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AGENDA

Ordinary Council Meeting to be held at
Council Chamber,
Darebin Civic Centre,
350 High Street Preston
on Monday 24 February 2020 at 6.00 pm.

Public question time will
commence shortly after 6.00 pm.



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

This is the Agenda for the Council Meeting. For assistance with any of the agenda items, please telephone 8470 8888.

Arabic

هذا هو جدول اعمال اجتماع المجلس. للحصول على المساعدة في أي من بنود جدول الاعمال، يرجى الاتصال بالهاتف 8888 8470.

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

Αυτή είναι η Ημερήσια Διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα της ημερήσιας διάταξης, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

यह काउंसिल की बैठक के लिए एजेंडा है। एजेंडा के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è l'ordine del giorno della riunione del Comune. Per assistenza con qualsiasi punto all'ordine del giorno, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Дневниот ред за состанокот на Општинскиот одбор. За помош во врска со која и да било точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

Nepali

यो परिषद्को बैठकको एजेन्डा हो। एजेन्डाका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kani waa Ajandaha Kulanka Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriir 8470 8888.

Spanish

Este es el Orden del día de la Reunión del Concejo. Para recibir ayuda acerca de algún tema del orden del día, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کا ایجنڈا ہے۔ ایجنڈے کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là Chương trình Nghị sự phiên họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong chương trình nghị sự, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 3 February 2020 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

Members of the public can lodge questions for Council to answer or make a Comment or Submission prior to a specific item listed on the Agenda of an Ordinary Council meeting.

QUESTIONS

Members of the public can ask up to two (2) questions at an Ordinary Council meeting.

Questions submitted online will be responded to in the first instance. If you are not present at the meeting, the Chairperson will read the question and provide a response. The Chairperson may then take questions from members in the gallery.

Any question not answered at the meeting will be taken on notice and a written response will be provided to the person asking the question.

In accordance with the Darebin Governance Local Law, the Chairperson may disallow a question if it:

- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance; or
- deals with a subject matter already answered; or
- is aimed at embarrassing a Councillor or an officer.

If you are unable to submit your question prior to the Ordinary Council meeting, the Chairperson may take questions from the floor.

SUBMISSIONS OR COMMENTS

Members of the public may make a comment or 2 minute submission on a matter listed on the Agenda prior to the item being debated.

A person who is unable to stay at the meeting until the Agenda item is heard, may make their comment or submission during Question Time.

HOW TO SUBMIT YOUR QUESTION OR MAKE A COMMENT OR SUBMISSION

Members of the public who wish to ask a question, or make a comment or submission to an agenda item, at an Ordinary Council meeting are encouraged to do so in one of the following ways:

- (a) online at darebin.vic.gov.au/questionsandsubmissions by 3pm on the day of the meeting; or
- (b) by email to Q&S@darebin.vic.gov.au; by 3pm on the day of the meeting; or
- (c) in person at the Preston Customer Service Centre, 274 Gower Street, Preston; or
- (d) by mail to PO Box 91, Preston 3072; or
- (e) with a Council officer prior to a Council meeting.

Council meetings can be viewed at the Watch Council and Planning Committee meetings page.

Agenda's will be available for viewing on Council's website at the 'Meeting Agendas and Minutes' page by 5pm, up to 6 days prior to the date of the meeting. Copies are also available at Customer Service centres and libraries.

6. PETITIONS

7. URGENT BUSINESS

8. CONSIDERATION OF REPORTS

8.1 SIX-MONTH PROGRESS REPORT FOR COMMUNITY ADVISORY COMMITTEES

Author: Coordinator Planning and Reporting

Reviewed By: Chief Executive Officer

EXECUTIVE SUMMARY

This report provides a six-month progress update for Community Advisory Committees for the period 1 June 2019 to 30 November 2019.

The attached reports provide the following information for each Community Advisory Committee:

- committee summary
- progress of key issues and challenges
- progress of activities and outcomes
- future plans.

Recommendation

That Council notes the six-month progress update from the Community Advisory Committees for the period 1 June 2019 to 30 November 2019, attached at **Appendix A**.

BACKGROUND / KEY INFORMATION

Community Advisory Committees typically comprise one or more Councillors, Council officers and a number of community representatives. The community representatives may be local residents or stakeholders appointed in their own right, or representatives of service authorities, support agencies or community organisations.

This report provides a six-month progress update on activities from 1 June 2019 to 30 November 2019. Below is the list of Community Advisory Committees and Reference Groups that were addressed as part of the Advisory Committee Review at the Council Meeting on 6 November 2019. Each of these committees has provided a provided a progress report except where indicated:

- Active and Healthy Ageing Community Board
 - Darebin Aboriginal Advisory Committee
 - Darebin Community Awards Advisory Committee
 - Darebin Disability Advisory Committee
 - Darebin Domestic Animal Management Reference Group
 - Darebin Education Committee
 - Darebin Interfaith Council
-

- Darebin Nature Trust
- Darebin Women's Advisory Committee
- Mayer Park Project Control Group
- Municipal Emergency Darebin Planning Committee
- Sexuality, Sex and Gender Diversity Advisory Committee
- Welcoming Cities Community Reference Group
- Darebin Arts Ambassadors*
- Darebin Bicycle Advisory Committee*
- Darebin Lifelong Learning Strategy Reference Group*
- Edwardes Park Lake Reference Group*
- Northland Urban Renewal Precinct Steering Committee*
- Climate Emergency Darebin Advisory Committee**
- Darebin Environmental Reference Group**

* Following the recommendations from the Advisory Committee Review, these committees ceased to exist on 6 November 2019; however, they did meet during the reporting period.

** No reports are attached for these committees. The Climate Emergency Darebin Advisory Committee did not meet during the reporting period and the Darebin Environmental Reference Group did not have a quorum for their meeting, so proceeded with an informal meeting only.

Council has committed to review the terms of reference for every remaining Advisory Committee before 30 June 2020 to ensure greater consistency of the governance arrangements for these committees.

Previous Council Resolution

At its meeting held on 20 October 2014, Council resolved:

“(4) That officers report on all Committees to Council every six months”

COMMUNICATIONS AND ENGAGEMENT

Consultation

Each report was compiled by the relevant responsible officer, Manager and General Manager, with input from other officers where relevant.

Communications

Nil

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Environmental Sustainability Considerations

Over the course of their discussion and deliberation, every Committee considers environmental implications as part of its recommendations.

Climate Emergency

Nil

Equity, Inclusion and Wellbeing Considerations

Community Advisory Committees are one of a number of community engagement tools that ensure our community's voice, in all its diversity, is reflected in Council's services, programs and activities. They can be a model for citizen engagement and participation, advancing Council's commitment toward access, equity and inclusion for our community.

Cultural Considerations

Beyond the committees that focus on cultural matters, this report has no cultural implications.

Economic Development Considerations

Beyond the committees that support economic development, policies, strategies and actions, this report has no economic development implications.

Financial and Resource Implications

There are no specific financial implications from this report. All activities and actions are conducted within approved budgets.

Legal and Risk Implications

There are no legal and risk implications associated with this report.

DISCUSSION

Every committee has its own particular outcomes and challenges, which are outlined in the individual reports.

At the Council Meeting held on 6 November 2019, a report was presented to Council providing an update on a major review of Council Advisory Committees that was undertaken over an eight-month period. Council endorsed a transition plan for a range of Community Advisory Committees and Community Reference Groups. Those committees which ceased to exist as at 6 November 2019, but which met during the reporting period, are included in the six-month progress report.

Part of the transition plan also identified that all committees will have their terms of reference reviewed before 30 June 2020 to ensure greater consistency of the governance arrangements for these committees.

OPTIONS FOR CONSIDERATION

Details are in the individual reports attached.

IMPLEMENTATION STRATEGY

Nil

RELATED DOCUMENTS

- Council Minutes – 24 October 2014
- Community Advisory Committee Terms of References

Attachments

- Six-Month Progress Report for Community Advisory Committees (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



ACTIVE AND HEALTHY AGEING ADVISORY BOARD

AUTHOR: Coordinator, Community Participation and Development

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Active and Healthy Ageing Advisory Board (AHAAB) represents the interests of older adults in Darebin. The role of the committee is to inform and assist Council in understanding how issues, policies and drivers can impact on the health and wellbeing of older residents ageing in Darebin.

Committee Members

- 10 community representatives
- 4 Darebin City Council Officers

Councillor Representative:

- Cr Susan Rennie
- Cr Gaetano Greco
- Cr Susanne Newtown

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- The Active and Healthy Ageing Advisory Board (AHAAB) has continued to show strong interest in the recommendations and associated projects identified in the Age Friendly Darebin report. Progress of projects have been provided at all meetings.
- Inaccessibility of taxi ranks located at Northcote Plaza has been raised several times by AHAAB. Northcote Plaza management plan to relocate the existing taxi rank to an area more accessible by the community. Ideas provided by the Board for alternate places for relocation has been forwarded to Northcote Plaza.
- Members of AHAAB have shown interest in Council's community engagement framework and the review of advisory committees.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Input into the Darebin Accessible Housing Background Paper.
 - Input to the progress on the Level Crossing Removal Project.
 - Presentation by Municipal Association of Victoria on the End of Life Project – this topic has been of interest to the Board and identified in their annual work plan.
-

FUTURE PLANS

- Age Care Reforms and directions.
- Further input into the Royal Commission into Aged Care Quality and Safety.
- Age Friendly Darebin Projects – progress reports on projects.
- AHAAB identified topics of interest for 2020 at its December meeting.
- Reviewing the Active and Healthy Ageing Advisory Board Terms of Reference in light of the recent advisory committee review.

RELATED DOCUMENTS

- Active and Healthy Ageing Advisory Board Terms of Reference A1156269
- Active and Healthy Ageing Strategy 2011–21



DAREBIN ABORIGINAL ADVISORY COMMITTEE

AUTHOR: Aboriginal Partnerships Officer

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The purpose of the Darebin Aboriginal Advisory Committee (DAAC) is to provide Council with advice, direction and strategic opportunity and representation on behalf of the Darebin Aboriginal and Torres Strait Islander community and organizations. DAAC also provides strategic input in relation to state and national issues affecting Aboriginal and Torres Strait Islander people.

Committee Members

6 Aboriginal community members (2 positions are currently vacant)
3 Council officers

Councillor Representatives:

- Mayor Cr. Susan Rennie (Chairperson)
- Cr. Susanne Newton
- Cr. Gaetano Greco
- Cr. Kim Le Cerf

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Inclusive Event – Ngulu Nganjin saw significant commitment and input from DAAC members. This included establishment of special working group with two DAAC members appointed to guide program content and event design.
- The Victorian Government Treaty process was an ongoing agenda item at meetings informing Council position under DAAC guidance.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Inclusive Event 'Ngulu Nganjin' successfully held at Darebin Arts Centre and Ray Bramham gardens, attended by 350 people.
 - DAAC provided guidance in the delivery of Ruthven Park Master Plan.
 - An event was held for the signing of the joint Statement of Commitment to Traditional Owners and Aboriginal and Torres Strait Islander people.
 - Two DAAC members continued to participate in the Welcoming Cities Reference Group.
 - DAAC were consulted as part of the advisory committee review and FUSE Festival design.
 - A workshop was held to review and identify improvements for the Aboriginal and Torres Strait Islander Employment Strategy.
-

FUTURE PLANS

Monitor and provide ongoing advice and support around several key actions in the Council Plan and Aboriginal and Torres Strait Islander Action Plan including:

- Aboriginal Cultural Protocols and room renaming in language.
- Monitoring and ongoing cultural advice and support in the delivery of the Aboriginal and Torres Strait Islander Employment Strategy.
- Advice around integration and delivery of the Inclusive Community Event into the FUSE Festival.

RELATED DOCUMENTS

- Darebin Aboriginal Advisory Committee Terms of Reference
 - Darebin Aboriginal and Torres Strait Islander Action Plan 2017-21
 - Statement of Commitment to Traditional Owners and Aboriginal and Torres Strait 2019
 - Darebin Aboriginal and Torres Strait Islander Employment Strategy 2017-2027
-



COMMUNITY AWARDS ADVISORY COMMITTEE

AUTHOR: Manager Creative Culture and Events

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Darebin Community Awards recognise the achievement of our community members who have made an outstanding contribution to the Darebin community.

In August 2017 as part of a Council resolution, the 26 January Awards were reviewed and in collaboration with Aboriginal and Torres Strait Islander leaders, new categories were introduced that recognise and celebrate the achievements of Aboriginal and Torres Strait Islander people who live, work, study or volunteer in Darebin.

The Darebin Community Awards Advisory Committee assesses nominations for Community Awards and recommends award winners.

Committee Members

Current membership of Darebin Community Awards Committee is made up of:

- Councillor representative(s) Mayor to chair the Committee
- Two members of the Darebin Aboriginal Advisory Committee
- Representative of the Darebin Ethnic Communities Council
- Four Community Representatives
- One Council officer, and others as required

Councillor Representative:

- Mayor Cr Susan Rennie (Chairperson)

PROGRESS REPORT

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

Two new categories were introduced in 2019 to ensure all residents are reflected and represented in the Darebin Community Awards, there are now a total of nine categories in the Darebin Community Awards:

- Citizen of the Year
- Aboriginal and Torres Strait Islander Community Leader of the Year

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- Aboriginal and Torres Strait Islander Emerging Young Community Leader of the Year
 - Young Citizen of the Year
 - Community Group of the Year
 - Sustainability Award (awarded to an individual, educational group or community group new category for 2019)
 - Lifetime Achievement Award (awarded to an individual new category for 2019)
 - The committee undertook assessment for the 2019 awards in early August 2019,
 - A Darebin Community Awards Presentation night held on 23 August 2019 with over 350 people in attendance.

FUTURE PLANS

- Recruitment for new committee members will commence in February 2020.
- Darebin Community Award nominations will open in May 2020.
- A Darebin Community Awards presentation event will be held during FUSE Festival in Spring of 2020.

RELATED DOCUMENTS

- Darebin Community Awards Advisory Committee Terms of Reference



DAREBIN DISABILITY ADVISORY COMMITTEE

AUTHOR: Senior Team Leader Access and Inclusion

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Darebin Disability Advisory Committee (DDAC) provides advice to Council on issues relating to access and inclusion for people with disabilities and carers living, working, studying or visiting Darebin.

The purpose of DDAC is to promote and advocate for, improved access and equity within Council and the wider community, irrespective of age, type of disability, gender, culture or linguistic background. The Committee also monitors the implementation of Council's Access and Inclusion Plan. 2019 marked the 25th anniversary of the Committee.

Committee Members

- 5 community members
- 3 carers
- 2 service providers (Melbourne Polytech and Encompass House)

Councillor Representative:

- Cr. Julie Williams
- Cr. Susanne Newton

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Recruitment to the committee was put on hold until the review of Council advisory committees was completed. The committee processes and structures will be reviewed following the completion of the advisory committee review.
- The committee raised the issue of parking for committee members to attend meetings. Officers have trialled a process of reserving parking spaces for committee members on meeting days and will continue to monitor and review this to identify possible solutions.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- The committee was consulted regarding the accessible housing background paper and informed about rapid housing opportunities in Darebin through the Summer Foundation.
 - Supported the development of the recruitment process for the Darebin Access and Inclusion Plan Working Group.
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- Supported the planning and attended the launch of the first Changing Places facility in Darebin.
 - Provided advice regarding the proposed changes to the installation of Accessible Parking Bays in Darebin.
 - Informed planning for International Day People with Disability.
 - Reviewed the Geographic Information System Access and Mobility Map and provided advice.
 - Received information about the range of services provided by the Darebin Library Services.

FUTURE PLANS

- Agenda for the next meeting on 2 December 2019 includes:
 - Update from the Reservoir Level Crossing Removal Project.
 - Review of key actives and outcomes from 2019 and planning priorities for 2020.
 - Update regarding the Darebin Access and Inclusion Plan review and development.
 - Update regarding the outcome of the advisory committee review.
- The outcome from the review of the committees will inform priorities for 2020, including reviewing current processes, terms of reference and undertaking recruitment.

RELATED DOCUMENTS

- Darebin Disability Advisory Committee Terms of Reference
-



DAREBIN DOMESTIC ANIMAL MANAGEMENT REFERENCE GROUP

AUTHOR: Manager Community Safety & Compliance

REVIEWED BY: General Manager City Sustainability & Strategy

COMMITTEE SUMMARY:

The Darebin Domestic Animal Management Reference Group (DDAMRG) was formed approximately five years ago to provide advice on issues relating to the reduction of euthanasia of dogs and cats. The Group is focussed on ensuring that Council achieves the target of 50% euthanasia rate for cats and 10% euthanasia rate for dogs.

Committee Members

There are currently 24 members of the committee, including 3 community representatives and representatives from the following organisations:

- City of Darebin
- RSPCA Victoria
- Maneki Neko Cat Rescue
- Forever Friends Animal Rescue
- Getting 2 Zero
- Urban Cat Welfare Collective
- Cat Protection Society

Councillor Representative:

- Cr Julie Williams
- Cr. Susan Rennie

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Increasing the numbers of cats desexed via low cost desexing initiatives by targeting known hot spot locations within the City of Darebin.
 - Addressing dog on leash and off leash locations whilst considering the City of Darebin's Open Space Strategy.
 - How to maximise rehoming of healthy and treatable animals including by increasing opportunities for rescue groups to assist the RSPCA with the care of and rehoming of cats.
 - How to meet domestic animal welfare needs as well as biodiversity and wildlife welfare needs, including discussion about whether or not Trap, Neuter, Release activities are effective. These are used in some overseas locations, but are not legal in Victoria due to the impact on native fauna.
 - Discussion around increasing community awareness of the Epping Animal Welfare Facility including improving signage on Cooper St, Epping.
-

- Identifying improvements in statistical reporting.
- Developing a community cat program with a focus on desexing and ownership.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- 77 Darebin cats were desexed through Council's Animal Management program as part of high-volume desexing days held at the Epping Animal Welfare Facility. This is seen to be a successful initiative by the Reference Group as it encourages de-sexing initiatives such as this.
- Based on a suggestion from the reference group Council officers updated the animal surrender form to include the option for residents to request their animal be referred to a rescue group, rather than being taken to the Epping Animal Welfare Facility.
- How to maximise rehoming of cats was a key topic and strategies to reduce euthanasia were discussed, with suggestions including:
 - Using feral dens for cats to reduce the OH&S risk to RSPCA staff
 - Allowing cats time to settle before assessing
 - Referring cats to foster care earlier
 - Utilise rescue groups for cats with behaviour concerns
 - Targeting hot spot areas using Darebin's service request data and offering free or discounted desexing services.
 - Encouraging residents who feed community cats to take ownership of cats.
 - Reduce the number of traps leased to the community.
- Affordability and Council's current restrictions on numbers of animals allowable on a single premises were identified as being barriers to registering animals. Advice provided on increasing registrations by reducing fees or offering free registrations and offering multiple animal permits.

FUTURE PLANS

In 2019 Council reviewed its advisory committees and at its meeting of 2 November 2019, Council endorsed several changes to improve the operating of this Reference Group and broaden participation from community and rescue networks. Planned improvements include:

- Setting the 2020 meeting schedule to include two stakeholder and community networking events where a wide range of volunteers and interested members of the community are invited to participate.
- Holding two formal meetings of the Reference Group at appropriate times in 2020 to seek advice to inform strategy development and program design.
- Reviewing the Terms of Reference and day to day operations

The Reference Group's advice will be sought on a range of Animal management Plan implementation issues including:

- How to continue building relationships with outreach and support services to address pet ownership issues eg. desexing, registration, training, owner education
- Consideration of a Cat Curfew
- How to focus desexing events with a more targeted approach within the community

RELATED DOCUMENTS

- Darebin Domestic Animal Management Terms of Reference
 - Domestic Animal Management Plan 2017-2021
-



DAREBIN EDUCATION COMMITTEE

AUTHOR: Community Development Officer

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Darebin Education Committee was established to oversee and advise on the implementation of the recommendations arising from the 2014 Darebin Education Inquiry. Following the completion of the enquiry, its current overarching aim is to promote quality and equitable education for all children, with a focus on children and schools where there is significant educational disadvantage.

Committee Members

- Three Department of Education and Training (DET) representatives
- 15 Darebin Schools
- Inner Local Learning and Education Network (INLLEN)
- Four Darebin City Council officers

Councillor Representative:

- Cr. Susan Rennie - Mayor

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The committee met once in August 2019. Key issues for this period include:

- Ongoing integration of wellbeing practice and development of resiliency in students as part of teaching and whole-of-school approach.
- Promoting teaching and learning of Darebin Aboriginal history and culture with a focus on primary schools.
- Strengthening relationships and communication between diverse areas and programs of Council as they impact on schools, including advocating for an equity and wellbeing lens in Council wide support for school.
- Ensuring that the agenda of the Darebin Education Committee is relevant and responsive to the diverse needs of 48 Darebin schools across all sectors and levels.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Coordination and facilitation of tailored professional development offered by Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation to Darebin schools with seven Darebin schools expressing interest for 2020.
-

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- Collaboration with Berry Street Victoria and three Darebin schools in development and delivery of peer-learning exchange between practising schools of the Berry Street Education Model (BSEM), a trauma-informed positive education practice.
 - Evaluation of the Berry Street Education Model *Darebin Schools Program Model for All 2019*, was completed and presented by University of Melbourne.
 - Second Darebin Schools' NAIDOC Yarning Conference Voice.Treaty.Truth where 15 Darebin primary schools participated with more than 350 Year 5 students. Council has since developed an EOI to support schools to work with and implement these ideas in 2020 for respecting Aboriginal history and culture in their schools.

FUTURE PLANS

- Promote learnings of evaluation of Berry Street Education Model by University of Melbourne across schools and education partners and collaborate with Berry Street Victoria for refresher course of 11 BSEM Darebin schools.
- Support and advocate for at least six schools to follow-up actions arising from the Darebin Schools' NAIDOC Yarning Conference.
- Plan for delivery of third Darebin Schools' NAIDOC Yarning Conference for year 5 students.
- Work with seven Darebin schools and Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation for personal and professional development opportunity in 2020.
- Identify new programs to strengthen support for children's learning and well-being in middle years in particular as part of transition primary to secondary school experience.
- Strengthen work experience opportunities for Year 10 students across Council, in particular students who experience educational disadvantage.
- Work with schools to strength capacities and meaningful opportunities for parental engagement skills and relationships.
- Promotion of local resources and opportunities to schools which address important social, cultural and environmental priorities within the City of Darebin, including the Islamic Museum of Australia, Darebin Spiritual Healing Trail, learning on Climate Emergency and human rights.

