council’s Recreation department next weekend at Elsternwick Park South. A simple yes/no on the poll from as many community members as possible will be appreciated also.
PLEASE SHARE



July 3 at 11:00 PM · Public
Like Page

5. **BCC has been biased in its communication with interested parties and encouraged third parties to influence the results of the Quick Poll referred to in point 4 (which is being used to inform Councillors).**

This is the most serious aspect of my complaint.

While making **minimal effort** to inform interested parties who will be most negatively affected by the Redevelopment, **BCC has communicated by email with “sporting groups, associations and schools” asking them to encourage their members to vote in the poll.**

It should be stressed, that this is a poll which is being used by BCC employee [REDACTED] to inform Councillors. Here is an excerpt from an email from [REDACTED] on 5th July 2018;

“In regards to the counter there is no counter feature on this tool because I have used a ‘form’. The form tool allows for a follow up question ‘why’ I find this short response is important to generate the key themes why people do or don’t support any project. This information is vital to ensure that those concerns are addressed and presented to Councillors to support their decision making.”

It is clear from this, that [REDACTED] made a conscious decision to use this on-line poll “tool” and intends to use it and present the results to Councillors.

I reiterate that this “tool” used by [REDACTED] has no integrity, as it allows anyone to vote, and multiple times if they wish.

Just in case it is not obvious why this is such a critical issue, I will explain why.

The following message was posted on East Brighton Auskick’s Facebook page on 3 July. Most of the message appears to be a verbatim copy of an email from BCC.

It included this request:

“we ask for support from the recipients of this email (schools, associations, clubs) regarding the intended project”.

Below, is the full text of the message;

“Hi Everyone

*Please see below and attached information in relation to the Reactivation of Elsternwick Park 3 & 4 for Community Sport **from the Bayside City Council.***

Bayside City Council requests support from community sport stakeholders regarding the consultation process for the reactivation of Elsternwick Park 3 & 4 for competitive sport. Elsternwick Park is a much-loved community asset and as such Council is receiving a lot of feedback from multiple perspectives regarding out intentions and asks for you or your organisation to share the above channels with your networks.

Feedback Requested from Your Club/Organisation and Members regarding Elsternwick Park South Future by 11:59pm Sunday 8th July

<https://www.yoursay.bayside.vic.gov.au/ElsternwickParkOvals...> - Have Your Say Feedback Portal, a simple Yes/No on the Poll from as many community members as possible would be appreciated

Sunday 8th July, Elsternwick Park South Reserve, 11am-1pm (at shelter between ovals 3 & 4) – Community Consultation Session

This request follows Council's resolution on 19 June to move forward with the reactivation of the ovals of the South section of Elsternwick Park and consult the community in regards to the implementation of:

Formalising the sportsgrounds including reconstruction work and the fencing (as cricket/football competition surfaces) of both Ovals 3 & 4

The building of a sports pavilion to service both ovals with changerooms, umpire facilities, first-aid, public toilet, kiosk and undercover areas for spectators on both sides

Sportsground lighting on both ovals, 50 lux on Oval 3 for training purposes and 100 lux on Oval 4 for both competition and training

Increased parking to accommodate usage

It has been assessed that the northern area of our municipality particularly requires the development of AFL football facilities to serve prolonged demand. As such, the intention of the future allocation of the formalised ovals is for overflow usage for training purposes (all grass sports) and competition (AFL football/cricket). The ovals and pavilion are not intended to be designated as a permanent tenancy for any organisation and are to be allocated by need. While Council looks forward to receiving much positive feedback from the community regarding the proposal, we are also receiving community commentary favouring the existing configuration of the South reserve or further development of the area for other recreational purposes.

The additional capacity and increased quality of the facility will assist our community sporting organisations and schools deliver sporting opportunities to residents of the area. We anticipate that as a flow-on effect these developments will assist with issues of capacity all the way through the municipality. As such, we ask for support from the recipients of this email (schools, associations, clubs) regarding the intended project and leave feedback via the Have Your Say portal by 11:59pm Sunday 8th July as well as encouraging as many interested ones as possible to attend the on-site community consultation session with Council's Recreation department next weekend at Elsternwick Park South. A simple yes/no on the poll from as many community members as possible will be appreciated also.

PLEASE SHARE"

The East Brighton Auskick Facebook page has 474 "followers" who would have received a notification of this post.

I'm not sure I really need to point this out, but there are some serious issues here regarding the integrity of BCC.

BCC is actively seeking support from third party organisations who clearly have a vested interest in BCC's plans being ratified by Councillors, while failing to notify the parties who are interested in maintaining the status quo of Elsternwick Park South. These third part organisations have extensive reach through their web sites and social media, including members who do not even live in Bayside.

Conclusion

After reading this document it should be clear to any reasonable person that Bayside City Council has used a process designed to rush through Councillor's approval of its plans to redevelop a major and unique parkland asset without consulting the people most affected by its change of use, including many local Bayside residents.

With an original feedback closing date of 8th July (the middle of the school holidays) after only informing people on 2/3 July, I would suggest that no other conclusion is possible.

I can only speculate as to what has prompted this course of action by Bayside City Council.

Redress

Given BCC's proposal to change the use of the largest piece of open parkland in the Northern Ward of the municipality, in such a way that it may impact all current casual users of the park, local residents and property owners, I request the following actions by BCC;

- Postpone indefinitely any plans for BCC (the organisation) to report to Councillors on this matter to date, and any plans for Councillors to vote on or make a final decision about this matter.
- Conduct adequate preliminary investigations and projections so that you can provide interested parties with meaningful information regarding realistic expected use of the redeveloped ovals (how many people, when) and how that will impact traffic flow and parking, and how it may impact the amenity of casual park users and local residents.
- Establish how long it will take for all those who may be negatively impacted by BCC's plans for Elsternwick Park South, to be properly informed of the plans and the realistic likely effect on the neighbourhood character, the amenity of the neighbourhood and the amenity existing casual park users. Then set a new timeframe for informing, consulting and decision making in respect of this proposal.
- Set up a focus group to review this information before it is widely published, so you can be confident you are addressing all reasonable questions.
- Conduct a notification campaign which effectively reaches;
 - All casual users of Elsternwick Park South,
 - All residents and property owners in the Northern Ward of Bayside
- Conduct a robust survey of the local community (those who will be most affected by the change in use of the park), using survey invitations with a unique random code to prevent specific interest groups biasing the results.
- Remove the "Quick Poll" from the Have Your Say web page for this project. Delete all data from the Quick Poll, and advise all Councillors that the Quick Poll data is unreliable and they are to ignore said data they have been given to date.
- Notify Councillors of the misleading information provided in the report by the organisation to the Ordinary Council Meeting – 19 June 2018, under the heading "Community Engagement".
- Given the biased attitude and behaviour (see item 5 above) of the existing BCC staff who have been involved in the current proposal and process to date, the following staff be excluded from the project going forward; [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

I am a concerned Bayside resident and have lived in Brighton for the past 28 Years.

If you wish to communicate with me, please do so in writing to my email address

Yours Sincerely,

[REDACTED]

CC: All Bayside Councillors