RELATED DOCUMENTS

- Darebin Education Committee Terms of Reference (Obj, Ref: A2047177)
-



DAREBIN INTERFAITH COUNCIL

AUTHOR: Acting Coordinator Community Wellbeing

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Darebin Interfaith Council (DIFC) was established in 2005 and seeks to promote activities that foster social cohesion through interfaith dialogue and collaboration relevant to faith communities within the municipality of Darebin.

Committee Members

- 12 community members
- Victoria Police
- Two Council Officers

Councillor Representative:

- Cr. Gaetano Greco (Chair)
- Cr. Lina Messina (Proxy)

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The committee met once in August 2019. Key issues for this period include:

- An update provided by Darebin Welcoming Cities Reference Group (WCRG) representative.
- Participation in Council's Community Engagement Strategy and Framework consultation.
- Darebin Interfaith Tour planning.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Hosted a visiting multifaith delegation of 25 women leaders from Indonesia in July 2019. The exchange was facilitated by Deakin University's Middle East & Central Asian Politics Faculty.
 - During Refugee Week a range of activities were held including Library After Dark films, Community conversations at Darebin Intercultural Centre programs that highlight refugee experiences and celebrate diversity
-

FUTURE PLANS

- Planning for World Interfaith Harmony Week in February 2020
- Planning for Sustainability Week in February 2020
- Planning for guest speakers and topics for 2020 meetings
- Darebin Interfaith Tour for mid-late 2020.

RELATED DOCUMENTS

- Darebin Interfaith Council Terms of Reference (Obj. Ref: A4818219)



DAREBIN NATURE TRUST ADVISORY COMMITTEE

AUTHOR: Planning Landscape Architect

REVIEWED BY: General Manager City Sustainability and Strategy

COMMITTEE SUMMARY:

The Darebin Nature Trust was established by Council as an innovative initiative to see a group of Darebin community members, who are experts in the field of environmental preservation, conservation and management, advise Council on biodiversity enhancements and open space management.

Committee Members:

- 9 x Community Members / Specialists in Biodiversity, Conservation, Ecology:
- 1 x General Manager, City Sustainability and Strategy
- 1 x Manager, Environment & Sustainable Transport
- 1 x Landscape Architect, City Design (will be replaced by Biodiversity Officer)

Councillor Representatives:

- Cr. McCarthy
- Cr. Amir
- Cr. Newton

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 31 December 2019

- Review of the open space levy equity, expenditures and reserves and advice on the budget priorities for biodiversity improvements and enhancements.
 - Providing feedback on master plan and park improvements projects.
 - Providing feedback on the proposed Terms of Reference: this will be reported to Council in a meeting in 2020.
 - Two of the nine community representatives resigned due to other commitments. This raised questions on the re-appointment process. Recommendations for managing vacancies will be reported to Council in 2020.
-

Key Activities / Outcomes for 1 July 2019 to 31 December 2019

- Regular meetings to provide advice and recommendations to Council and build organisational capacity on biodiversity.
- The committee provided advice and recommendations to strengthen the biodiversity focus of *Breathing Space: The Darebin Open Space Strategy*. This was endorsed by Council on 26 September.
- The committee provided advice and recommendations to strengthen the Ruthven draft master plan which was approved by council for consultation.
- Guest presentations included Luke Sandham (bushland operations), Marc Chung (draft master plan for Mayer Park), Sunny Haynes (open space levy progress), Sally Moxham (budget discussion), Anne Makhijani (Gardens 4 Wildlife), Jennifer Loulie (draft master plan for Ruthven), Steve Tierney (parks management) and Michelle Savona (ecological consultant of the natural heritage study).
- The committee advised on key selection criteria for the new Biodiversity Officer position.
- The committee sub-group provided information about the role a Integrated Strategic Landscape Plan could play, including in regards to improving vegetation quality and cover of Darebin's parklands.
- The committee submitted a proposal for a Gardens for Wildlife pilot program.

FUTURE PLANS

- Continue to provide advice and recommendations to Council to improve biodiversity across park improvements projects, open space planning projects, environmental programs and parks and bushland operations.
- Continue to provide advice on the implementation of a Darebin-specific Gardens 4 Wildlife pilot program.
- A forward agenda for meetings for 2020 is being developed.
- Continue to deliver the objectives of the DNT.

RELATED DOCUMENTS

- Darebin Nature Trust Terms of Reference
 - Special Council Meeting Minutes – 13 November 2017
 - Council Meeting Minutes – 12 June 2018
-



DAREBIN WOMEN'S ADVISORY COMMITTEE

AUTHOR: Acting Gender Equity Officer

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

Darebin Women's Advisory Committee (DWAC) was initially established in 2009 as a conduit between women in Darebin and Council. Its purpose has evolved to:

- Advise Council on issues and barriers to equality affecting women in Darebin, notably by providing a gender lens on issues, policies, services or programs.
- Promote and advocate for gender equity and women's full and equal participation.
- Promote and advocate for the elimination of violence against women.

Committee Members

- 9 community members (3 positions are currently vacant)
- 2 Council Officers

Councillor Representative:

- Cr. Lina Messina
- Cr. Susan Rennie (Proxy)

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The committee met in June, August and October 2019. Key issues for this period include:

- Discussion on Council's current preventing violence against women and gender equity initiatives.
- Discussion of Council's Economic Development initiatives as they apply to women, including the Global Sisters program.
- Discussion of Council's activities and efforts to recognise the 16 Days of Activism Against Gender-Based Violence.
- Discussion of the implementation Darebin's Gender Equity and Preventing Violence Against Women Action Plan 20-19 -2023.
- Concerns about housing insecurity experienced by older women and growing homelessness amongst this cohort.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Induction of 8 new members to the committee. 4 pre-existing committee members renewed their term.
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-
- Provided feedback to strengthen the application of a gender lens to Council's economic development initiatives.
 - Provided input into Council's recognition of the 16 Days of Activism Against Gender-Based Violence.
 - Provided input into Council's submission into the Parliament's Legislative Council's Inquiry into homelessness in Victoria.

FUTURE PLANS

- Planning Council's 2020 International Women's Day event on 8 March, Molly Hadfield Social Justice Oration.
- Assist Council to apply a gender lens to the design of public realm, with a focus on women's safety.
- Continue to assist Council to undertake gendered community safety audits with relevant public realm and community safety initiatives.

RELATED DOCUMENTS

- Darebin Women's Advisory Committee Terms of Reference (A3948737)
 - Gender Equity and Preventing Violence Against Women Action Plan 2019 – 2023.
-



MAYER PARK PROJECT CONTROL GROUP

AUTHOR: Landscape Architect

REVIEWED BY: General Manager City Sustainability & Strategy

COMMITTEE SUMMARY:

The Mayer Park Project Control Group (PCG) was established in April 2018 to shape the master plan for Mayer Park.

Committee Members

- 7 community members
- 1 Darebin City Council officer for project support

Councillor Representative:

- Cr. Susan Rennie

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The PCG is keen to ensure that all park users and the broader community participate in the consultation of the draft master plan so that it is developed with an accurate understanding of the needs and aspirations of all. This has been a challenge because the pattern of use changes throughout the year and the consultation on the draft master plan will take place during a defined period. Additional measures are being put in place to ensure out-of-season users, such as the Football Club, are reached in the engagement process.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- The initial draft of the master plan was significantly progressed by officers with advice and feedback from the PCG, and based on broader community input received to date.
- The PCG met twice during this period.
- A workshop was held with Darebin Council staff from Recreation, Transport Strategy, Transport Engineering and Community Wellbeing units to help develop key actions in the draft master plan.
- A community safety walk was held on the 29th August to help inform actions in the draft master plan.

FUTURE PLANS

Two PCG meetings are scheduled for the first half of 2020:

- Thursday 6 February to discuss the final draft master plan and seek feedback on the community engagement strategy.
- Late April to discuss the outcomes of the community consultation and any proposed changes to the final master plan.

The PCG will support officers with on-site community engagement activities during the broader engagement of the draft master plan scheduled for March 2020.

RELATED DOCUMENTS

- Mayer Park Terms of Reference (A4818096)



MUNICIPAL EMERGENCY MANAGEMENT PLANNING COMMITTEE

AUTHOR: Manager, City Works (Municipal Emergency Resource Officer - MERO)

REVIEWED BY: General Manager, Operations & Capital (Municipal Emergency Manager – MEM)

COMMITTEE SUMMARY:

This Committee is formed pursuant to Section 21(3) and (4) of the *Emergency Management Act 1986*:

(3) A municipal council must appoint a municipal emergency planning committee constituted by persons appointed by the municipal council being members and employees of the municipal council, response and recovery agencies and local community groups involved in emergency management issues.

(4) The function of a municipal emergency planning committee is to prepare a municipal emergency management plan for consideration by the municipal council.

Committee Members:

- Mayor (Chairperson)
- Municipal Emergency Manager (MEM)
- Municipal Emergency Resource Officer (MERO)
- Deputy Municipal Emergency Resource Officer (D/MERO) x 2
- Municipal Recovery Manager (MRM)
- Deputy Municipal Recovery Manager (D/MRM)
- Municipal Community Safety Manager (MCSM)
- Municipal Fire Prevention Officer (MFPO)
- Municipal Emergency Response Coordinator (MERC)
- MEMPC Executive Officer (PA to Director Operations & Capital)
- Emergency Management Planning Officer (Shared roll with MCC & DCC)

Agency Representation:

- | | |
|---|---------------------------------|
| • Vic Police | • CentreLink/Medicare |
| • SES Victoria | • VicRoads |
| • Ambulance Victoria | • Salvation Army |
| • Metropolitan Fire Brigade | • VicRoads |
| • Department of Health and Human Services | • Victorian Council of Churches |
| • Red Cross | • DIVRS |
| • Darebin Community Health | • BOC |

Councillor Representatives:

- Cr Susan Rennie (Mayor)
-

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Reviewing and updating sections of the Municipal Emergency Management Plan (MEMP). The MEMP was reviewed by representatives from the SES, Police, MFB and the Department of Health and Human Services, and corrections incorporated.
- Identify any emergency management issues that had arisen.
- Debriefed on any incidents that occurred since the last meeting.
- Committee adopted and endorsed the following sub-plans:
 - MEMP
 - Pandemic Influenza
 - Extreme Heat
 - Relief and Recovery
 - Thornbury and Northcote Local Flood Guide
 - Flood and Storm
- Reviewing and rewriting a number of sub-plans including:
 - Fire Management Plan
 - Hostile Act Sub Plan
 - Technical Resources Sub Plan

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

Emergency Management Planning Officer (shared resource for Moreland and Darebin Council's) – training schedule for Darebin & Moreland staff to attend:

- Working in an ERC training Part 1 held at Darebin – 24 June 2019
- Exercise Paen ICC Component training held at Sunshine SES - 28 Aug 2019
- Crisisworks training held at Collingwood Town Hall for EMLO, ERC & MECC roles – 4 September 2019
- Working in an ERC training Part 2 held at Darebin – 13 September 2019
- Darebin Council staff – attended Exercise Paen (Agency & ERC staff) – joint North West Collaboration – held at Whittlesea Council – 30 October 2019
- The MEMP was audited by Vic SES, DHHS & Vic Police on 26 November 2019

FUTURE PLANS

- Maintain the MEMP to ensure currency.
- Continue ongoing meetings with all emergency authorities and agencies.
- Arrange some further training and exercises with the Committee or participate with the North West Collaboration in other exercises.

RELATED DOCUMENTS

- Municipal Emergency Management Plan
 - MEMPC - Terms of Reference
 - EMMV (Emergency Management Manual Victoria)
 - *Emergency Management Act* 3 December 2013
-



SEXUALITY, SEX AND GENDER DIVERSITY ADVISORY COMMITTEE

AUTHOR: Human Rights Project Lead

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Sexuality, Sex and Gender Diversity Advisory Committee (SSGDAC) supports Darebin City Council's commitment to social inclusion by recognising sexual orientation and sex and gender diversity as significant aspects of community diversity. The committee also enhances Council's capacity to address barriers to access and inclusion that lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) residents face.

Committee Members

- 10 community members (3 positions are currently vacant)
- Up to 2 representatives from relevant LGBTIQ organisations (1 position is currently vacant)
- 2 Council officers

Councillor Representative:

- Cr. Steph Amir
- Cr. Susanne Newton

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Provision of community input and feedback/evaluation into Council programs, services, events and activities designed for LGBTIQ people.
- Discussed opportunities for Council to undertake advocacy on the draft religious protections legislation and the inclusion of questions relating to sexuality, gender identity and intersex status in the 2021 national census.
- Gaining input into the implementation of the Towards Equality Framework 2019-2029.
- Filling vacancies on the committees was postponed due to the review of advisory committees.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Planning for Midsumma Festival activities 2020, specifically Carnival and Pride March
- Planning for IDAHOBT activities 2020.
- Advice to strengthen Council services, events and programs: Reservoir Leisure Centre programs for transgender and gender diverse people, programming for the FUSE Festival 2020 and an event by Darebin Libraries for Midsumma Festival 2020.

FUTURE PLANS

- Identify specific public safety-related needs and experiences of LGBTIQ people moving through City of Darebin and have input into responses.
- Continued discussion of and input into Council response to proposed federal religious protections legislation and also 2021 census.
- Guide implementation of Towards Equality as it relates to LGBTIQ people connected to Darebin.
- Ensure Council's participation in Midsumma Festival and IDAHOBIT reflects and fulfils community aspirations/expectations.
- Undertake and expression of interest process for new members for existing vacancies to commence February 2020.

RELATED DOCUMENTS

- Sexuality, Sex and Gender Diversity Terms of Reference.



WELCOMING CITIES REFERENCE GROUP

AUTHOR: Coordinator Equity and Diversity

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

The Darebin Welcoming Cities Reference Group was established to support Council to meet its commitment to be a Welcoming City.

The Reference Group facilitates and monitors Council's progress towards achieving the principles and criteria in the Welcoming Cities Standard.

Committee Members

- 4 community members
- 4 community organisational representatives
- 2 committee representatives from Darebin Interfaith Council and 2 from the Darebin Aboriginal and Torres Strait Islander Council
- 2 Darebin City Council Officers

Councillor Representative:

- Cr Gaetano Greco

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The committee met in August and November 2019. Key issues for this period include:

- Identifying gaps and areas for improvement to include in a Darebin Welcome Plan that complement actions contained in the Council Plan and ensuring any new actions to be included are strategically aligned and achievable.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

The Reference Group continued to inform and support the development of the actions and strategies that Council can implement to meet Welcoming cities Standards in particular:

- Feedback on Council progress against Standard 3: Economic Development in relation to Councils workforce planning and recruitment.
-

-
- Feedback on Council's Draft Social and Sustainable Procurement Policy – identifying barriers and opportunities to engage more culturally diverse communities in procurement and contracting.
 - Feedback on Council progress against Standard 4: Learning and Skills Development including feedback on the Darebin Library Lifelong Learning and Library Strategy and engagement with Darebin Neighbourhood House Network to identify opportunities to strengthen collaboration and increase participation of diverse community members in neighbourhood house services and programs.

FUTURE PLANS

- Applying for accreditation to progress to the Excelling level of the Welcoming Cities Standard in early 2020.
- Review and input into Standard 5: Civic Participation - *Welcoming Cities actively encourage all residents to participate in civic life* and Standard 6: Places and Spaces - *Welcoming Cities value public spaces and facilities that enhance liveability, social cohesion and inclusion of all residents.*
- Applying a Gender Equity lens on the Welcoming Cities Standards.

RELATED DOCUMENTS

- Welcoming Cities Reference Group Terms of Reference (obj. ZA111501)
-



DAREBIN ARTS AMBASSADORS ADVISORY COMMITTEE

AUTHOR: Manager Creative Culture and Events

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

In 2013 Council endorsed the establishment of the Darebin Arts Ambassadors Reference Group to advise Council on any matters relating to the arts in Darebin.

In relation to Darebin's arts and creative culture, Council has a primary responsibility for understanding and articulating the community's values and desired future for providing opportunities for cultural learning, arts participation and creative expression. Council also plays a significant role striking a balance between contributing to and supporting an evolving and dynamic creative sector as well as effectively addressing local needs through creative initiatives and programs.

Committee Members

The group comprises of a total of 17 members:

- Five resident participants inclusive of gender, CALD and age balance. Selection is based on demonstrated knowledge and experience in the arts and creative sector; understanding and interest in local government; and a commitment to advancing Darebin as a thriving creative centre.
- Five Creative Sector professionals working predominately in the arts and creative industries within Darebin.
- Up to five Council officers

Councillor Representative:

- Cr. Newton
- Cr. Laurence

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- Progress Reports on new Festivals model at Darebin, FUSE Festival to be launched in 2020.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Ongoing engagement and participation in local arts events, performances, festivals and exhibitions.
 - Art Strategy updated with renewed priorities.
-

FUTURE PLANS

- In line with Council resolution on 6 November 2019, the Arts Ambassadors Committee has been formally closed.
- An arts panel will be set up and regular consultations will occur by invitation at various times throughout 2020.

RELATED DOCUMENTS

- Darebin Arts Ambassador Terms of Reference (2016)



DAREBIN BICYCLE ADVISORY COMMITTEE

AUTHOR: Sustainable Transport Officer

REVIEWED BY: General Manager City Sustainability & Strategy

COMMITTEE SUMMARY:

To provide strategic advice to Council on cycling issues affecting the community, and inform Council decision making in relation to policy, program, and service delivery.

Committee Members

- Nine general community members, including one local police officer and a representative of the Darebin Bicycle User Group. (Note that two members resigned in the first half of the calendar year)
- Two Councillors (one is a proxy)
- While not members, two Council Officers typically attend to support this committee (Sustainable Transport Officer, Coordinator Transport Strategy)

Councillor Representative:

- Cr Steph Amir
- Cr Susanne Newton (Proxy)

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

The Darebin Bicycle Advisory Committee held one meeting in September 2019. The key issues and challenges discussed in this meeting were:

- Challenge of reconciling different park uses and creating good bike route connections from and through Mayer Park
- Difficulty of satisfying bus requirements without compromising bike amenity in Streets for People in Northern Reservoir
- Issues with roundabouts on bike routes
- Discussion of potential improvements to amenity of bike route at intersection of High Street and Tyler Street, Preston

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

Members provided feedback and suggestions on a range of council work and projects relating to the following:

- Infrastructure projects across the municipality:
 - Mayer Park Masterplan
 - Streets for People Northern Reservoir Concept Plans

-
- Level Crossing Removal Projects
 - Concept designs for signalised pedestrian crossings in Miller St, Thornbury/Preston and Regent Street, Preston.
 - Concept designs for intersection of High Street and Tyler Street, Preston
 - Travel behaviour change and road safety programs:
 - Darebin Loves Bikes Spring Event Program
 - Walk to School month
 - Darebin Creek Wayfinding Signage

FUTURE PLANS

- At its meeting on 6 November 2019 Council resolved to accept the recommendations of the Review of Community Advisory Committees and Community Reference Groups prepared as part of the Community Engagement Strategy and Framework Project that the committee sunsets now that the work identified in the Terms of Reference, to oversee the delivery of the Darebin Cycling Strategy 2013-2018, is complete.
- The Review recognised “an ongoing need for advice and feedback from bike riders in the community” but proposed “a transition to a different engagement model which is more effective and can achieve a better use of the skills and time of bike riders and contributors in the community”. The new engagement model will include:
 - A register of interested and expert bike riders, which officers would seek advice from for placemaking, transport and strategic projects
 - Public workshops, forums and networking opportunities.
- The Darebin Bicycle Advisory Committee will not have another formal meeting but will have a final informal catch up and celebration on the 3 December 2019. No further meetings will be held of the Darebin Bicycle Advisory Committee.
- Council recognises the valuable input and commitment that committee members have shown to supporting cycling outcomes in Darebin over the life of the committee.

RELATED DOCUMENTS

Darebin Bicycle Advisory Committee Terms of Reference



DAREBIN LIFELONG LEARNING STRATEGY REFERENCE GROUP

AUTHOR: Senior Coordinator Darebin Libraries

REVIEWED BY: Acting General Manager Community

COMMITTEE SUMMARY:

Darebin Lifelong Learning Strategy Reference Group was established in June 2017 to provide advice, feedback, support and guidance to Council on the development of the Darebin Lifelong Learning Strategy.

Committee Members

- 15 community members
- 2 Council Officers

Councillor Representative:

- Cr. Steph Amir
- Cr. Julie Williams

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- The Reference Group did not meet during this period.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- Future communication and consultation is planned to consider a draft Darebin Libraries and Lifelong Learning Strategy

FUTURE PLANS

- As per the Council resolution on 6 November, the Committee will have completed its work following Council's adoption of the Darebin Libraries and Lifelong Learning Strategy (expected to be in early 2020) and will cease its operation. A celebration of the efforts will occur at the completion of the Strategy.

RELATED DOCUMENTS

- Darebin Lifelong Learning Strategy Reference Group Terms of Reference
-



EDWARDES LAKE PARK REFERENCE GROUP

AUTHOR: Acting Coordinator City Design

REVIEWED BY: General Manager City Sustainability & Strategy

COMMITTEE SUMMARY:

The Committee is to serve as a reference group for the development of a master plan for Edwardes Lake Park.

Committee Members

- Five local residents
- Three representatives from local Community Organisations
- Three Council officers (Manager Parks and Vegetation, Coordinator City Design and Urban Designer/Project Manager).

Councillor Representative:

- Cr. Gaetano Greco
- Cr. Tim Laurence
- Cr. Susanne Newton

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- No meetings of the reference group were held during this period.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- No meetings of the reference group were held during this period.
 - The master plan development was substantially done during 2016–17, with significant input and advice from the reference group. Since then, the key concepts developed have not changed.
 - During 2017–18, further geotechnical investigations were completed to understand risks rising from the Site's history as a former tip as well as feasibility work to better understand what upgrades are required for the Athletics Track.
 - During 2017–18 some 'easy wins' arising from the earlier work that the reference group informed have been delivered in Edwardes Lake Park, including replacement of old park furniture and installation of the compacting solar bins to manage the litter issues at the park.
 - The draft master plan has been amended in line with 12-month water quality monitoring evaluation report.
 - Officers are finalising the draft master plan to share with Council and the broader community in April 2020.
-

FUTURE PLANS

- At its meeting on 6 November 2019 Council resolved to accept the recommendations of the Review of Community Advisory Committees and Community Reference Groups prepared as part of the Community Engagement Strategy and Framework Project that the committee sunsets in accordance with the two-year timeframe as identified in the Terms of Reference. Council acknowledges the passion and commitment of these members.
- Officers will share the draft master plan with the former CRG members during the community consultation in 2020.

RELATED DOCUMENTS

- Edwardes Lake Park Reference Group Terms of Reference.



NORTHLAND URBAN RENEWAL PRECINCT STEERING COMMITTEE

AUTHOR: Senior Strategic Planner (NURP Project Manager)

REVIEWED BY: General Manager City Sustainability and Strategy

COMMITTEE SUMMARY:

The Northland Urban Renewal Precinct (NURP) Steering Committee works collectively to provide a clear direction for delivery of the precinct's ongoing work program. The Committee has a five-point priority focus as follows:

1. Advocacy and Promotion;
2. Sound Design Concept Foundation;
3. Working in Partnerships;
4. Engagement; and
5. New Delivery Models (Fostering Innovation).

Committee Members:

The Committee comprises of 19 members as follows:

- Darebin Mayor as Committee Chair
- 3 x Darebin ward Councillors
- 2 x Banyule ward Councillors
- 2 x Council Directors/General Managers (one from each Council)
- 2 x Institutional representative (La Trobe University and Northern College of Arts and Technology)
- 2 x Community representatives (one from Darebin and one from Banyule)
- 1 x Representatives with specialist development industry experience
- 1 x Community Infrastructure (Health sector)
- 1 x Victorian Planning Authority
- 2 x Department of Environment, Land, Water and Planning
- 2 x Department Health and Human Services (Housing)
- 1 x Project Manager (PM)

Councillor Representatives:

- Mayor/Cr. Susan Rennie
 - Cr. Amir
 - Cr. Williams
 - Cr. Messina
-

PROGRESS REPORT

Key Issues and Challenges for 1 June 2019 to 30 November 2019

- The project has been in a research and investigation stage during this time.
- The Department of Environment, Land, Water and Planning (DELWP) released the Draft Melbourne Industrial and Commercial Land Use Plan, which proposes policy that will have major implications for NURP.
- The Steering Committee has not met in the period 1 June 2019 to 30 November 2019.

Key Activities / Outcomes for 1 June 2019 to 30 November 2019

- While the Steering Committee has not met in the period 1 June 2019 to 30 November 2019, the Steering Committee members have been sent a letter providing a project update, including the implications of DELWP's Draft Melbourne Industrial and Commercial Land Use Plan, and canvassing interest for continued involvement future working groups.
- During this time officers have undertaken a review of supporting strategies and studies has been undertaken and the project team has prepared a submission in response to the Department of Environment, Land, Water and Planning's (DELWP) Draft Melbourne Industrial and Commercial Land Use Plan.

FUTURE PLANS

At its meeting of 2 November 2019, Council decided wind up this Committee.

A new approach to governance and community engagement will be used for the next phase of the project and meet the specific needs. Officers will plan for effective community engagement as a targeted program as well as for effective stakeholder engagement with the various government agencies and local stakeholders.

This is particularly important given that NURP does not currently have a large residential population, so seeking feedback from a community that doesn't yet live there needs to be deliberate and it's important to reach the surrounding community. Community engagement activities would be designed specifically to gather broad community views at an appropriate level to the project stages.

RELATED DOCUMENTS

- Updated Terms of Reference (June 2016)
-

8.2 AUDIT COMMITTEE MEMBERSHIP**Author:** Manager Governance and Performance**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

Mr Terry Richards, one of the Audit Committee's external members, completed his final term of appointment on 31 December 2019. Mr Richards served the full four-year term on the committee and was extended for an additional year by Council resolution in February 2019.

An expression-of-interest for a new external member was advertised in *The Age* on 20 January 2020 and in the *Preston Leader* and *Northcote Leader* on 21 January and 22 January respectively. A selection panel comprising the Mayor, Cr Le Cerf and the General Manager Governance and Engagement has recommended a preferred candidate for appointment to the committee. Details about the selection process are attached in **Appendices A–C** (Confidential).

The current term of Ms Lisa Tripodi, another of the Audit Committee's external members who chaired the committee during 2019, expires on 31 July 2020. In July 2020, Ms Tripodi will have served the full four-year term on the committee. Given that a new external member is to be appointed to the committee in early 2020 (subject to Council resolution), it is proposed that Ms Tripodi continue as an external member of the committee for an additional period to 31 December 2020, to allow for continuity and consistency of approach for the current governance matters under consideration.

Recommendation

That Council:

- (1) Appoints _____ to the Audit Committee from the date of resolution to 31 December 2021.
 - (2) Extends the appointment of Ms Lisa Tripodi to the Audit Committee from 1 August 2020 to 31 December 2020.
-

BACKGROUND / KEY INFORMATION

The Audit Committee plays an important role in assisting Council with its oversight of financial management, risk management, internal controls and external reporting. It forms a key part of Council's governance framework.

Under the Audit Committee charter, the Audit Committee consists of five members, made up of two Councillors and three external members. The external members are appointed for a two-year term, with an option for a further two-year term by mutual consent. Council may adjust the initial period of appointment to allow for mid-term appointments and to avoid situations where all external member terms expire within close proximity of each other.

As at February 2020, the status of external membership of the Audit Committee is as follows:

- Ms Lisa Tripodi – appointed 15 August 2016, final term expires 31 July 2020
- Dr Marco Bini – appointed 20 November 2017, three-year term expires 31 December 2020 (eligible for a 1-year extension to 31 December 2021)
- Vacant position – Mr Terry Richards concluded his final term on 31 December 2019.

Previous Council Resolution

At its meeting held on 25 February 2019, Council resolved:

“That Council resolves to appoint Mr Terry Richards to the Audit Committee from the date of Council approval until 31 December 2019.”

At its meeting held on 15 August 2016, Council resolved:

“That Council endorses the appointment of Ms Lisa Tripodi as an external member of Council’s Audit Committee for a three year term (concluding July 2019) with an option of a further one year term by mutual consent (concluding July 2020).”

COMMUNICATIONS AND ENGAGEMENT

Consultation

The two current Councillor appointees to the Audit Committee, Mayor Rennie and Cr Kim Le Cerf, were members of the panel to shortlist interviewees and select the preferred candidate.

Communications

Subject to Council’s resolution to appoint a new member and to extend the term of Ms Lisa Tripodi, the General Manager Governance and Engagement will confirm the appointments in writing and the Audit Committee will be informed at their meeting of 23 March 2020.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Environmental Sustainability Considerations

There are no environmental sustainability considerations that relate to this report.

Climate Emergency

There are no climate emergency considerations that relate to this report.

Equity, Inclusion and Wellbeing Considerations

Ms Lisa Tripodi is currently the only female external member on the Audit Committee. When her term expires in 2020, Council will utilise available networks to encourage female candidates to apply for the vacant position.

Cultural Considerations

There are no cultural considerations that relate to this report.

Economic Development Considerations

There are no economic development considerations that relate to this report.

Financial and Resource Implications

Council pays a fee to all external committee members pursuant to section 139(7) of the *Local Government Act 1989*. These fees are allowed for within existing budgets.

Legal and Risk Implications

Given the current work being undertaken in key areas that are overseen by the Audit Committee, such as improvements to risk, audit and procurement processes, it is important to ensure the continuity of knowledge and expertise from the independent external members of the Audit Committee is maintained. Recruiting and inducting two new external members during 2020 risks the loss of momentum on these key projects.

Regular turnover of committee members is important; however, to ensure the injection of fresh perspectives and ideas. There will be an opportunity to appoint a new external member to the committee to commence in early 2021, with the retirement of Ms Lisa Tripodi from the committee (subject to a Council resolution to extend her appointment to December 2020).

DISCUSSION

Council appoints independent external members with an appropriate balance of local government regulatory knowledge, finance, and audit or management experience. Members of the Audit Committee require a high level of expertise and commitment to fulfil their role.

The mix of skills and experience of the current and prospective external members was taken into consideration as part of the selection of the preferred candidate for the committee. Further information about the selection process is attached in **Appendices A–C** (Confidential).

Ms Lisa Tripodi has demonstrated extensive expertise in her role as an independent external member to the Audit Committee, with particular knowledge of regulatory, finance, risk, probity and audit matters. In addition, Ms Tripodi chaired the Audit Committee throughout 2019. An extension to Ms Tripodi's term would ensure continuity of knowledge and direction for Council to achieve its outcomes.

OPTIONS FOR CONSIDERATION

1. _____ is appointed as an external member of Council's Audit Committee to 31 December 2021 and Ms Lisa Tripodi's term is extended to 31 December 2020. (Recommended Option)

This option will allow for continuity of knowledge and experience on the committee, as well as the introduction of new perspectives and ideas.

2. Council does not make a new appointment to the Audit Committee and does not extend the term of Ms Lisa Tripodi. (Not Recommended)

This option is not recommended as Council may struggle to achieve a quorum for meetings if a new member is not appointed. In addition, the loss of two experienced external members within a short period (Mr Terry Richards and Ms Lisa Tripodi) risks the loss of momentum on critical projects and matters that are being overseen by the Audit Committee.

IMPLEMENTATION STRATEGY

Details

If Council approves the appointments as recommended, the General Manager Governance and Engagement will confirm the appointments in writing and the Audit Committee will be informed at their meeting of 23 March 2020.

RELATED DOCUMENTS

- Audit Committee Charter

Attachments

- Preferred Candidate Resume (**Appendix A**) Confidential - enclosed under separate cover
- Audit Committee External Member Selection Summary (**Appendix B**) Confidential - enclosed under separate cover
- Audit Committee External Member Selection Report (**Appendix C**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

8.3 PROPOSED DISCONTINUANCE AND SALE OF ROAD REAR 100 TO 102 HUGHES PARADE AND ADJOINING 2 WELLMAN STREET, RESERVOIR**Author:** Property Officer**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

To seek approval to commence the statutory procedures for the proposed discontinuance of the right-of-way/road adjoining 100 and 102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched in the statutory plan in **Appendix A** and in orange in the aerial view in **Appendix B** (Road).

In 2017, Council received an enquiry from the owner of 102 Hughes Parade, Reservoir, requesting the discontinuance and sale of the 3.05-metre-wide road adjoining their property.

In September 2018, preliminary investigations into the discontinuance and sale of the section of Road were undertaken. The investigations identified that although the Road remains a road on title, it is not listed on Council's Register of Public Roads and appears to have been enclosed within the adjoining properties for many years as shown on the aerial photo in **Appendix B**. A section of the road further east was previously discontinued in 2001.

The owners of 102 Hughes Parade, Reservoir have agreed in-principle to purchase the land adjoining their property at market value, as well as meeting all reasonable costs associated with the statutory process, should Council resolve to discontinue the Road and sell the land. Council will transfer to itself any land that remains unsold, protecting its interests in the land.

Recommendation

That Council:

- (1) Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* (the Act) to discontinue the Road adjoining 100 and 102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched in the statutory plan at **Appendix A**.
- (2) Gives public notice under sections 207A, 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and in such notice, states that if discontinued, Council proposes to sell the land from the Road to the adjoining property owners by private treaty and transfer to itself any land from the Road not sold.

BACKGROUND / KEY INFORMATION

In 2017, Council received an enquiry from the owner of 102 Hughes Parade, Reservoir, requesting the discontinuance and sale of the 3.05-metre-wide road adjoining the rear of 100–102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched in the statutory plan in **Appendix A** and in orange in the aerial view in **Appendix B** (Road).

The Road is not listed on Council's Register of Public Roads, is not constructed, nor used for access. The Road appears to have been enclosed within the adjoining properties at 102 Hughes Parade and 2 Wellman Street, Reservoir for many years.

Once initial investigations confirmed the feasibility of the proposed discontinuance, Macquarie Lawyers were commissioned to undertake further consultation with a view to Council commencing the statutory procedures to facilitate the possible discontinuance and sale of the 3.05m-wide section of Road.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

COMMUNICATIONS AND ENGAGEMENT

Consultation with adjoining property owners

All immediate adjoining property owners were informed of the proposal. No objections were received from the owners at 2 Wellman Street; however, as they appear to be in occupation and have built a structure on part of the Road, Council officers confirmed with them in person that they have no objection to the proposal. Further correspondence will be sent to them as part of the statutory procedures and they will have an opportunity to make a submission.

The owners of 102 Hughes Parade, Reservoir have confirmed an interest in acquiring the land shown as Lot 1 in the Title Plan in **Appendix C** at current market value, as well as agreeing to meet a share of the reasonable costs associated with Council discontinuing and selling the Road, in accordance with policy.

Consultation with Service Authorities and Council Departments

Internal departments and service authorities were consulted regarding the proposal and while no objections were received, both Council engineers and Yarra Valley Water have advised that easements will need to be saved over the land, if discontinued. Yarra Valley Water has existing underground assets within part of the road and Council would require an easement to cater for any future installation of a drain (by Council).

Consultation with the community

The statutory procedures require Council to give public notice of its intention to close and sell the Road and invite submissions from affected parties. Submitters may request to be heard by Council prior to a decision being made to proceed or otherwise with the proposal. In addition, all abutting property owners would be advised of the proposal in writing and informed of their right to make a submission. Following which, a report will be presented to Council for a decision whether to discontinue and sell the Road, part of the Road or not to discontinue and sell the Road.

Communications

- All immediate adjoining owners were consulted regarding the proposal and no objections were raised. The dimensions and proposed allocation of the land is shown in the Title Plan provided in **Appendix C**.
- The owners of 102 Hughes Parade, Reservoir, have agreed in principle to purchase the land adjoining their property at current market value (as well as meeting a share of the reasonable costs associated with Council discontinuing and selling the Road, in accordance with Policy).

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Property Assets Management Strategy

Sale of Minor Council Property Assets Policy

Environmental Sustainability Considerations

There are no factors in this report that impact upon environmental sustainability.

Climate Emergency

There are no factors in this report that impact upon climate change.

Equity, Inclusion and Wellbeing Considerations

There are no factors in this report that impact upon equity, inclusion and wellbeing.

Cultural Considerations

There are no factors in this report that impact upon cultural considerations.

Economic Development Considerations

There are no factors in this report that impact upon economic development considerations.

Financial and Resource Implications

There are no financial or resource implications as a result of commencing the statutory procedures as contained in this report.

Costs associated with undertaking the statutory process would be recoverable from the purchasers, should Council decide in future to discontinue the Road and sell the land. Should Council decide not to proceed with the discontinuance and sale, then the costs associated with conducting the statutory process would be funded from existing allocations.

Legal and Risk Implications

Risks associated with each option are covered under the analysis of each option.

DISCUSSION

Council's property portfolio must meet current service needs while providing the flexibility to meet future requirements. Roads, reserves, revenge strips, hiatus and other pieces of land of unusual shape and limited usefulness that are less than 200m² in area (collectively referred to as minor Council property assets) were originally set aside in early plans of subdivision for a particular purpose, such as access or drainage. In many cases, these parcels of land are still required for that purpose and need to remain open and available to the public.

In situations where a minor Council property asset is no longer reasonably required for that purpose or other strategic purposes, it may be considered surplus and suitable for sale.

OPTIONS FOR CONSIDERATION

Option 1 – Abandon the Proposal or Do Nothing

Council could resolve to abandon the proposal, take no action or may make no resolution on the matter. This option would mean that the Road would continue to vest in Council and the status quo would remain, with the adjoining property owners continuing to occupy the Road.

Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other roads or rights of way within Darebin to the detriment of the community (whether financially or as a benefiting right). Additionally, Council may lose future rights to the Road if adjoining property owners are able to accrue possessory rights.

Council may, at some time in the future, resolve to commence the discontinuance process.

Option 2 – Commence the Statutory Procedures (Recommended)

Council could resolve to commence the statutory procedures to potentially discontinue the Road. This would extend the consultation to the wider community and enable all affected property owners a formal opportunity to make a submission. This option would assist Council in obtaining further insight into the overall consensus of surrounding property owners and the community in relation to the Road. It would also enable Council to make an informed assessment on the future of the Road, to potentially open part or all of the Road, discontinue part or all of the Road and sell the land from the Road (if discontinued) to the adjoining property owners and take title to the land if not sold.

Further benefits of commencing the statutory procedures depend on Council's decision on the future of the Road. These may include the asset being opened to the public and used for its prescribed purpose, potential revenue from the sale of part or all of the Road (if discontinued), and/or the ongoing protection of a public asset (if the Road is discontinued and Council takes title to any unsold land).

IMPLEMENTATION STRATEGY

Details

- Commence the statutory process by giving public notice.
- Report back to Council on the outcome of statutory process and seek a resolution on the future of the Road.

Communication

- Council departments
- Owners and occupiers of adjoining properties
- Macquarie Local Government Lawyers
- Statutory authorities

Timeline

- Commence the statutory process in March 2020
- Report to Council on outcomes of the statutory process in May 2020

RELATED DOCUMENTS

- *Local Government Act 1989*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy

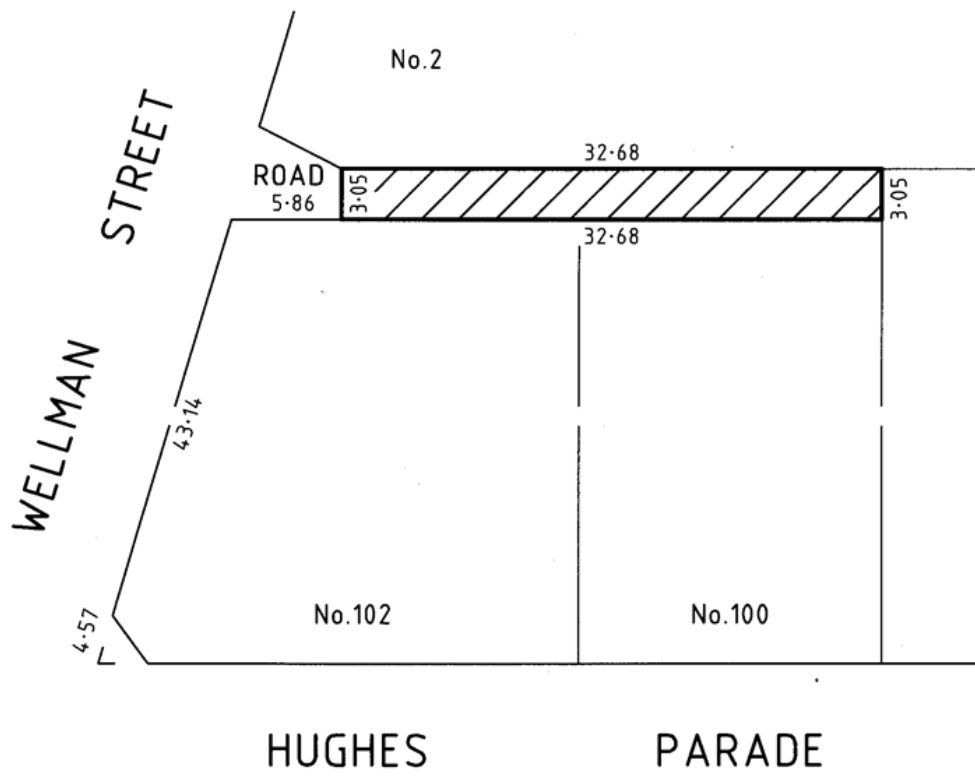
Attachments

- Statutory Plan - Proposed discontinuance of road adjoining 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix A**) [↓](#)
- Aerial View - Proposed discontinuance of road adjoining 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix B**) [↓](#)
- Title Plan TP96717L - Proposed discontinuance of road adjoining 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix C**) [↓](#)

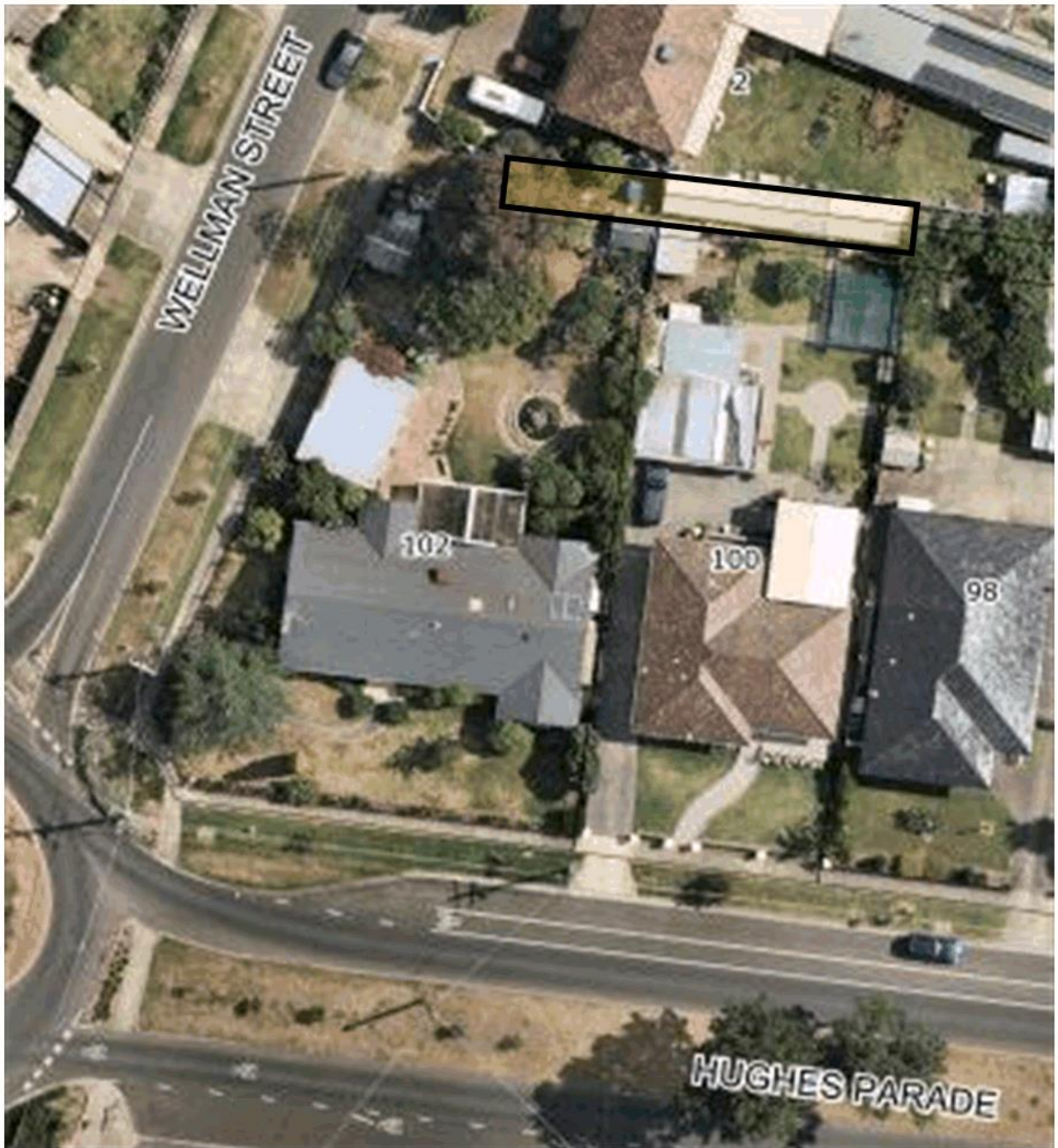
DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.w

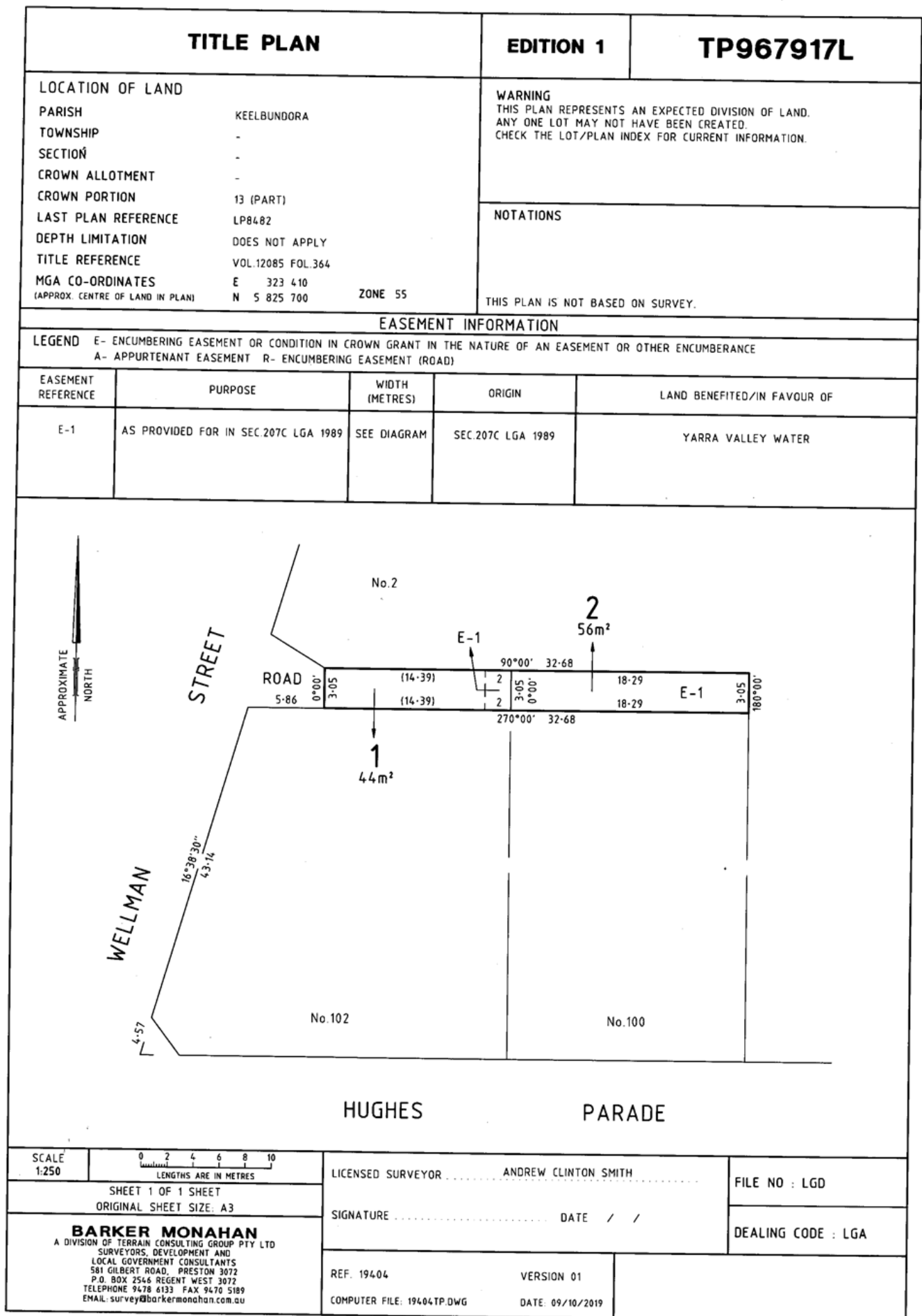
The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



Darebin City Council
10/01/2020



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8.4 MEDIA AND SOCIAL MEDIA POLICY FOR MAYOR AND COUNCILLORS**Author:** Corporate Affairs Coordinator**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

The new Councillor Media and Social Media Policy 2020 provides guidelines to support all Councillors engagement with the media and social media. This Policy updates the 2014 Council Media Policy.

Recommendation

That Council adopts the Councillor Media and Social Media Policy and Protocols 2020.

BACKGROUND / KEY INFORMATION

The existing Council Media Policy was endorsed in 2014. The media landscape continues to evolve quickly and it is imperative that Council has a contemporary policy and protocol to ensure Council is capable of keeping pace with the increasing immediacy of news.

Council currently has no policy that applies to Social Media channels. The growth and importance of social media has meant that all Councils have had to develop effective policies that govern who uses channels, how content is approved and how Council monitors social media.

Consistent with the principles of good governance, it is important that Council has clear standards and guidelines in place which outline the appropriate use of media and social media channels by Councillors.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

COMMUNICATIONS AND ENGAGEMENT**Consultation**

This policy is not subject to external consultation. It is aimed at Councillors and to inform staff in their interactions with Councillors in relation to media and social media content.

Councillors engaged in a media and social media workshop in September 2019 which highlighted some of the evolving challenges in these areas and assisted Councillors to improve the performance of their own social media channels and in media interviews. At that workshop it was acknowledged that a new policy was required.

Communications

Nil.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

This policy has at its foundation the following guiding principles:

1. External communication is based on a considered strategy with a clear understanding of audience, desired outcome, appropriate channel(s), impacts on community, government relationships, factual information, reputation management and legal liability.
2. The primary audience for all media and social media comment is the Darebin community.
3. Corporate media and social media comment will not be used to promote Councillors' personal, business or political interests, including interests as a candidate in an election.
4. Media commentary and social media engagement will be tailored to the channel(s) being used.
5. All media and social media commentary will be entirely consistent with any adopted or established Council position (when in place).
6. All media and social media commentary will respect any decision taken by Council.

Environmental Sustainability Considerations

Not relevant. No changes are proposed to how Council manages and processes media.

Climate Emergency

Not relevant to this policy

Equity, Inclusion and Wellbeing Considerations

Not relevant to this policy.

Cultural Considerations

Not relevant to this policy.

Economic Development Considerations

Not relevant to this policy.

Financial and Resource Implications

None.

Legal and Risk Implications

None of the changes proposed in this policy will increase Council's exposure to legal risks. This Policy supports compliance with legislation and the Councillor Code of Conduct.

DISCUSSION

Communicating with or via the media including social media plays a large role in Council's interaction with the community. All media and social media interaction are undertaken broadly to share information, enhance or protect the City of Darebin's reputation and engage with residents and local businesses. Media coverage influences community perceptions, informs residents of Council's activities and applies a level of scrutiny to Council's functions.

Consistent with the principles of good governance, it is important that Council has clear standards and guidelines in place which outline the appropriate use of media and social media channels by Councillors.

This Councillor Media and Social Media Policy 2020 also ensures compliance with legislation and the Councillor Code of Conduct.

The 2014 Media Policy has become outdated and needs renewal. The absence of a social media policy is a weakness for Council's performance and we don't have a current guideline for best practice.

OPTIONS FOR CONSIDERATION

The Policy can be adopted as recommended, adopted with amendments or not adopted.

Not adopting the Policy will mean that Councillors and Officers will continue to operate using the current media policy which is outdated, fails to provide clear guidelines and is inadequate in relation to social media.

IMPLEMENTATION STRATEGY

Details

The Policy will be distributed to all Councillors if adopted.

Timeline

The proposed Policy will come into effect as soon as the Policy is adopted.

RELATED DOCUMENTS

This policy and protocols are to be read together with:

- Election Period Policy 2020
- Darebin Councillor Code of Conduct 2017
- Councillor Guidelines: Preselection or Nomination as a Candidate in a State or Federal Election
- Excellence in Governance Code of Conduct
- Darebin City Council's Privacy Policy 2015
- Darebin City Council Confidentiality Policy; Handling of Confidential Information by Councillors 2016.

Attachments

- Appendix A - Councillor Media and Social Media Policy 2020 (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



Councillor Media and Social Media Policy

February 2020

Objective Document ID Number	A5404704
Responsible Officer	Enna Giampiccolo
Custodians	Communications and Engagement
Date Reviewed	February 2020
Review Purpose	Updates to 2014 Media Policy and create a new Social Media Policy
Endorsed by Date and Person	Executive Management Team
Date/s Issued and/or Communicated	February 2020
Date to be Reviewed	[Month] [Year]
Version Number	1
Chief Executive Policy Endorsement	

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1 Objectives

This policy provides a framework to ensure that the Mayor and Councillors assist the City of Darebin to manage its media relations and in turn, its reputation successfully. Media and social media are important channels to:

- effectively promote Council's services, programs and initiatives
- provide clear information about Council processes and decisions
- promote opportunities for residents to get involved
- ensure Darebin speaks with a strong, honest and authoritative voice on all matters pertaining to its operations and values, and
- manage and enhance Darebin's reputation.

The policy outlines appropriate activities in relation to the Mayor and Councillors engagement with the media and/or social media. Further, it outlines the role of the Communications and Engagement Department in providing assistance to Councillors and the actions that may occur in the event of breaches of this Policy.

It is imperative that Council has a policy and procedures which enable it to keep pace with the increasing immediacy of news. The policy of having defined spokespeople and a centralised media contact is central to Council's success.

This policy does not relate to the activities of Council staff.

2 Scope

This policy applies to all Councillors of the City of Darebin.

This policy applies to any/all interaction with external news media and engagement with any public facing social media platform.

This policy is to be read together with the Darebin Councillor Code of Conduct.

This policy does not apply to Council staff.

The Communications and Engagement Department is responsible for managing official media relations and social media engagement on behalf of the City of Darebin.

Relevant legislation

- Freedom of Information Act Privacy Act
- Protected Disclosure Act
- Local Government Act
- Privacy & Data Protection Act
- Health Records Act

This policy is to be read together with;

- Election Period Policy 2020
- Darebin Councillor Code of Conduct 2017
- Councillor Guidelines: Preselection or Nomination as a Candidate in a State or Federal Election
- Excellence in Governance Code of Conduct

- Darebin City Council's Confidentiality Policy: Handling of Confidential Information by Councillors 2016
- Darebin City Council's Privacy Policy 2015

3 Definitions

Communications and Engagement Department is part of the Governance and Engagement Division.

The Manager of Communications and Engagement manages the Communications and Engagement Department.

The Corporate Affairs team is part of the Communications and Engagement Department.

The Corporate Affairs Coordinator manages the Corporate Affairs team.

The Media Advisor is part of the Corporate Affairs team.

The Communications team is part of the Communications and Engagement Department and is managed by the Communications Coordinator.

The Digital Advisor is a member of the Communications team.

Authorised Social Media Publishers are staff across Council who have authority to post and comment on social media from corporate accounts. Approval must be made in writing by the Digital Advisor or Communications Officers.

Council or Darebin Council refers to the nine elected representatives (including the Mayor) whose role is to represent their constituents and make strategic decisions for the city.

Delegated Councillors refers to a Councillor asked to respond to a media request on behalf of the Mayor.

Darebin City Council refers to the organisation run by the Chief Executive and staffed by council officers.

Media: For the purposes of this policy, the term **media** refers to all mainstream external news channels, including (but not limited to) newspapers, radio, television, online news services, and magazines.

Social Media: For the purposes of this policy, the term **social media** refers to a range of digital platforms and social networking tools and forums including (but not limited to) Facebook, Twitter, Instagram, YouTube and blogs.

4 Background

Communicating with or via the media including social media plays a large role in Council's interaction with the community. All media and social media interaction are undertaken broadly to enhance or protect the City of Darebin's reputation and engage with residents and local businesses. Media coverage influences community perceptions, informs residents of Council's activities and applies a level of scrutiny to Council's functions.

Consistent with the principles of good governance, it is important that Council has clear standards and guidelines in place which outline the appropriate use of media and social media channels by Councillors.

This Councillor Media and Social Media Policy 2020 also ensures compliance with legislation and the Councillor Code of Conduct.

5 Principles

This policy has at its foundation the following guiding principles:

1. External communication is based on a considered strategy with a clear understanding of audience, desired outcome, appropriate channel(s), impacts on community, government relationships, reputation management and legal liability.
2. The primary audience for all media and social media comment is the Darebin community.
3. Corporate media and social media will not be used to promote Councillors' personal, business or political interests, including interests as a candidate in an election.
4. Media commentary and social media engagement will be tailored to the channel(s) being used.
5. All media and social media commentary will be entirely consistent with any adopted or established Council position (when in place).
6. All media and social media commentary will respect any decision taken by Council.

6 Roles and Responsibilities

The Mayor

1. The Mayor is the official spokesperson for Darebin City Council and the decisions of Council, unless otherwise delegated by them.
2. The role of the Mayor as spokesperson for Darebin City Council is to:
 - clearly articulate and explain the deliberations and decisions of Council
 - promote participation in, and understanding of, democratic processes and decisions
 - promote awareness and utilisation of Council services
 - promote opportunities for residents to participate more fully in community life
 - protect Council's reputation from harm caused by negative events or negative or incorrect media coverage.
3. Posts and responses from the Mayors official channel on social media platforms are to be made by the Mayor or a staff member authorised to do so and are to follow an agreed plan.

4. It is not the role of the Mayor to discuss operational matters or organisational issues. These issues include, but are not limited to, the planning, organising and execution of day to day activities, including delivery of services, employment matters, operational decisions, relations between officers and Councillors, breaches of the staff code of conduct, and other matters as defined in s46-49 of the Local Government Act 2019 (including any amendments to it).
5. Responsive and timely provision of information is central to successful issues management and therefore, the Mayor and the Manager of Communication and Engagement will respond on behalf of Council without consultation where required.

Councillors

1. Councillors are entitled to express independent views however they must make it clear that any unofficial comment is their personal view and does not represent a position adopted by the Council as a whole.
2. Any/all contact from the media to individual Councillors will be immediately referred to the Mayor and/or the Communications and Engagement Department ahead of any response.
3. Councillors must be mindful that any response or public comment will likely be perceived as being made as a Councillor of the City of Darebin irrespective of whether they use the title "Councillor" in their communication or the media channel being used, including personal, professional or other social media channels.
4. Councillors' professional work is not subject to this Policy, however Councillors must be mindful that the Code of Conduct applies to their professional lives. Councillors should contact the Manager of Communications and Engagement where their public statements to media and on professional social media channels puts them in conflict with Council policies.
5. It is the role of both the Mayor and Councillors to endeavour to ensure that the messages communicated through the media and social media are clear and consistent accurate and factual and do not seek to deliberately harm the reputation of the Council.
6. Councillors will endeavour to ensure that any information or activities that may be considered a risk to Council's reputation are brought to the attention of the Manager Communications and Engagement and/or the CEO as soon as possible.
7. If speaking with the media, Councillors must make it clear that they are not speaking on behalf of Council – unless the Mayor has delegated that authority to them on a particular issue.
8. Councillors must ensure that any such comment is devoid of comments that could reasonably be construed as being derogatory, offensive or insulting to any person.
9. If a Councillor has responded to a media query or proactively provided media comment on Council matters, Councillors must immediately advise the Mayor and the Manager Communications and Engagement.

6. It is not the role of Councillors to discuss operational, organisational matters or issues. These issues include, but are not limited to, the planning, organising and execution of day to day activities, including delivery of services, employment matters, operational decisions, relations between officers and Councillors, breaches of the staff code of conduct, and other matters as defined in s46-49 of the Local Government Act 2019 (including any amendments to it).

Delegated Councillors

1. If delegated, to maintain Council's reputation with stakeholders and the community and to ensure that Council key messages are clear and consistent at all times, consultation with the Mayor, Chief Executive or Communications and Engagement Department is recommended before responding to enquiries from the media.
2. If delegated, Councillors approached to comment on General Business items that have been raised, or are intended to be raised in the Chamber must make it clear that Council has made no decision in relation to the item raised and will consider the matter in due course. This guards against the potential perception that a pre-emptive decision has been made before a report is considered.

Communications and Engagement Team

1. The role of the Communications Team is to help promote the programs, initiatives, services and strategic policy decisions of Darebin City Council and to support the Mayor as spokesperson for the Council. It is not the Department's role to promote and build the profile of individual Councillors.
2. Council's Corporate Affairs team is responsible for issuing media releases and contacting journalists about potential stories in accordance with the provisions of this policy.
3. Proactive media coverage and social media is the responsibility of Council's Communications and Engagement Department, or under CEO delegation to another Business Unit.
4. The Corporate Affairs team will contact the media to seek coverage of a story where a news story is identified and/or it is decided that Council should release details of an event or issue.
5. Council's Communications and Engagement Department is responsible for the development of social media materials.
6. The Communications and Engagement Department works collaboratively across Darebin City Council to carry out its responsibilities.

7 Code of Conduct

Clause 12 of the Councillor Code of Conduct states;

- 12.1 *As elected representatives and members of the Council we have important responsibilities to communicate the:*
- 12.1.1 *concerns of our constituents to the Council; and*
 - 12.1.2 *policies and decisions of the Council to the community.*
- 12.2 *While respecting the rights of each Councillor to hold and express opinions that differ from agreed Council policy, we undertake:*
- 12.3 *Not to make any false statements about the Council, Councillors, Council staff or members of the public;*
- 12.4 *Not to make any defamatory statements about, Councillors, Council staff or members of the public;*
- 12.5 *Avoid misrepresenting the position of the Council and ensure that any expression of private views is not perceived to be the view of the Council;*
- 12.5.1 *to recognise the role of the Mayor as the primary spokesperson for the Council; and*
 - 12.5.2 *to acknowledge and comply with all internal procedures for dealing with media enquiries, including by referring them to the appropriate Manager for a response."*

8 Official Spokesperson

1. All posts and interactions on Darebin City Council Social Media channels and platforms will be made from an official account (eg Darebin City Council, Darebin Arts Centre, Northcote Town Hall etc), managed by a staff member who is an authorised social media publisher: "Official Spokesperson".
2. Posts and comments will not be made from personal accounts.

9 Operational and Organisational Matters

1. Only the Chief Executive Officer or staff authorised by them can provide official comment to the media about operational matters on behalf of Darebin City Council.
2. All/any requests for comment on organisational policies, business and operations must be immediately referred to the Manager Communications and Engagement.
3. Council does not use social media to address operational issues except to echo a media statement. These comments would be made from a corporate account. Information about individual staff or residents is protected under the Privacy Act. Councillors must immediately refer all such enquiries to the General Manager Governance and Engagement for consideration and response.
4. Councillors must not respond directly to requests for information made under the Freedom of Information Act. All requests for information under the Act must be referred to the Records Management Coordinator for consideration and response.

10 Key Accountabilities – Media

Managing the media in both proactive and reactive settings requires the cooperation of many parties as outlined in the table below.

Mayor	Primary spokesperson for the City of Darebin on policy issues, citywide issues and intergovernmental issues, as well as major issues of community significance. The Mayor may also choose to delegate matters or enquiries to other councillors.
Councillors	Act as the primary spokesperson when delegated by the Mayor.
CEO	Provides guidance on the development of media responses and has ultimate accountability for media responses. Where media issues relate to administrative or staff performance issues, the CEO or delegated Officers will respond.
General Managers	Provide guidance on the development of media responses and act as spokespeople for operational issues.
Council Media Advisor (within Communications and Engagement Department)	Primary point of contact for all media interaction. Develops media responses in collaboration with subject matter experts, Manager of Communications and Engagement and relevant General Manager for approval by the CEO and Mayor as appropriate. Oversees all interactions with the news media.
Managers	Develop proactive media releases related to project or portfolio responsibilities. Support coordination of media responses.
All other staff	Provide subject matter input in a timely manner to enable deadlines to be met on all media responses. Act as subject matter experts in the development of proactive media releases.
	Refer any direct media enquiries immediately to the Communications and Engagement Department or delegated media advisor. Under no circumstances may a staff member speak directly to the media.

11 Key Accountabilities – Social media

Managing our social media platforms in both proactive and reactive settings requires the cooperation of many parties as outlined in the table below.

Mayor	In collaboration with the Communications and Engagement Department, manages a dedicated corporate account. May post and comment to that account.
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CEO	Provides guidance on the development of social media plans and has ultimate accountability for social media.
General Managers	Provide guidance on the development of social media plans. GMs sign off on sensitive content.
Council Digital Advisor (within Communications and Engagement Department)	Primary point of contact for all social media engagement. Develops social media plans in collaboration with subject matter experts, Manager and Communications and Engagement and relevant General Manager for approval by the CEO and Mayor as appropriate. Oversees the budget to promote Council's policies and programs via social media. Operates the Mayor's corporate social media accounts in collaboration with the Mayor.
Authorised Social Media Publishers	Have authority to post and comment on social media using a corporate account on behalf of Darebin City Council. Develop social media plans in collaboration with their business units and the Communications and Engagement Department. Refer issues outside of their remit to the Digital Advisor
Managers	Provide subject matter input in a timely manner to enable deadlines to be met on all media responses. Act as subject matter experts in the development of proactive media releases. Managers sign off on content through a communications or social media strategy.
Customer Service staff	Respond to routine requests that come through social media.

12 Contacting the Communications and Engagement Department

The Communications and Engagement Department is available at all times to assist with media enquiries.

If contacted by the media directly, Councillors should immediately contact the media advisor by phone or email, or in their absence the Manager Communications and Engagement.

If contacted by the media directly after hours, Councillors should immediately contact the Manager Communications and Engagement or the Chief Executive Officer.

13 Media monitoring

The Communications and Engagement Department monitors all media activity for the City of Darebin. Councillors wishing to obtain a particular news item about Council, can contact the Communications and Engagement Department for assistance.

14 Social media monitoring

The Communications and Engagement Department monitors all social media engagement for the City of Darebin. Councillors wishing to obtain a particular item about Council are welcome to contact the Department for assistance.

15 Media and social media contact in emergency situations

In all circumstances, the Communications and Engagement Department, in consultation with the Chief Executive and the Darebin Emergency Management Group (DEMG), is responsible for releasing any information to the media, and publishing to social media, about an emergency situation.

16 Election Protocols - Councillors pre-selected or nominated as candidates in Federal or State elections

Councillors who gain pre-selection, or otherwise nominate, as a candidate in a Federal or State election should ensure that any comment made to the media and posts and comments made on social media in their capacity as a Councillor is limited to matters concerning Council and is not used in a manner that furthers their platform as a candidate in, or is connected with, the relevant election.

A Councillor who gains pre-selection, or otherwise nominates, as a candidate in a Federal or State election should ensure that they do not use a Council media opportunity to further their platform as a candidate in, or in any manner connected with, the relevant election.

**See also Councillor Guidelines: pre-selection or nomination as candidate in Federal or State election for more information.*

17 Election Protocols - Local Government Elections

Any requests for media advice or assistance from Councillors during the election period must be channelled through the Chief Executive Officer or the Manager Communications Engagement.

In any event, no media advice and/or assistance or media releases will be provided in relation to election campaign matters, or in regard to publicity that involves specific Councillors.

Councillors will not use their position as an elected representative or their access to Council staff and other Council resources to gain media attention in support of matters that could be construed as relating to an election campaign.

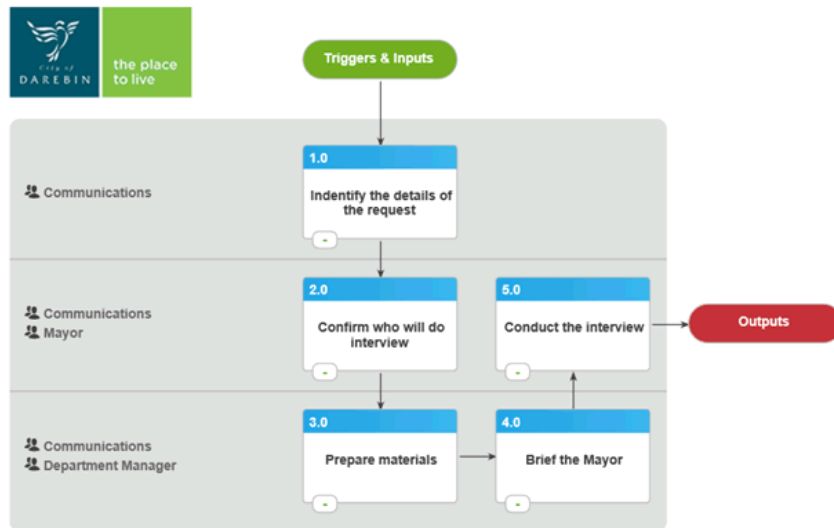
**See also Election Period Policy 2020*

18 Dispute Resolution Process

Any disputes arising from the policy will be managed in accordance with the provisions set out in the Councillor Code of Conduct, Sections 13 and 14.

19 Process mapping of media statement and media interview processes

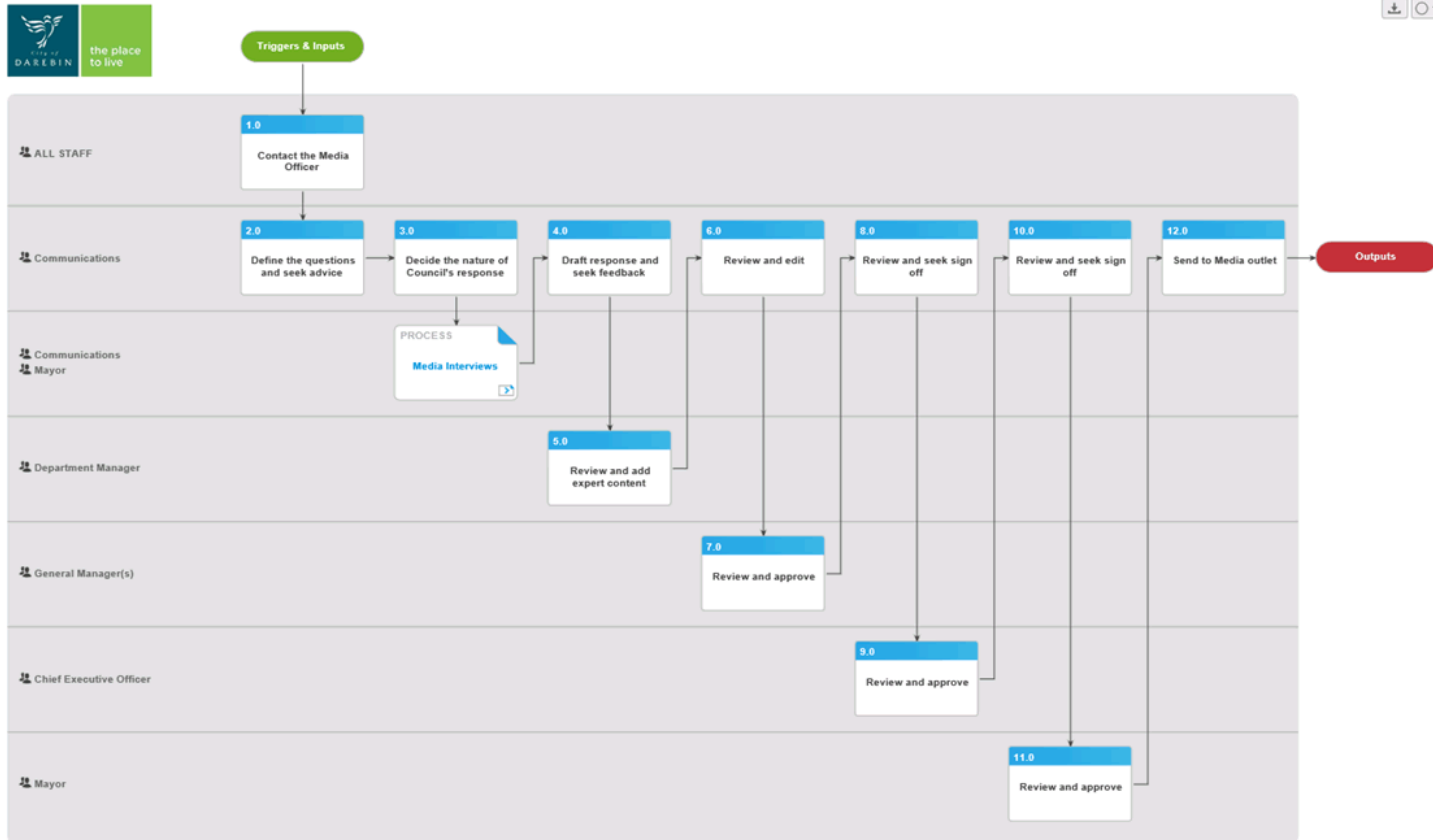
Media interviews



See

<https://au.promapp.com/darebin/Process/Minimode/Permalink/HbS5TeH71Oj2Lzl5Lpc3At> for a more detailed view of the process

Media Statements



See <https://au.promapp.com/darebin/Process/Minimode/Permalink/E4VrShoICHuKqx1LrMsbXx> for a more detailed view at the process

**8.5 PROMOTING WOMEN AND GIRLS IN SPORT
PARTNERSHIP AGREEMENT OUTCOMES AND
ACHIEVEMENTS****Author:** Manager Recreation and Libraries**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

This report provides an update on the outcomes and achievements from the first year of the partnership agreement between Council and the Darebin Women's Sports Club (also known as Darebin Falcons), and the upcoming extension options and timelines on the current 2-year agreement.

The Darebin Falcons have submitted an annual report on the partnership outcomes for Year One (2019) of the *Promoting Women and Girls in Sport* Partnership Agreement. All funding agreement targets and expectations have been met and exceeded.

In 2020, the Darebin Falcons will celebrate 30 years in women's sport. In 2019 the Darebin Falcons have delivered a sophisticated and innovative suite of programs and activities that directly address gender equity, social and cultural inclusion in sport.

The Falcons are Darebin's largest sports club with 750 playing members (over 300 greater than the next largest club). Their success creating its own challenges in relation to wait lists for some programs and facility and playing field capacity.

The current agreement expires on 1 December 2020, Council will need to consider extension options after the 2020 Council election.

Recommendation

That Council notes the first annual report on the Promoting Women and Girls in Sport Partnership Agreement between the Darebin Women's Sports Club (also known as the Darebin Falcons) and Darebin City Council.

BACKGROUND / KEY INFORMATION

As per the October 2018 Council resolution (Minute No: 18-278), a two-year *Promoting Women and Girls in Sport* partnership agreement was signed between Darebin City Council and the Darebin Falcons with Council contributing \$80,000 funding each calendar year concluding in December 2020. The resolution also noted the option of renewal, with contributions for year's three and four of the agreement being \$80,000 and \$60,000 respectively.

Darebin City Council entered into this funding agreement with the Darebin Falcons to:

- Enable and support the Club's inclusion and participation in the premier state AFL Women's competition, the Victorian Women's Football League (VFLW).

- Support the development of a strategic plan that seeks to find a sustainable funding model for the Darebin Falcons to engage at the elite VFLW level of competition beyond the life of this agreement.
- Continue and extend the Darebin Falcon's work in supporting the participation of women and girls in all aspects of sport (not limited to playing but including coaching, social justice and inclusion, fundraising, strategic planning, advocacy, governance and administration) in Darebin.

The Darebin Falcons were the only standalone women's club participating in the 2019 VFLW competition, finishing with four wins. The Club has also been active in delivering community participation programs and events across Australian rules football, soccer and cricket that has enabled around 750 women and girls in Darebin to be physically active and more socially connected.

The Darebin Falcons have grown from 550 in 2018 to 750 by the end of 2019. They are the largest sports club in Darebin (by a margin of over 300 participants), this success creating the challenge of balancing the number of participants, wait lists in some programs and the capacity of the facilities they access.

However, performance and outcomes are not just about the numbers. In 2020, the Darebin Falcons will be celebrating 30 years of delivering women's sport. They have been trailblazers from the start, providing a safe and supportive environment that fosters connection above competition. They continue to deliver sport in an innovative and transformative way that tackles gender inequity and breaks down barriers to participation for women and girls in all aspects of sport. Furthermore, they advocate for change and work constructively with sporting associations and other clubs to help transform the sector.

Violence against women is serious, prevalent and driven by gender inequality. The *Change the Story* framework, developed by Our Watch, identifies sport as a key environment for prevention activity so that gender equality can be promoted and normalised. The activities undertaken by the Darebin Falcons over the past 12 months work directly to this end and in doing so make Darebin a safer and more equitable place for everyone. More detail on this is included in the first annual report on the partnership agreement (see **Appendix A and B**).

Previous Council Resolution

At its meeting held on 15 October 2018, Council resolved:

"That Council:

- (1) Agree in principle to a two-year partnership agreement with the Darebin Falcons, with possible extension for a further two years.
- (2) Include in the partnership agreement requirements that Darebin Falcons will provide specified benefits to the Darebin community, including:
 - a) Advocacy for girls' and women's sport and leadership
 - b) Programs to encourage girls' and women's participation in sport and leadership
 - c) Programs to encourage social inclusion and social justice
 - d) Participation in Council programs, for instance through providing guest speakers or coaches for activities.
- (3) Include in the partnership agreement a requirement for Darebin Falcons to provide an annual report against performance targets, with financial report and an updated strategic plan.

- (4) Include in the partnership agreement an annual payment by Council of \$80,000 for the two years of the initial term, and that in the event the agreement is extended, that the annual payment will be \$80,000 and \$60,000 for the third year and fourth year respectively.
- (5) Requests that a Councillor briefing be held on the community benefits and performance targets, prior to the partnership agreement being executed.
- (6) Authorises the Chief Executive to finalise and execute the partnership agreement”

COMMUNICATIONS AND ENGAGEMENT

Consultation

The Darebin Falcons have submitted their annual report on the first year for the *Promoting Women and Girls in Sport* Partnership Agreement. This follows regular quarterly meetings with council officers to give updates and receive feedback on their progress on the five key areas - advocacy, participation, social justice/inclusion, participation in Council programs, and working towards financial sustainability.

Communications

Council officers will continue to organise quarterly meetings to discuss and review the progress of this agreement and offer support from Council in each of the focus areas. Officers will continue to communicate future outcomes and achievements such as their second-year report and options for agreement renewal.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

Environmental Sustainability Considerations

The Darebin Falcons attended the Council’s Sport Development Workshop on Single Use Plastics in June 2019. From this workshop, the Club has developed an action plan to eliminate single use plastics from their events and catering.

Climate Emergency

Nil

Equity, Inclusion and Wellbeing Considerations

The Darebin Falcons are the only standalone women’s only team currently participating in the VFLW competition. Continued investment in supporting this unique club will provide participation pathways for women and girls to play sport and also creates avenues for women to be involved in off-field operational roles such as board positions, coaching and football operations.

Activities delivered in 2019 fostered participation in all areas of sport, by all ages with low barriers to get involved in a supportive environment that focusses on connection above competition.

The club intends to expand on its programs with an All Abilities Auskick program planned for 2020, a series of webinars designed to share their learning and successful strategies with other clubs and a future focus on CALD specific programs.

Cultural Considerations

As part of their report, the Darebin Falcons highlighted their work to engage the LGBTIQ+ community with their annual pride round match, and similarly with the indigenous community with their NAIDOC week match. The club is currently exploring a potential partnership with the local Fitzroy Stars Football Club to support their indigenous women and girls program and are seeking Council officer support to ensure success in this area

Economic Development Considerations

The Darebin Falcons partnership includes the desire to explore economic development opportunities with Council. This is being supported by Council's business unit to help establish sponsorship and local business partnership opportunities. This will be key for the Falcons to achieve financial sustainability independently from this Council agreement and will continue to be a focus area in the second year of their agreement.

Financial and Resource Implications

The October 2018 Council resolution established a two-year agreement with the option for renewal as follows:

Year	1 18/19	2 19/20	3 20/21	4 21/22
Amount	\$80,000	\$80,000	\$80,000	\$60,000

Years three and four of the partnership will require Council consideration to proceed and offer the opportunity for both parties to amend and update the agreement Legal and Risk Implications. Funding for year three has been considered in the 20/21 budget planning.

Legal and Risk Implications

The agreement is currently in place and active, expiring on 1 December 2020. There is an option for a further term of two years, but this will be at the discretion of Council based on the Darebin Falcons:

- Meeting the requirements and conditions of funding outlined in the agreement, including the annual and performance targets reporting requirements
- Remediating any breach of the agreement and of conditions of funding.
- Ensuring that the programs, services and behaviours of their organisation reflect Council's values and have not brought Council into disrepute.

Embedded in the agreement is the strategy to increase the club's sustainability over time alongside with decreasing the reliance on Council support. There is a risk that the timeframes established to achieve this are not met or that funding opportunities significantly change over this time (which could be either positive or negative). The sustainable business model and all possible future options to keep the club fielding a team in the VFLW competition will be explored through the partnership.

Further possible risks if the agreement did expire and was not renewed into 2021, are the community benefits that are being realised through the partnership (see **Appendix A and B**).

DISCUSSION

The annual report on the partnership outcomes for year 1 (2019) of the *Promoting Women and Girls in Sport* Partnership Agreement details how the Club have been active in delivering community programs and services across Australian Rules Football, Soccer and Cricket that has enabled around 750 women and girls to be physically active and more socially connected.

Key achievements in 2019 include:

- Expansion of the AFL Auskick junior starter program for girls, 5 girls' teams and an inaugural AFL Masters (over 35yo) team.
- Two new junior soccer teams (total of 23 teams), expanded Mini Roos Soccer junior starter programs increasing participation to 85 girls.
- Increasing cricket from 1 to 2 junior teams.
- Ruck Lauren Pearce won the VFLW's Best and Fairest player award for the season.
- Vice President Jasmine Hirst received a recognition award for her contribution to football and female sport participation.
- Development of new participation initiatives including the innovative Soccer Mums program; Falcons Academy school holidays programs and an annual community come and try event.
- Pride Cup matches in both cricket and Australian Rules Football engaging LGBTIQ+ community and awareness.
- NAIDOC celebration round with the NT Thunder team to celebrate Indigenous culture and football.
- Advocacy with sport leagues and bodies for gender equity in sport.

The Club has continued to make excellent progress in the focus areas of industry advocacy, women and girls participation, social justice/inclusion, involvement in Council programs and events such as our sport development workshops and the relaunched Women in Sport Network. These will continue to develop in the second year of the agreement.

OPTIONS FOR CONSIDERATION

This report provides an update on the implementation progress of the October 2018 Council resolution to enter into a partnership agreement with the Darebin Women's Sports Club (aka the Darebin Falcons). A report will come to Council in November 2020 for consideration of future partnership and funding options.

IMPLEMENTATION STRATEGY

Details

Council officers will continue to meet with Darebin Falcons representative/s at least quarterly to discuss and review the agreement focus areas and the setting and achieving of goals for 2020.

In addition to the programs and activities delivered by the club, in 2020 there will be a focus on:

- Facilitating connections with the Indigenous community to increase the pathways and participation of Aboriginal women and girls.

- Continuing to work with Economic Development to explore sponsorship opportunities in pursuit of financial sustainability for the club.
- Sharing the expertise and skills in increasing women and girls participation in sport with all Darebin sports clubs.

With the current agreement expiring in December 2020, Council will need to consider agreement extension options subsequent investment after the 2020 Council election.

Communication

Council officers will meet early in the year to discuss objectives and programs for year two of the agreement, and will continue to meet with Darebin Falcons representatives at least quarterly on progressing and supporting these objectives.

Timeline

A report outlining outcomes and achievements for the second year of the agreement and extension options will be developed for Council consideration in November 2020, after the Council election in October and prior to the December 2020 expiry of the agreement.

RELATED DOCUMENTS

Nil

Attachments

- Darebin Falcons Promoting Women and Girls in Sport Partnership Annual Report - Year One 2019 (**Appendix A**) [↓](#)
- Darebin Falcons Year in Pictures 2019 (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Promoting Women and Girls In Sport

Darebin Women's Sports Club Inc. known as Darebin Falcons
2018-2020 Funding Partnership with Darebin Council – Status Report



REPORT DATE	PREPARED BY	COUNCIL STAFF LIAISON
Date 27 November 2019	Club Contact/s	Adam Feiner, Felicity Leahy

PARTNERSHIP INITIATIVES - SUMMARY

Darebin Falcons have had another strong year, growing in playing membership (now at over 750 girls and women), accruing a number of achievements and continuing to empower girls and women on and off the field. Our Club membership and the quality of our core programs are our reason for being and gives us the authenticity to have voice across the range of female sports participation and leadership programs. It is really important that we remain a leader and innovator on field to enable us to continue our broader advocacy for gender equity both on and off the field.

Key achievements in 2019 included expansion of the Auskick and Mini Roos programs; introducing two new soccer teams and an inaugural AFL Masters team; increasing cricket from 1 to 2 junior teams; and Falcon, Lauren Pearce, winning the VFLW Best and Fairest award (see link at end to News story). We increased participation options beyond the playing group through such initiatives as the soccer mums program, Falcons Academy school holidays programs and the community come and try day. Off field, our inclusion and advocacy activities included Pride matches in both cricket and footy, a NAIDOC celebration round, participation in a number of Council events and advocacy with our leagues for gender equity in sport. With the introduction of our Masters team, we proudly now provide a full Australian Rules pathway for girls and women from Auskick to Masters. With our VFLW team included, this would be a unique contribution.

Some key challenges are that soccer is effectively at capacity due to ground availability, while junior footy, at the end of its third year, is strengthening though faces strong competition for female players as the number of Clubs offering girls football continues to grow. Sponsorship for the Club and VFLW program continue to grow but this remains an area where Council support through the Economic Development unit would be of benefit to achieve financial sustainability. Another opportunity is seen in strengthening our relationship with, and pathways for, Aboriginal girls. Our NAIDOC match provides a focus for this, but again Council input would be welcome to help progress this relationship, including with the Fitzroy Stars, who we have only achieved stop start contact with to date.

2020 will be Falcons 30th year in women's sport and we are currently planning how to celebrate this. An important theme will remain the promotion and celebration of female participation and leadership in sport. Other initiatives for 2020 include scoping a proposal for All Abilities Auskick and increasing the range of offerings through specialist clinics run by VFLW/AFLW players and a proposed Webinar series to share our learning about coaching girls and women, and female centric Club culture and administration.

STATUS UPDATE – WINS AND CHALLENGES

FOCUS AREAS	INITIATIVES	AIMS/GOALS	STATUS UPDATE: ACHIEVEMENTS, WINS & CHALLENGES
Advocacy for girls' and women's sport and leadership	Stakeholder interviews, workshops and survey input into Football Victoria Women and Girls Competition Review Engaged with Football Victoria to advocate for girls over changes to the format of U13s in 2020.	To advocate for gender equity in sport	Many positive outcomes from the review however focus was largely on the elite stream – there are still several gaps in the way women and girls are treated in community football (soccer). We support single age groups for girls however are concerned that the introduction of new format 9v9 on a half pitch for girls only (boys play 11v11 on a full pitch) sends a damaging message to girls about their abilities but also to boys about girls and to the coaches and administrators at clubs which are mostly male, about girls. Have received thanks from FV for our input but been told that it's going to happen anyway.

FOCUS AREAS	INITIATIVES	AIMS/GOALS	STATUS UPDATE: ACHIEVEMENTS, WINS & CHALLENGES
	<p>Providing a female perspective to the NFNL</p> <p>Stand by Darcy Vescio and Meg Macdonald in the CBA negotiations with AFL</p>	<p>To inroad the dominant male centric focus of traditionally male sporting codes</p> <p>To empower women to stand up for what is right</p>	<p>We find that we constantly add a female perspective to NFNL forums and policy decisions. An example was a recent proposal to address antisocial behavior by banning spectator access to ovals while players are on the ground. Club president Sarah Brady argued this has not been an issue for our girls teams as emphasis is on playing for fun and not as much on winning which negates the competitiveness which is often the cause of the clashes the league is trying to prevent.</p> <p>We also advocated for sanitary bins in all club toilets and female friendly facilities.</p> <p>While Darcy and Meg are no longer playing Falcons, they continue to have a presence within the Club. Their advocacy and willingness to be named (2 of only 4 players) as opposing the powerful AFL Players Association recommendations about the ongoing structure for the AFLW competition was exemplary of the strength of character and voice we promote among our community.</p>
<p>Programs to promote and encourage girls' and women's participation in sport</p>	<p>Soccer Mums</p> <p>Expansion of MiniRoos Clinic to 85 girls in 2019</p> <p>Increased Junior soccer teams from 21 in 2018 to 23 in 2019</p> <p>Increased number of women's soccer teams to 2</p> <p>All-Star game</p>	<p>To encourage mums to get active by taking part in the sport their kids play</p> <p>To encourage girls 4-9 to take up sport through fun and engaging activities with low barrier to entry.</p> <p>To create more opportunity for junior girls to participate in soccer.</p> <p>To create more options for women to participate at their preferred level, be it social or performance participation</p> <p>To facilitate an intra club All-Star game with 2 teams made up of players from Under 12 up to Seniors and make the pathway from junior to senior level visible and encourage player retention over the long term and celebrate women's & girls participation at all levels.</p>	<p>4 programs run in 2019 with total of 50 women involved</p> <p>Will continue in 2020 as valuable opportunity to provide sporting and physical health opportunities to older cohort of women.</p> <p>We have found that the 4-9 year old age group is very important in getting girls involved in sport for the long term. We have created a solid MiniRoos kick off program to engage this age group and their parents which increases our club volunteer capacity in the long term.</p> <p>Additional 2 teams successfully offered. The Challenge now is that we are at capacity for the junior soccer program with regards to ground space at Robinson Reserve. We have a waiting list in most age groups so to provide any more opportunities for girls to play soccer we will need some alternative spaces.</p> <p>A successful year with the goal achieved of increasing women's teams from 1 to 2 in 2019</p> <p>A highly successful game which encouraged players across all levels to be involved.</p>

FOCUS AREAS	INITIATIVES	AIMS/GOALS	STATUS UPDATE: ACHIEVEMENTS, WINS & CHALLENGES
	Community/Come and Try Day	Give new players an opportunity to try soccer along with footy in a highly supportive, stress free environment.	100 participants tried out soccer with approximately 50 of those trying soccer for the first time. Approx 75% of new players joined a Darebin Falcons program. Allows us to both recruit and show case the strength of our programs in the female sport landscape
	MiniRoos Mother's Day Clinic	Get mothers to try soccer through joining in on Mother's Day with their kids.	Over 40 mums joined in with their kids and several of these then signed up to participate in the soccer mums program.
	Increased junior girls cricket teams from 1 in 2018 to 2 in 2019	Aim to get more girls playing sport over summer	The club now has 15 registered cricket players. Growth area and opportunity for the Club
	Consolidate and grow Auskick and junior and senior community football program, noting 2019 was only the third year of both programs and second year for U16	Embed junior all girls footy programs at Falcons Provide a full pathway for girls from community football to VFLW	Female participation in Australian Rules football is said to be the greatest growth area in sport in Australia. This however is from a very low base, creating fierce competition for players among developing clubs and teams. To sustain our U14s we merged with West Preston Lakeside for 2019, arrangement of mutual benefit, but believe we have sufficient numbers for 2020 due to progression of younger girls. We experienced considerable success this year with U16, U18, Div 1 and 2 playing finals. U18 were Premiers and Div1 reached Prelim final. A number of junior girls were selected in representative teams and players at all levels were well represented in NFNL end of season awards. (Refer Annual report)
	Falcons Academy school holidays programs Delivering 'Become a better athlete' summer strength program for girls	Offer alternative opportunity to develop skills and for girls to aspire to sporting excellence	Combines revenue raising (minimal) with exposure of girls to female sporting role models and elite performance standards
	Introduction of inaugural AFLW Masters team	Create opportunity for older women to continue or to take up sport	Awesome addition to Club community – returning purpose and role to previously retired players and attracting new older players (35+) to the Falcons community. Creates older role models for younger players – including mother daughter pairs!
Programs to promote and encourage girls' and women's participation in leadership roles in sport	Formalizing of coaches Under 12- Under 16 in MiniRoos Kick Off Programs	To encourage more female role models for our younger players (4-9) by encouraging older junior players to coach	We had 11 girls take on coaching roles for the 4-9 age group throughout the season, culminating in a Gala Day with 4 other clubs in August with Darebin Falcons girls of this age performing all the coaching and officiating roles throughout the day.
	Go Girls Clinics	Partnership with Football Victoria to run 2 clinics (July and September) for players, junior	Highly successful programs resulted in 8 qualified coaches and 12 qualified referees from Darebin Falcons who will now go on to take on these leadership roles in the sport.

FOCUS AREAS	INITIATIVES	AIMS/GOALS	STATUS UPDATE: ACHIEVEMENTS, WINS & CHALLENGES
	<p>VFLW and snr community players as role models, champions and guest at club and community events</p> <p>Junior Referees Program - introduction 2020</p> <p>Let's Talk Coaching – evening seminar with Falcons AFLW/NAB league coaches Jane Lange and Aasta O'Connor</p> <p>Planned webinar series for 2020</p>	<p>female coaches and junior female referees.</p> <p>To model sporting achievement and skills by/of women and develop women's public speaking and leadership skills</p> <p>To provide a pathway into refereeing for girls to address the gender imbalance that exists within the area.</p> <p>To disseminate Falcons experience and learning in coaching, playing and administering sport for girls and women</p>	<p>Falcons VFLW players attended community events (Spark Health and City of Darebin event, YMCA female strength program, in school clinic and support to inaugural girls football program at new Preston Secondary School)</p> <p>Falcons VFLW/AFLW players support junior training, jumper presentations and team awards for junior footy teams</p> <p>NFNL senior women ran Auskick program</p> <p>Intention to expand roles for VFLW and snr players in delivering specialist clinics in 2020 internally and to wider Darebin community</p> <p>Program to begin in 2020</p> <p>The coaching seminar demonstrated the depth of wisdom within the Falcon alumni and the thirst for this knowledge among our audience. Along with feedback from the Front and Centre launch where male Clubs asked for more input about how to become more female centric, we believe there is a need to further disseminate what we have learnt over time and thus are considering a trial of 3 webinars over 2020 to expand this voice.</p>
<p>Programs to encourage social inclusion and social justice</p>	<p>Cricket Pride Cup with Holy Trinity & Preston CC</p> <p>Scoping proposal to introduce All Abilities Auskick program in 2020</p> <p>Fundraiser dinner – PRIDE: Our Untold stories of women's football Pride round VFLW & lunch – 3rd consecutive year, 1st in Melbourne</p> <p>NAIDOC round VFLW v NT Thunder Club movie night: The Australian Dream Support for Koorie Women's Football Carnival</p>	<p>To promote inclusion of LGBTIQ+ community in cricket</p> <p>To introduce all abilities program to Darebin Falcons</p> <p>To recognize and celebrate the role of queer women in the growth of women's football and establishment of the AFLW</p> <p>Pay respect to Indigenous culture and develop relationship within Koorie community Increase participation of Aboriginal girls and women in football</p>	<p>Falcons women's cricket team that has not played together since 2016 came together to play in the Pride Cup. VFLW player Darcy Vescio gave the keynote address at the luncheon.</p> <p>Proposal brought to Club by senior player. Challenge to provide wheelchair access to playing field and ensure bathroom suitability</p> <p>All Falcons speakers Patty Kinnersley (CEO Our Watch); Darcy Vescio (AFLW star) and Julia Cheria (ex Club President, assistant coach VFLW), plus Sal Rees (founding Falcon). Combined awareness raising and fund raising in inspirational night</p> <p>Create community event, including art show by local Aboriginal artist and children's activities, to express solidarity with First Nations people. Part of strategies to reach out to Aboriginal community with aim to increase participation – to date struggling to get a meaningful connection – Council assistance would be appreciated</p>

FOCUS AREAS	INITIATIVES	AIMS/GOALS	STATUS UPDATE: ACHIEVEMENTS, WINS & CHALLENGES
	Input to Proud to Play research into LGBTI+ inclusion in soccer as commissioned by Football Victoria	Support increased inclusion in sport for LGBTIQ+ people	Provided participants for workshops and surveys
VFLW team performance and improving financial sustainability	Consolidating position within the VFLW as only independent women's Club Recruiting coaches with strong developmental credentials to build on draft successes in 2019	To consolidate and create niche role within VFLW as only independent women's and community Club competing at this level.	Slow start to season but strong second half, finishing two wins outside finals. Ground condition at VFLW led to a number of home games moved to other venues, destabilizing playing group 4 Falcons drafted to AFLW Falcon Lauren Pearce won VFLW Best and Fairest (Hardeman Pearce medal) Falcon Georgia Hammond won VFLW goal of the year
	Strengthening messaging as only community Club with VFLW pathway to promote inclusion and opportunity	To create alternative, accessible pathway to elite level women's football by strengthening local and community foundations	Increased sponsorship revenue in 2019 with VFLW congratulating us as strongest sponsorship growth in competition Refining marketing messages in line with value proposition: elite competition plus women's participation, gender equity and standalone club
	Increased Sponsorship contribution year on year	To continue to establish new partnerships as foundations to financial sustainability	The Darebin Council Economic Development unit's suggestions of Activ8me (now a major sponsor) and BodKombucha have been very productive. Further leads such as these and any other support would be greatly appreciated to assist us to achieve financial sustainability.
Participation in Council programs and events, for instance through providing guest speakers or coaches for activities	To participate on request or through own initiative as role models and voice for female participation and leadership in sport	To advocate for and promote gender equity in sport and society, and female participation and leadership on and off the field	Volunteers training Sports Club Breakfast Single Use Plastic forum Sustainability Workshops Women in sports network Lauren Pearce role in YMCA program VFLW girls speak at Council/Spark Health event

NOTES / PHOTOS / LINKS / REFERENCES

Lauren Pearce VFLW Best and Fairest 2019 - Family-first Falcons suit Lauren - VFL
<https://vfl.com.au/family-first-falcons-suit-lauren/>

Why the Darebin Falcons will never say die
<https://womens.afl/features/not-in-our-lifetime-darebin-falcons-photo-essay>

Falcons featured in the Herald Sun
<https://www.heraldsun.com.au/leader/localfooty/darebin-falcons-gain-injection-of-experience-youth-to-boost-vflw-season/news-story/220703a5e5b38fffc8ff10e66c8c30e2>

Falcons Vice President Jasmine Hirst received a recognition award for her contribution to football and female sport participation at the 6th annual Women in Sport breakfast

<https://www.facebook.com/390436387830410/posts/1279546952252678/>

Senior soccer Best and Fairest winners

<https://www.facebook.com/390436387830410/posts/1284939545046752/>

VFLW 2020 coaching panels announced

<https://www.facebook.com/390436387830410/posts/1284939545046752/>

Sequel to Falcons Pride dinner: The importance of queer players in the survival of women's Australian football | Emma Race | Sport | The Guardian
Co-authored by Julia Chiera (VFLW Assistant Coach; Falcons Life member; ex Club President)

<https://www.theguardian.com/sport/2019/aug/24/the-importance-of-queer-players-in-the-survival-of-womens-australian-football>



DAREBIN FALCONS 2019





ON FIELD SUCCESS



GIRLS & WOMEN IN COACHING & OFFICIATING ROLES





ALL STAR GAME



SPECIALIST CLINICS





CRICKET PRIDE CUP









Nell Morris-Dalton
Pick #6 - Western Bulldogs



Annalyse Lister
Pick #29 - GWS Giants



4 AFLW DRAFT PICKS



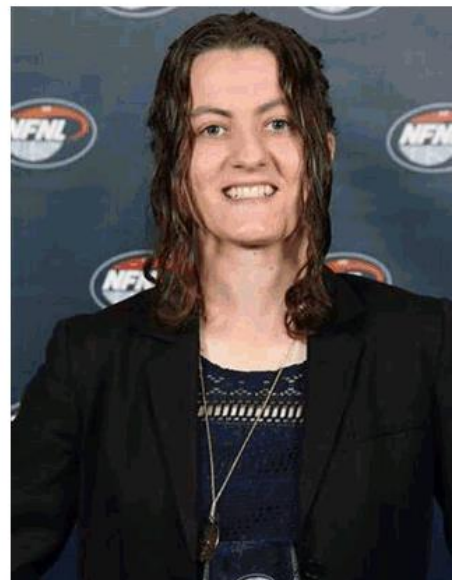
Sarah Sansonetti
Pick #40 - Richmond



Gabby Colvin
Pick #77 - Melbourne



AWARDS





SOCCER MUMS



MOTHER'S DAY CLINIC





**MORE GIRLS AND
WOMEN PLAYING SPORT
THAN EVER!**



**8.6 SOLAR SAVER, SPECIAL CHARGE SCHEME
DECLARATION - NON-RESIDENTIAL BATCH 2**

Author: Commercial Solar Officer
Coordinator Solar Saver

Reviewed By: Chief Executive Officer

EXECUTIVE SUMMARY

The Solar Saver program is a key action of the Council Plan and Council's *Climate Emergency Plan*.

The report considers the declaration of a Special Charge Scheme for the second batch of the Non-residential Solar Saver program. This batch includes nine installations, adding 308kW of solar capacity to Darebin. These are comprised of diverse participants, including community groups, faith-based organisations and commercial businesses.

This report recommends that Council declare a Special Charge Scheme under section 163 of the Local Government Act 1989 for the purposes of defraying expenses relating to the provision of solar energy systems on non-residential properties participating in the Solar Saver scheme.

No objections were received in response to the public notification process.

Recommendation

That Council:

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a) A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b) The Special Charge is declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on properties participating in the Solar Saver scheme, which:
 - i. Council considers is or will be a special benefit to those persons required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$355,491.33 (gross including GST and pre STC: \$545,134.52);

-
- ii. Amount for the Special Charge to be levied be recorded as \$355,491.33, or such other amount as is lawfully levied as a consequence of this resolution.
 - d) The Special Charge is declared in relation to rateable land described in the table included as **Appendix A** to this report, with the amounts specified in the table included as confidential **Appendix B** to this report as applying to each piece of rateable land.
 - e) The following list is specified as the criteria that form the basis of the Special Charge so declared:
 - Ownership of any land described in paragraph 1(d) of this resolution.
 - f) The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
 - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Agreement has been executed, totalling \$355,491.33, being the total cost of the scheme to Council
 - ii. To be levied each year for a period of 10 years.
 - g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
 - (2) Considers that there will be a special benefit to those required to pay the Special Charge because there will be a benefit to them that is over and above, or greater than, the benefit that is available to those who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
 - (3) For the purposes of having determined the total amount of the Special Charge to be levied:
 - a) Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - b) Formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to those who are liable to pay the Special Charge is 100%.
 - (4) Directs that notice be given to all owners and occupiers of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Charge are that:

- a) There is no objection to the Scheme, and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers.
 - b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c) All those who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.
- (5) Where a participant wishes to withdraw from the Scheme, agrees to such withdrawal where the participant has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the participant's solar system.
-

BACKGROUND

In the Council Plan 2017-2021 and the Climate Emergency Plan, Council decided to actively engage the community to double the amount of solar PV in Darebin from 18,000 kW to 36,000 kW.

Key aspects of the program include:

- Council undertakes procurement of good value solar systems and installation with 10-year warranties.
- Solar Saver participants register interest, receive quotes and the property owners have signed an owner agreement.
- Council declares a Special Charge and pays the upfront cost of the solar system and installation for participants when the solar systems are installed.
- Solar Saver participants pay the Special Charge over a 10-year period to reimburse council's upfront payment – which is more than offset by their energy bill savings.
- Some fixed program costs have also increased, due to the implementation of more rigorous risk management measures, such as safety auditing and system compliance auditing, as well as edge protection during installations.

For the batch of non-residential Solar Saver installations under consideration two companies (EnviroGroup and Solargain) have been engaged by Council. This is the second Special Charge batch offered to non-residential participants.

Previous Council Resolution

At its meeting held on 16 December 2019, Council resolved:

“That Council:

- 1) *Hereby gives notice of its intention to declare a Special Charge in accordance with section 163 of the Local Government Act 1989 (Act) as follows:*
 - (a) *Council declares a Special Charge for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.*

-
- (b) Council declares this Special Charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which:
- i. Council considers is or will be a special benefit to those persons or organisations required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
- (c) The total:
- i. Cost of performing the function described in paragraph 1(b) of this resolution is \$496,381.23; and
 - ii. Amount for the Special Charge to be levied is \$496,381.23, or such other amount as is lawfully levied because of this resolution
- (d) Council declares the Special Charge in relation to all rateable land described in the table included as **Appendix B** to this report, in the amount specified in the table as applying to each piece of rateable land.
- (e) Ownership of any land described in paragraph 1(d) of this resolution is the basis of the Special Charge.
- (f) The Special Charge will be assessed and levied as follows:
- i. Each Special Charge is calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Owner Agreement has been executed, totalling \$496,381.23, being the total cost of the scheme to Council;
 - ii. The Special Charge will be levied each year for a period of 10 years.
- (g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it is recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
- i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- 2) Council considers that there will be a special benefit to the persons or organisations required to pay the Special Charge because there will be a benefit to those persons or organisations that is over and above, or greater than, the benefit that is available to persons or organisations who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
- 3) For the purposes of having determined the total amount of the Special Charge to be levied:
- (a) Council considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and

- (b) *Formally determines for the purposes of section 163(2) (a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the Special Charge is 100%.*
- 4) *Council will give public notice in the Northcote Leader and Preston Leader newspapers of Council's intention to declare, at its ordinary meeting to be held on 16 December 2019, the Special Charge in the form set out above.*
- 5) *Council will send separate letters, enclosing a copy of: this resolution; **Appendix B** to this report; and the public notice referred to in Paragraph 4 of this resolution, to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.*
- 6) *Council will convene a meeting of the Hearing of Submissions Committee, at a date and time to be fixed, to hear persons or organisations who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.*
- 7) *Council authorises the Manager Climate Emergency and Sustainable Transport to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act."*

Note: Some of the properties listed in the 16 December 2019 report are not proceeding with the program at this time, and hence the total cost of the special charge being proposed is lower than that stated in the 16 December 2019 report (down from \$496,381.23 to \$355,491.33). The Special Charge for those properties may be declared later if they decide to go ahead with the program.

COMMUNICATIONS AND ENGAGEMENT

Consultation on the non-residential declaration of the special charge

All participating organisations have signed an Owner Agreements with Council to participate in the program based on quoted prices. Consultation has occurred with Council's relevant specialists: Coordinator Solar Saver, Sustainable Business Officer and Economic Development Coordinator.

Communications on the non-residential declaration of the special charge

Interested organisations were recruited directly from those who had previously expressed interest in participating in the program. No broad promotional activity was engaged in, given that council has many organisations on the waiting list for this program.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Climate Emergency Plan

Environmental Sustainability Considerations – Climate Emergency

This project is a key action in the *Darebin Climate Emergency Plan 2017*. The current round of Darebin Solar Saver is expected to install 308kW across eight installations, with an estimated equivalent annual greenhouse gas saving of 770tCO₂-e.

Equity, Inclusion and Wellbeing Considerations

This non-residential batch includes installations for diverse community-based organisations, including the Aborigines Advancement League, Thornbury Community Church, Lions Club and Islamic Museum. By supporting these organisations, council is indirectly supporting the communities they serve.

Cultural Considerations

By including a larger system for the Islamic Museum, and installations for the Thornbury Community Church and Aborigines Advancement League, council is supporting diverse cultural groups in Darebin. Council will continue work with the various indigenous organisations in Darebin to explore any further opportunities for solar installations.

Economic Development Considerations

These installations will have very good payback times (3-5 years) because most of the power generated by the solar systems will be used on-site. Participating organisations will be saving between around \$1,000 to \$2,000 annually per 10kW installed, even during the ten-year repayment period. Once they take ownership their savings will increase to around \$2,000 to \$3,000 per year, per 10kW installed.

For community groups money saved goes straight back into community service, and for businesses it improves their environmental and financial sustainability as employers in Darebin.

Financial and Resource Implications

This is the second batch of the non-residential stream of the Solar Saver program, and it is expected that there will be at least one further round during this financial year, increasing the number of participants. The cost of this batch is well within Council's budget for the non-residential stream of the Solar Saver program.

Should the proposed Special Charge scheme proceed, Council will pay \$355,491.33, for the supply and installation of the solar PV systems on the properties listed in **Appendix A**. In accordance with their respective Owner Agreements, property owners will pay for the cost of the solar energy system by equal instalments apportioned over a 10-year period, commencing from September 2020. Council is expected to receive \$35,549.13 in Special Charge repayments annually for this scheme over the 10-year period. The Special Charge scheme is like an interest free loan from the point of view of participating organisations.

Payments to Council by property owners for works via Special Charge schemes are GST exempt. Should a property be sold during the 10-year period in which the Special Charge scheme applies, the amount outstanding on the Special Charge scheme at the time of sale will be paid in full.

Administration of the Solar Saver program is conducted by council officers and includes:

- Project and contract management

- Risk management, compliance and auditing
- Recruitment of and first point of contact for organisations

These administrative overheads are provided for within Council's Solar Saver program budget.

Legal and Risk Implications

A risk analysis has been undertaken for the non-residential program. Solar installations are electrical works and are required by law to be signed off by an authorised electrician through a certificate of electrical safety. Random independent audits of the work will also be undertaken by Council to ensure installations comply with Council specifications. Occupational Health and Safety processes have been assessed and will be audited on site. Ten-year warranties are required on panels, inverters and installation.

DISCUSSION

Progress of Solar Saver Scheme for non-residential properties

In the non-residential stream of the Solar Saver program, all panellists on the supply panel provide a quotation, and Council, as the initial purchaser of the system, allocates the installations to the provider through an evaluation panel.

All participants in this batch have signed the Owner Agreement to proceed with the quotations vetted by Council. As a result, this Special Charge Scheme will result in 308kW of solar being installed. Officers will continue to actively seek participation from the non-profit sector, as well as businesses who are leaders in sustainability.

Proposed Special Charge declaration

Under Section 163 of the *Local Government Act 1989 (Act)*, Council is empowered to declare a Special Charge for the purposes of defraying any expenses in relation to the performance of a function or the exercise of a power of Council, if Council considers that the performance of the function or the exercise of the power is, or will be, of special benefit to the persons or organisations required to pay the special rate or Special Charge.

In this case, the installation of solar energy systems on properties as part of the Solar Saver scheme arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district and promotes the social, economic and environmental viability and sustainability of the municipal district. Each participating property has signed an Owner Agreement with Council to participate in the scheme, which includes the overall cost and repayments which would be paid by the property should the scheme be approved (see **Appendix A**).

In September 2004, the Minister for Local Government issued a guideline for the preparation of Special Charge schemes. The guideline specifically deals with the calculation of the maximum total amount that a council may levy as a Special Charge. The guideline requires that Council identify the following:

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries

- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

The purpose of the works is to supply and install solar energy systems on properties to reduce energy costs and encourage and increase the use of renewable energy in Darebin.

B. Ensure Coherence

The proposed works have a natural coherence with the proposed beneficiaries, as the properties proposed to be included in the scheme are receiving solar energy systems to the value of their participation.

C. Calculate the Total Cost

The proposed solar system installation includes the following items:

- Assessment and administration costs
- Supply and installation of solar energy systems

For the purposes of section 163(1) of the Act, the total cost of the works is calculated at \$355,491.33 based on signed quotations.

The expenses in the estimate of works are consistent with the allowable expenses listed in section 163(6) of the Act.

D. Identify the Special Beneficiaries

Council is required to identify those properties that would receive a special benefit from the proposed works. A special benefit is received by a property if the proposed works or services will provide a benefit that is additional to or greater than the benefit to other properties.

The Ministerial Guideline notes that a special benefit is considered to exist if it could reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property.

Property owners participating in the Solar Saver scheme are considered to receive special benefit from the proposed supply and installation of solar PV systems by means of:

- Reduced energy costs over the life of the solar PV system
- Ownership of the solar PV system after the special rate repayments are paid in full
- Increased property value

The proposed properties taking part in the scheme, the owners of which have signed an Owner Agreement with Council to participate in the scheme, are listed in **Appendix A**.

E. Determine Properties to Include

Once the properties that receive special benefit are identified, Council must decide which properties to include in the scheme. If a property will receive a special benefit but is not included in the scheme, the calculation of the benefit ratio will result in Council paying the share of costs related to the special benefits for that property.

It is accepted that only those properties at which the solar energy systems are installed will receive a special benefit from the scheme. Accordingly, it is proposed to include only those properties whose owners have signed Owner Agreements in the scheme. Council will not, then, be required to pay a share of costs related to special benefits for any property that is not included in the scheme.

F. Estimate Total Special Benefits

As per the Ministerial Guideline for Special Rates and Charges, total special benefits are defined according to the formula below:

$$\text{TSB} = \text{TSB}_{(\text{in})} + \text{TSB}_{(\text{out})}$$

- **TSB** is the estimated total special benefit for all properties that have been identified to receive a special benefit
- **TSB_(in)** is the estimated total special benefit for those properties that are included in the scheme
- **TSB_(out)** is the estimated total special benefit for those properties with an identified special benefit that are not included in the scheme

For the purposes of the proposed scheme, total special benefits have been calculated as follows:

- **TSB_(in)** – The estimated total special benefit is based on the quoted cost of the solar PV system to be installed (which has been included in the Owner Agreement signed by the property owner). It is expected that the benefit in reduced energy costs will exceed this special benefit.
- **TSB_(out)** – This is not applicable as all participating properties are included.

G. Estimate Community Benefits

Whilst the reduction of energy use, greenhouse emissions and increase of renewable energy is considered a community benefit there are no direct quantifiable costs.

- **TCB** – Total Community Benefit is assessed to be 0 benefit units

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

$$R = \frac{\text{TSB}_{(\text{in})}}{\text{TSB}_{(\text{in})} + \text{TSB}_{(\text{out})} + \text{TCB}}$$

Where:

$$\text{TSB}_{(\text{in})} = \$355,491.33;$$

$$\text{TSB}_{(\text{out})} = 0$$

$$\text{TCB} = 0$$

$$R = 1$$

I. Calculate the Maximum Total Levy

In order to calculate the maximum total levy **S**, the following formula is used:

$$\mathbf{S} = \mathbf{R} \times \mathbf{C}$$

Where **R** is the benefit ratio and **C** is the cost of all works

Therefore $\mathbf{S} = 1 * \$355,491.33 = \$355,491.33$

Note there is no community benefit amount payable by Council.

Apportionment of Costs

Once the maximum levy amount has been calculated, it is necessary to establish an appropriate way to distribute these costs to all affected landowners.

As the properties have all received individual quotations based on the solar system and work required, it is proposed to apportion the costs based on these quotes. It is noted that the participants have been notified and signed agreements based on these costs for the purpose of declaring this scheme.

It is proposed to distribute the costs as shown in confidential **Appendix B**.

Statutory Process

The Act requires Council to give public notice of its proposed declaration of the special charge and write to all people who will be liable to contribute. The proposed declaration of the special charge has been prepared in accordance with the Act. Public notice has been issued in accordance with the Act and no objections have been received.

OPTIONS FOR CONSIDERATION

This report recommends proceeding with declaration of the special rate. This is supported by all the property owners that are proposed to be levied.

Council could also decide not to proceed with declaration of the special rate or seek further information to decide.

IMPLEMENTATION STRATEGY

Details

The next step would be the installation phase of this batch of solar installs. The solar providers will manage the physical installations themselves, in communication with Council and the participants. Independent quality and safety auditors will be used to audit the safe work procedures of the installations as they occur real time, as well as the electrical safety of the work, post-install.

Timeline

Property owners will be contacted following Council's decision regarding the non-residential Special Charge declaration. Installation of this round of Solar Saver will commence immediately following Council's declaration of the Special Charge and conclude before 30 June 2020.

RELATED DOCUMENTS

- *Local Government Act 1989*
- Community Climate Change Action Plan
- The Macquarie Special Rates and Charges Manual 2012

Attachments

- Solar Saver - Property Addresses (**Appendix A**) [↓](#)
- Solar Saver - Property Addresses and Prices - Confidential (**Appendix B**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

COUNCIL MEETING

24 FEBRUARY 2020

APPENDIX A

Table of properties intended to be subject to the Solar Saver special charge scheme
Each listed property has been assessed as to the size of solar panel and installation costs and the owner has been provided the following quotation to have a solar energy system installed at their property.

FULL LIST OF ADDRESSES AND COSTS

Address	
10/167 Beavers Road Northcote VIC 3070	
122 Henty Street Reservoir VIC 3073	
15A Anderson Road Thornbury VIC 3071	
16-18 Martin Street Thornbury VIC 3071	
2 Watt Street Thornbury VIC 3071	
3 Harrow Street Preston VIC 3072	
518-530 High Street Northcote VIC 3070	
6 Bellevue Crescent Preston VIC 3072	
735 High Street Thornbury VIC 3071	
Total cost to organisations	\$355,491.33

SUMMARY

TOTAL kilowatts to be installed	308
Number of installations	9
TOTAL cost to organisations	\$355,491.33
Cost to Council inc GST	\$391,040.47
Projected price of STCs to be claimed inc GST	\$154,094.05
Projected GROSS total cost to Council (inc GST, before STCs claimed)	\$545,134.52

8.7 PLANNING SCHEME AMENDMENT C186 OPEN SPACE LEVY - CONSIDERATION OF SUBMISSIONS**Author:** Senior Strategic Planner**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

Council has a strong commitment to the provision of high-quality, accessible open space and the protection and enhancement of biodiversity. To support this commitment, one of Council's actions in the *Council Plan 2017-2021* is to increase the open space levy. This levy is payable by developers at the point of subdividing land for development and is used by Council to fund the acquisition and improvement of open space.

Significant progress has already been made towards this action in the endorsement of *Breathing Space: The Darebin Open Space Strategy* (City of Darebin 2019), the *Open Space Contributions Review Report* (SGS Economics and Planning 2019) (**Appendix A**) and the commencement of Amendment C186, which proposes to change the Darebin Planning Scheme to implement and align with these adopted strategic documents.

Amendment C186 proposes to increase the open space levy rate for all subdivisions of three or more lots within the municipality. Subdivisions of two lots that are assessed as not being able to be further subdivided will continue to be exempt from the open space levy.

The Amendment was placed on public exhibition from 14 November 2019 to 16 December 2019 (4 weeks). 43 submissions have been received. Late submissions are expected and will be heard up until the date of the Council meeting.

Submissions were received from the development community, residents, community groups, industry bodies and local and state government. The majority of submissions were from the development industry (29 out of 33 objections), rather than from members of the Darebin community.

Many of the objections raised were anticipated and addressed by the *Open Space Contributions Review Report*. Commonly expressed sentiments included:

- The submitter regards the 10 per cent rate is too high:
 - it will impact development feasibility, construction quality and housing affordability
 - it will deter developers from developing in Darebin.
- The submitter regards a blanket rate is inappropriate:
 - the rate should be applied on a sliding scale
 - the rate will penalise small scale developments
 - the rate should be applied based on need and location
 - the levy should be spent in the area where it is collected

Officers have assessed each of these issues and advice to Council is provided in the body of this report.

Council received three submissions specifically relating to the provision of social and affordable housing. The issues relate to:

- the challenge of balancing competing needs for public open space and affordable housing; and
- whether to provide an exemption for specific developments proposing a significant amount of social and/or affordable housing.

Breathing Space: The Darebin Open Space Strategy and assessment of the level of need for affordable housing in the municipality highlight that there are extreme shortfalls in both public open space and affordable housing. Ideally, new developments would provide both sufficient open space *and* sufficient diverse and affordable housing to meet the needs of our growing community.

However, the issues within the current planning context are complex. The options for considering how these two public goods interrelate were explored and it is considered inappropriate to provide a blanket exemption for all developments proposing to provide affordable housing.

While a general exemption for affordable housing is not recommended, officers recommend that Council support an exemption of the State Government's Public Housing renewal program (PHRP) sites at Walker Street, Northcote and Oakover Village, West Preston from the increase to the open space levy. These sites are unique among submitters because all the following are true: there is a requirement for a development plan, the contract development is at an advanced stage in regards to the public-private partnership, and large scale social housing is planned for the sites. Because of this, we would expect the result of increasing the levy at this time, in these circumstances, would reduce the number of social housing units that are delivered.

Council has advocated for many years to significantly increase public housing and for public land at these sites to be retained in public ownership. While the state government has decided to progress with the Public Housing Renewal Program which would result in sale of public land, and which is not what Council has been advocating for, this is not a decision of Council. Given the state government's decision to proceed, allowing a lower rate of open space levy for these sites could assist in maximising public and social housing that is delivered through these projects.

This report provides an overview of the content of the submissions, the proposed officer responses, and proposed changes to the amendment documentation for Council to consider endorsing, which would form the basis of Council's position at the Panel hearing. The report recommends that the Amendment continue to the next stage of the planning scheme amendment process, which is to refer all submissions to an independent Planning Panel for consideration.

Recommendation

That Council, having prepared and exhibited Amendment C186 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*:

- (1) Formally considers all written submissions received in response to Amendment C186 to the Darebin Planning Scheme.
- (2) Endorses the officer's response to submissions outlined in this report and attached at **Appendix C** and recommended changes to the Amendment, including the

changes as attached at **Appendix B** of this report, to form the basis of Council's submission to an independent Planning Panel.

- (3) Requests that the Minister for Planning appoint an independent Panel under Part 8 of the *Planning and Environment Act 1987* to consider submissions to Amendment C186 to the Darebin Planning Scheme.
 - (4) Refers all submissions to the Panel to be appointed by the Minister for Planning.
 - (5) Authorises the Manager City Futures to support any changes to Amendment C186 that may be required as part of Council's submission to the Panel.
 - (6) Writes to all submitters to inform them of Council's decision to proceed to the Panel stage.
-

BACKGROUND / KEY INFORMATION

Breathing Space: The Darebin Open Space Strategy is an ambitious and visionary document that will help Council achieve its vision of a "greener, bolder, and more connected city". It was adopted by Council on 2 September 2019.

One of the key recommendations of *Breathing Space: The Darebin Open Space Strategy* is to undertake a planning scheme amendment to increase the open space contribution rate or open space levy through the Darebin Planning Scheme.

What the Amendment does

Amendment C186 implements the recommendations of *Breathing Space: The Darebin Open Space Strategy* and the *Open Space Contributions Review Report* by introducing the levy into the Darebin Planning Scheme by increasing the open space levy.

The Amendment applies to all commercial, residential and industrial land in the municipality. The provisions are triggered if the land is being subdivided for development into three or more lots, at the point a subdivision permit is issued. The levy does not apply to subdivisions of two lots, except when they are still large enough to be further subdivided.

Clause 53.01 of the Darebin Planning Scheme currently provides for open space contributions to be collected at the time of subdivision. Councils may implement a Schedule to Clause 53.01 which allows for contribution rates to be specified. Council currently collects an open space contribution rate of between two and five per cent based on a sliding scale under Schedule to Clause 53.01 in the Darebin Planning Scheme.

Amendment C186 proposes to amend the schedule to clause 53.01 to require all subdivisions of three or more lots within the municipality to pay a 10 per cent open space levy rate. Subdivisions of two lots that are assessed as not being able to be further subdivided continue to be exempt from the open space levy.

Amendment C186 will also make updates to the Municipal Strategic Statement (MSS) at Clause 21.02 Environment. Clause 21.02-5 Open Space will be updated to align with the strategies and objectives of *Breathing Space: The Darebin Open Space Strategy* and to reference the new strategy.

Planning Scheme Amendment Process

At its 23 September 2019 meeting, Council resolved to formally request that the Minister for Planning authorise, prepare and exhibit Amendment C186 to the Darebin Planning Scheme. Authorisation to prepare and exhibit the amendment was received from the Minister for Planning on 21 October 2019.

Amendment C186 was publicly exhibited from 14 November 2019 to 16 December 2019 where 40 submissions were received.

Under the *Planning and Environment Act 1987*, where submissions to an amendment are unresolved, Council is required to refer the submissions to an independent Planning Panel (or Council can abandon the amendment).

This report summarises the submissions received to Amendment C186 and seeks Council's endorsement of the response to submissions and recommends Council refer all submissions to an independent Planning Panel.

The Planning Panel is currently scheduled for 27 April 2020 but will be confirmed following Council's decision.

Previous Council Resolution

On 23 September 2019, Council passed the following resolution:

"That Council:

- 1) *Adopts the Open Space Contributions Review 2019, prepared by SGS Economics and Planning, as attached at **Appendix A**;*
- 2) *Requests under section 8A (2) and (3) of the Planning and Environment Act 1987 that the Minister for Planning authorise Darebin City Council to prepare Amendment C186 to the Darebin Planning Scheme;*
- 3) *When authorised by the Minister for Planning, exhibit Amendment C186 to the Darebin Planning Scheme for a period of one month and/or in accordance with notice requirements under section 19 of the Planning and Environment Act 1987;*
- 4) *Seeks community and stakeholder feedback as part of the exhibition period, on the proposed changes to the planning scheme to increase the open space levy*
- 5) *Authorise the Manager City Futures to make minor alterations and corrections, where necessary to, Amendment C186 material as attached at **Appendix B** prior to the lodgement of the authorisation request with the Minister for Planning and/or exhibition period."*

On 2 September 2019, Council passed the following resolution in regards to *Breathing Space: Darebin Open Space Strategy*:

"That Council:

- 1) *Adopts Breathing Space: The Darebin Open Space Strategy;*
- 2) *Reviews and reports progress annually on Breathing Space: The Darebin Open Space Strategy, including an annual update on Darebin's canopy coverage and quantity and quality of open space provision, as well as progress on biodiversity improvements, and that this update be communicated to the community.*
- 3) *Refers all actions contained in Breathing Space: The Darebin Open Space Strategy for consideration in the next budget process; and*

- 4) *Thanks the Darebin Nature Trust, community members and stakeholders, for their feedback, input and advice to date to help develop Breathing Space: The Darebin Open Space Strategy Ensure that edible plants and fruit trees are accessible to the local community, particularly those with greatest need to access food."*

COMMUNICATIONS AND ENGAGEMENT

Consultation

Planning Scheme Amendment Exhibition

In accordance with section 19 of the *Planning and Environment Act 1987*, notice of Amendment C186 was given as follows.

- Direct notices sent to all prescribed Ministers, local members of parliament, adjoining municipalities (Banyule, Yarra, Moreland and Whittlesea councils), and all relevant infrastructure and service authorities.
- Public Notice published in the Preston Leader on 19 November 2019 and Northcote Leader on 21 November 2019.
- Public notice in the Victorian Government Gazette and on the Darebin Council website on 14 November 2019.
- Announcements on the Darebin Council website.
- Copies of all amendment documents, fact sheets and other background information were made available for inspection online at the 'Yoursay Darebin' engagement website as well as on the DELWP planning scheme amendments exhibition website.
- Hard copies of all exhibition documents were placed at Council's Preston office, Preston Library, Northcote Customer Service Centre, Fairfield Library and Reservoir Community and Learning Centre.

In addition to the above prescribed notification requirements, notice of the amendment was given as follows.

- Translated posters in 12 languages (Arabic, Chinese Simplified, Greek, Hindi, Italian, Macedonian, Somali, Vietnamese, Nepali, Punjabi, Spanish and Urdu) were displayed at the Intercultural centre, libraries, customer service centres and uploaded to the Yoursay website.
- Letters accompanied by a statutory notice and frequently asked questions (FAQs) were emailed to the following stakeholders:
 - regular and/or significant statutory planning, strategic planning and subdivision applicants; and
 - relevant community reference groups and project control groups.
- Article in Sustainability News and the Staff to Staff News.
- Mayor's message and advertisement published in the Preston Leader on 19 November 2019 and the Northcote Leader on 21 November 2019.
- Social media posts on Facebook and Twitter.
- Drop-in community information sessions held on Tuesday 26 November at Northcote Town Hall and Tuesday 3 December 2019 at Preston City Hall.

Communications

Key messages

The following key messages accompanied the exhibition material.

- As the municipality grows, it is essential that Council plans for the open space needs of the future population. Failure to do so will result in unacceptable outcomes and a gradual decline in liveability.
- Council has a new, visionary Open Space Strategy that focuses on bringing more and better open space to Darebin's diverse community by:
 - meeting the community's need for open space, improving biodiversity and creating a green streets network
 - equitable distribution of quality open space across Darebin to meet the needs of Darebin's diverse community
 - addressing the Climate Emergency by focusing on improving biodiversity, increasing the amount of public open space and increasing canopy cover
- The adoption of *Breathing Space: The Darebin Open Space Strategy* and the *Open Space Contributions Review* report formed the basis of a planning scheme amendment to increase the open space levy.
- An increase to the levy is essential to collect adequate funds or land contributions from development allowing for improvements to open space to meet the demands of the growing population.
- If we don't require developers to increase their open space contributions, then we'll start to see a reduction in open space available to residents.
- The open space levy does not apply to dual occupancy developments, or those seeking to build a 'granny flat' or studio in their back yard.
- Our research indicates that the proposed increase to the open space levy rate will not have a long-term impact on the development market in Darebin.
- Pursuing a flat rate levy that applies to all subdivisions of two or more additional lots is equitable as every development, regardless of its location or size, has the same proportional responsibility to contribute to the open space needs of the future population.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

Council Plan Goal 3.1 – Increase our public open space levy to create more open space, particularly in urban renewal areas.

Environmental Sustainability Considerations

Breathing Space: The Darebin Open Space Strategy reflects leading practice and actions regarding the climate emergency and how Darebin can influence and offset the effects, specifically in relation to open space.

Pursuing a planning scheme amendment to increase the open space levy to 10 per cent will provide a funding mechanism to contribute to improving existing and acquiring new open

space. The open space levy will help to mitigate the effects of climate change as the City grows.

Climate Emergency

Breathing Space: The Darebin Open Space Strategy reflects leading practice and actions regarding the climate emergency and how Darebin can influence and offset the effects, specifically in relation to open space.

Pursuing a planning scheme amendment to increase the open space levy to 10 per cent will provide a funding mechanism to contribute to improving existing and acquiring new open space. The open space levy will help to mitigate the effects of climate change as the city grows.

Equity, Inclusion and Wellbeing Considerations

There is a clear link between health and wellbeing and access to quality open space. Pursuing an increased open space levy will fund improvements and acquisitions of open space. The open space strategy considers creating spaces for all of Darebin's residents regardless of culture, gender, sexual orientation, age, socioeconomic condition, dis/ability and includes consideration of equitable access, mobility, amenity and services across the municipality.

Pursuing a 10 per cent open space levy rate for all subdivisions of two additional lots is an equitable approach to the open space levy. This approach means that every development that intensifies land use and population (of three or more lots), regardless of its location or size, has the same proportional responsibility to contribute to the open space needs of the future population.

Cultural Considerations

While this planning scheme amendment does not specifically consider culture, cultural considerations are embedded in *Breathing Space: The Darebin Open Space Strategy*. Again, the levy will fund the implementation of the strategy and directly support the design of open spaces that are inclusive to the Culturally and Linguistically Diverse (CALD) and indigenous communities.

As noted above, exhibition documentation was translated into 12 languages to enable CALD communities to become aware of and respond to the exhibition process.

Economic Development Considerations

While the increased levy applies to all land within the municipality, including commercially zoned land, it is not considered that it will have a negative impact on economic activity. The levy is applied to subdivision permits only and will only impact a growing commercial business if the development is to be subdivided (and likely sold off).

Research undertaken by SGS Economics and Planning, experts in the field, has shown that, although there may be delays in the redevelopment of some sites where there's a small profit margin, over time the land value will increase and the site will become viable for development. The proposed 10 per cent levy is not expected to have a long-term impact on the development market in Darebin.

The outcomes facilitated by *Breathing Space: The Darebin Open Space Strategy* are complementary to enhancing the economic activity in Darebin. Having great open spaces,

which offer a diversity of uses, retains locals and attracts people from neighbouring suburbs to spend more time in our city.

Financial and Resource Implications

The increased open space levy will provide funds for the acquisition of new open space and improvements to existing open space in the municipality.

Council currently collects between \$5.7 million to \$7.9 million per year from the open space levy which provides a fund that is restricted for spending on open space acquisition or improvements. This amount is expected to increase to \$13 million to \$15 million per year if and when the 10 per cent open space levy rate is introduced into the Darebin Planning Scheme, depending on the amount of development and subdivision each year in Darebin.

It is anticipated that, should the levy be implemented in the Scheme, there would be an initial period of time when statutory planning and subdivision officers will experience an increase in applicant enquiries that may need to be resourced. As part of the communications plan, fact sheets will be provided to frontline officers so that they will be supported through the implementation of the levy and can respond to queries efficiently and with confidence.

Legal and Risk Implications

The method through which the levy has been calculated by the consultant is a new approach and hasn't yet been tested at a Planning Panel. This inherently carries some risk that it may not be supported by Panel.

Monash City Council has recently exhibited a similar proposed levy based on the same new methodology, which will be heard by a Planning Panel in mid-late February 2020.

The final decision about whether to implement the levy and any changes will be made by the Minister for Planning following exhibition and consideration by a Planning Panel. It is possible that the Panel or Minister may require changes. The Panel process allows the merits of the methodology underpinning the levy to be debated. SGS Economics and Planning will act as expert witness at any future Panel and Council will also be supported by legal counsel.

The timelines and likely outcomes associated with the Panel consideration, and Ministerial decision are somewhat unpredictable and subject to change.

DISCUSSION

Submissions Overview

A total of 43 submissions were received to the statutory exhibition process. Of these, nine supported the amendment, 33 objected to the amendment and one was neutral. Late submissions are expected and will be heard up until the date of the Council meeting.

Under the requirements of section 22 of the *Planning and Environment Act 1987*, Council must consider every submission and act in one of the following ways:

- Option 1 - Change the amendment in the manner requested by the submissions; or
- Option 2 - Refer the submissions to an independent Planning Panel; or
- Option 3 - Abandon part or all of the amendment.

Officers have analysed the submissions received and recommend Council proceed with Option 2 and refer all submissions to a Planning Panel for consideration.

Officers recommend that Council endorse the response to issues raised by submissions (below and attached in **Appendix C**) and take these endorsed responses as Council's position at the Planning Panel. Officers recommend that the PHRP sites be exempt from the increased levy due to the stated impact on public housing delivery; this is discussed under the affordable housing section of this report, below.

Of the 33 objections received, 29 were received from the development industry, one was from a resident (who had subdivided land in Darebin), two were from industry bodies, the Housing Industry Association (HIA) and Consulting Surveyors Victoria (CSV). One submission was from the Department of Health and Human Services (DHHS).

Submissions in support

Of the nine submissions received in support for the increased levy, six were from residents, one was from the Merri Creek Management Committee (MCMC), one was from Moreland City Council and one was from community members of the Darebin Nature Trust (DNT). The following is an example of comments in support that were made.

- Open space is vital for the community (submitter no. 3)
- Supports the provision of more open space and the positive impact this has on reducing the heat island effect and people's health and wellbeing (submitter no. 16)

Three submitters who objected to the amendment expressed support for the amendment's intent to increase the provision of public open space in the municipality but submitted the proposed levy amount was too high.

Submissions in objection

Objections have been grouped into the following three submitter categories.

1. Development community
2. Owners and developers of significant redevelopment sites in Darebin
3. Developers and the DHHS who are involved in current development projects relating to the delivery of social and affordable housing in Darebin.

Submissions from the development community

The issues raised in submissions by the general development community in Darebin were as follows.

- They perceive the 10 per cent rate to be too high
 - It will impact development feasibility, construction quality and housing affordability.
 - It will deter developers from developing in Darebin.
- They perceive the blanket rate to be inappropriate
 - The rate should be applied on a sliding scale.
 - The rate will penalise small scale developments.
 - The rate should be applied based on the need and location.
 - The levy should be spent based on where it is collected.

These issues were anticipated and are addressed in the *Open Space Contributions Review Report*. The issues and Council officer response and recommendation are summarised in Table 1.

Table 1: Development Community submissions

Number of Submissions	Perceived Issue	Officer Response (summary)	Recommendation
4 (submitters - 32, 33, 35, 36, 38)	The 10 per cent rate is too high	Council's current open space contribution rate is too low and has resulted in inequitable provision and distribution of open spaces in Darebin. Darebin has a significant shortfall in open space and this will seriously impact on liveability as our city grows if we allow the open space provision to deteriorate further. The increased rate will address this inequitable and insufficient provision. The proposed rate is based on the open space requirements for future residents.	No change to Amendment - refer to Panel.
17 (Submitters - 1,3,4,5, 6,9, 10,11,12, 14,15,17,19, 24, 27, 31, 33)	The 10 per cent will impact on development feasibility . Development costs are too high and developers will be discouraged from developing in Darebin.	Evidence suggests that any potential impact on development feasibility is likely to be short-term. Development feasibility practice suggests that the increased contribution cost will be factored into the residual land value (the amount that is available as payment for land once other development costs have been considered). We would anticipate some delays in the redevelopment of marginal sites due to the impact on the residual land value. Modelling has shown that over time the residual land value should increase and the site will become viable for development. Therefore, there is not anticipated be a long-term impact on development in Darebin.	No change to Amendment - refer to Panel.
9 (Submitters - 1, 2, 3, 4, 11, 15, 17, 31, 33)	The 10 per cent rate will impact on house prices / housing affordability	Developers are 'price takers' not 'price makers', i.e. house prices are determined by what the market is willing to pay rather than the costs of doing development. Previous Panels considered that the benefits for the community from additional open space funded by the contributions outweigh concerns about housing affordability and development potential (as established by related Planning Panel Reports – see Stonnington C186 and Moreland C122)	No change to Amendment - refer to Panel.
6 (Submitters -	The 10 per cent rate will impact on development quality	The quality of development should not be affected by the levy. Development quality is impacted by a range of other factors,	No change to Amendment - refer to Panel.

Number of Submissions	Perceived Issue	Officer Response (summary)	Recommendation
2, 5, 15, 17, 27, 28)		<p>including other planning scheme controls.</p> <p>In a development feasibility context, developers are delivering a product to the market based on what the market is prepared to pay, rather than the costs involved in doing development.</p>	
10 (Submitters - 1, 2, 11,13, 15, 27, 28, 29, 35,38)	<p>Opposes a blanket 10 per cent rate (flat rate) for all subdivisions.</p> <p>Smaller developments should pay a lower open space levy rate than higher density developments.</p>	<p>The levy does not apply to subdivisions of two lots, except when they are still large enough to be further subdivided.</p> <p>A blanket rate for all subdivisions is considered an equitable approach as all developments are required to provide the same proportional amount towards open space to meet the needs of the population as indicated by planning standards through cash, land or in kind contributions.</p> <p>The proposed approach would apply the open space contribution to all land in Darebin which gives the most certainty about meeting future needs. This is important because lower density developments can become denser over time.</p>	No change to Amendment - refer to Panel.
2 (Submitters - 28, 35)	Opposes a blanket rate. Development sites in proximity to open space should pay a lower rate	<p>A blanket approach is considered to be a more equitable approach than one where the rate changes based on availability of open space or other factors.</p> <p>This approach means that all developments are required to contribute the same percentage of land value towards open space.</p> <p>This is an equitable approach as it embeds within land the requirement to make an equal contribution towards meeting the needs of our future population.</p> <p>This approach is based on the principle that all development, regardless of its location or proximity to open space, should make a proportional contribution towards meeting the needs of our future population.</p> <p>The funds collected through the open space levy can be used anywhere in the municipality and would be spent in areas that need it the most as directed by <i>Breathing Space: The Darebin Open Space Strategy (2019)</i>.</p> <p>Different types of open space uses – for social connection, connection with nature,</p>	No change to Amendment - refer to Panel.

Number of Submissions	Perceived Issue	Officer Response (summary)	Recommendation
		active recreation, dog walking, etc. – are accessed by our community throughout the city. People do not typically only make use of the open space nearest to them. Therefore it is reasonable that all sites contribute to broader open space provision.	
2 (Submitters - 4, 17)	There are other ways to raise funds	The open space levy is an appropriate and established mechanism in the planning scheme to raise funds for public open space improvements and acquisitions. This levy mechanism needs to be reviewed from time to time to ensure the contribution rate reflects the current context, and most up to date figures on open space need and expected population growth.	No change to Amendment - refer to Panel.
1 (Submitter – 25)	Funds should be spent close to where they are collected (where to spend levy)	As noted above, the expenditure of funds collected through the levy would be prioritised on areas where improvement is most needed, as directed by <i>Breathing Space: The Darebin Open Space Strategy (2019)</i> . This is considered to be a more equitable approach than spending funds near to where they are collected because it means that areas of high need in the municipality are prioritised.	No change to Amendment - refer to Panel.
5 (Submitters - 7, 8, 15, 30,31)	The rate is not justified and is unfair	The 10 per cent rate is considered to be justified and fair, given the demonstrated need is a total of 18.2%. The methodology used supports the change in contribution rate to 10 per cent and is considered justified from a need and equity perspective. The report shows that a 10 per cent open space levy rate is required to provide a reasonable provision of open space services for the future population.	No change to Amendment - refer to Panel.
2 (Submitters - 13, 14)	There should be transitional provisions	Transitional provisions are not considered appropriate or necessary. The planning scheme amendment process including exhibition, the panel process and final approval by the Planning Minister will take over a year – which is in effect a transitional period (as established by related Planning Panel Report C122 City of Moreland).	No change to Amendment - refer to Panel.

Significant Redevelopment sites

Three submissions were received in relation to significant redevelopment sites. These related to the Preston Market, Bunnings (Northland) and Northcote Plaza. These submissions contained some of the points summarised above in Table 1. However, there are also some specific issues that were raised in relation to these strategic sites. These are detailed in Table 2 below.

Table 2. Significant redevelopment sites submissions

Submitter	Submission key Issue	Officer Response (summary)	Recommendation
33. Preston Market (landowner)	The rate proposed for the Preston Market is too high and will impact on development outcomes and affordability	The report indicates a rate of up to 18.2 per cent should be applied on strategic redevelopment sites due to their significant development potential and the large increase in residential dwellings whose occupants will place a significant amount of pressure on existing public open spaces. The open space levy rate for strategic sites such as the Preston Market will be negotiated on a case by case basis.	No change to Amendment - refer to Panel.
35. Northcote Plaza	The Northcote Plaza is located close to All Nations Park, Mc Donnell Reserve and Northcote Aquatic centre, which offers public open space. Strategic redevelopment sites should be treated differently and not be affected by the blanket open space levy rate.	As discussed in Table 1, applying the levy at the same rate across all sites is considered to be the most equitable approach. This approach is based on the principle that all development, regardless of its location or proximity to open space, should make an equal contribution towards meeting the needs of our future population. The open space levy rate for strategic sites will be negotiated on a case by case basis. The report indicates strategic sites should pay a rate of up to 18.2 per cent.	No change to Amendment - refer to Panel.
38. Bunnings (Northland)	The amendment does not consider location and geography of existing open space outside the Darebin municipal boundaries. There are several existing open spaces in proximity to Bunnings Site within the neighbouring municipality of Banyule. The amendment doesn't take into consideration specific site contexts for Northland Urban Renewal Precinct (example WSUD requirements) There is no discussion in the	It is standard practice that open spaces in neighbouring municipalities are excluded from the calculations of open space access and need due to the availability of data and the level of certainty around future provision. The municipality is treated as a single planning unit and funds collected from the open space levy can be spent anywhere in the municipality based on need. Different sites may have additional design requirements however modelling has shown that development costs are factored into the residual land value and will not impact on development outcomes.	No change to Amendment - refer to Panel.

Submitter	Submission key Issue	Officer Response (summary)	Recommendation
	report about how Council will work with Landowners through rezoning process in regards to public open space contributions. Would like this clarified.	Council will continue to work with landowners as part of any rezoning process on a case by case basis.	

Affordable Housing

While the general issue of housing affordability and supply is discussed in Table 1, three submissions discuss the impact the open space levy increase could have on the ability to deliver social and affordable housing in Darebin. The submissions were received from the Nightingale Group, MAB Corporation and DHHS and all three submissions propose changing the amendment by varying the schedule to clause 53.01-1 to require developments providing affordable housing to pay a lower open space levy contribution rate.

Issues raised and officer's recommendations are as follows.

Nightingale (Submitter 16)

Nightingale are an organisation dedicated to the provision of housing developments that are environmentally, financially and socially responsible. They apply a voluntary inclusionary zoning of 20 per cent affordable housing to some of their projects. They submit:

- that the proposed increase may make it difficult for the Nightingale to operate in Darebin;
- that the increase to the levy may discourage housing associations from establishing themselves in Darebin; and
- to change the amendment to exempt housing developments from the open space levy where developments include 20 per cent affordable housing that is to be owned and operated by a housing association.

Options

1. Refer the amendment to a Planning Panel with Council's position to change the amendment by requiring sites that provide a minimum 20 per cent affordable housing be charged a five per cent open space contribution. Note that this type of 'exemption' does not exist in any Scheme and may not be supported by the Minister for Planning.
2. No change to amendment. Refer to Panel.

Officer recommendation

Option 2 is recommended. The reasons for this are as follows:

- In general, open space should not be traded off against affordable housing provision when there are such high levels of need for both within Darebin.
- Modelling indicates that the open space levy rate will be factored into the residual land value for any new development proposals and will not impact on the quality of the development or the market price.
- Council will continue to advocate for significant residential developments to include affordable housing as part of their proposal. Developers will be encouraged to enter into voluntary section 173 agreements with Council where incentives are negotiated as part of this process. This is currently the process supported by DELWP.

- The Minister for Planning is currently considering mandatory controls for affordable housing. It is unclear how an exemption from the open space levy would relate to mandatory affordable housing controls.
- It is unknown what impact exempting affordable housing will have on the amount of funds collected through the open space levy, and therefore Council's ability to deliver *Breathing Space: Darebin Open Space Strategy*.
- A general exemption for affordable housing is not supported by DELWP.

MAB Corporation (Submitter 36)

MAB Corporation are developers in partnership with DHHS in the redevelopment of Walker Street, Northcote and Stokes/Penola, Preston as part of the State Government's Public Housing Renewal Program (PHRP). MAB went through a fixed tender process and development feasibility was based on a five per cent open space levy being charged for the redevelopment sites. Due to the drawn-out nature of the planning process for these particular sites, it is anticipated that the proposed developments will not be subdivided prior to proposed Amendment C186 being introduced in the Darebin Planning Scheme. They submit that:

- the increase to the levy will impact on their ability to deliver the agreed development outcomes;
- the increase to the levy will impact on DHHS's ability to deliver additional public housing at the Stokes/Penola development site; and
- the amendment should be changed to exempt PHRP sites from the increased open space levy.
- there will be some publicly accessible communal open space provided at the sites that can be used by residents. While this is not public open space, it does contribute to providing space for gathering and informal recreation for residents of the development.
- the proposed increase to the open space levy represents a policy change that could impact upon the agreed contract between DHHS and MAB. This means that it is DHHS, rather than MAB, that would be impacted by the open space levy increase. As noted above, this directly impacts upon the amount of public housing that would ultimately be delivered.

Options

1. Refer the amendment to a Planning Panel with Council's position to change the amendment by amending the schedule to Clause 53.01-1 to specify that the PHRP sites be charged a five per cent open space contribution rate.
2. No change to amendment. Refer to Panel.

Officer Recommendation

Option 1 is recommended. Refer the amendment to a Planning Panel with Council's position to change the amendment by specifying that the PHRP sites be charged a five per cent open space contribution rate. This is because these sites are unique among submitters because all the following are true: there is a requirement for a development plan, the contract development is at an advanced stage in regards to the public-private partnership, and large scale social housing is planned for the sites. Because of this, we would expect the result of increasing the levy at this time, in these circumstances, would reduce the number of social housing units that are delivered.

- Likely change to number of additional public housing units

The submitter has stated that the increased levy will have a direct impact on the number of additional public housing dwellings provided at Oakover Village. Council has consistently advocated for increased public housing at this site, and the delivery of additional public housing, above what was required within the tender, is considered to be a significant win. Advocating for increased public housing at Oakover Village was part of Council's Action Plan for 2018-19 and 2019-20.

- Timing, Scale and Planning Process

The scale of the development, the use of a development plan overlay and the timescales for the planning process for these particular sites means that these sites are more adversely affected by the timing of this amendment than other redevelopment sites.

Officers note that Council has advocated for many years to significantly increase public housing and for public land at these sites to be retained in public ownership. While the state government has decided to progress with the Public Housing Renewal Program which would result in sale of public land, and which is contrary to what Council has been advocating for, this is not a decision of Council. Given the state government's decision to proceed, allowing a lower rate of open space levy for these sites could assist in maximising public and social housing that is delivered through these projects.

Department of Health and Human Services (DHHS) (Submitter 39)

DHHS own various properties within Darebin used for public housing (3000 properties) and temporary or specialist disability housing and community facilities (1000 properties). They submit:

- that an increased levy will impact on the department's ability to deliver their housing program; and
- to change the Amendment by proposing an exemption from the increased levy for government owned land, where a maximum five per cent open space levy would be charged.

Officers sought further information from DHHS with regard to their submission but had not received a response at the time of writing.

Options

1. Refer the amendment to a Planning Panel with Council's position to change the amendment by amending the schedule to Clause 53.01-1 to specify that all government owned land be charged a 5 per cent open space contribution rate.
2. No change to amendment. Refer to Panel.

Officer Recommendation

Option 2 is recommended. The reasons for this are as follows.

- The open space levy is charged at time of subdivision. DHHS does not typically subdivide land unless it is being developed and sold for private housing, in which case the levy should be charged in order to provide open space for the larger population.

Appendix C to this report provides a detailed officer response to all submissions received for Amendment C186.

OPTIONS FOR CONSIDERATION

Under the Planning and Environment Act 1987, Council has the following options:

- Change the amendment in the manner requested by the submissions; or
- Refer the submissions to an independent Planning Panel; or
- Abandon part or all of the amendment.

Option 1:

Endorse officers' recommended changes to the Amendment to form the basis of Council's submission to an independent Planning Panel and refer all submissions to a Planning Panel (recommended)

This option is recommended and would enable the Amendment process to continue. This would progress the proposed increase to the open space levy contribution rate in Darebin.

The response to submissions and recommended changes to the Amendment, as detailed in **Appendix C**, would form the basis of Council's position at the Panel hearing.

This option creates a good opportunity to come to an agreement with key objectors and reduce the time and complexity of the Panel process.

Option 2:

Do not change the Amendment and refer all submissions to a Planning Panel (recommended if Option 1 is not supported)

This option is to maintain the exhibited amendment documents to form the basis of Council's submission at Planning Panel.

This option also enables the Amendment process to continue and progresses the proposed increase to the open space levy contribution rate in Darebin.

The key issues outlined in submissions would be referred to panel and Council would have the opportunity to consider the Amendment again following the Panel recommendations.

Option 3:

Abandon the Amendment (not recommended)

This option is not recommended. The exhibition and Panel process are standard stages of the planning scheme amendment process, and Council should progress the Amendment to its next stage. Progressing this option would mean Council's objectives to increase the open space levy would not be progressed.

IMPLEMENTATION STRATEGY

Details

Should Council adopt the recommendations of this report, Council officers will request the Minister for Planning to appoint an independent Planning Panel to consider the submissions to Amendment C186 and will present on Council's behalf to the Panel in support of the Amendment.

The panel directions hearing is pre-set for the week beginning 30 March 2020 and the Panel hearing is pre-set for the week beginning 27 April 2020. This timing will need to be confirmed with Planning Panels, following Council's decision.

After the hearing and receipt of the Panel report, the Panel will prepare a report with recommendations for Council's consideration in deciding whether to adopt the amendment.

The Panel report findings and Officers response to recommendations made will presented to Council at a future meeting. The Panel has 40 days to make its report available to Council. Council then has 40 days to make a decision on the Panel recommendations and whether to progress the amendment.

Communication

All submitters will be notified of Council's decision. Once a Planning Panel has been appointed, all submitters will be advised in writing by Planning Panels Victoria about hearing arrangements and dates, and whether they wish to be heard.

Timeline

All submitters will be notified of Council's decision. Once a Planning Panel has been appointed, all submitters will be advised in writing by Planning Panels Victoria about hearing arrangements and dates, and whether they wish to be heard.

RELATED DOCUMENTS

- Breathing Space: The Darebin Open Space Strategy (City of Darebin 2019)
- Ministerial Direction – The Form and Content of Planning Schemes
- Ministerial Direction No. 9 – Metropolitan Planning Strategy
- Ministerial Direction No. 11 – Strategic Assessment of Amendments
- Ministerial Direction No. 15 – The planning scheme amendment process
- Plan Melbourne 2017-2050
- Planning and Environment Act, 1987
- Subdivision Act, 1988
- Guidelines for Preparing Planning Scheme Amendment Documentation – September 2014

Attachments

- Amendment C186 - Open Space Contributions Report (**Appendix A**) [↓](#)
- Amendment C186 - Amendment Documentation (**Appendix B**) [↓](#)
- Amendment C186 - Summary of Submissions (**Appendix C**) [↓](#)

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



OPEN SPACE CONTRIBUTIONS REVIEW

4.0
MAY 2019

Prepared for
City of Darebin

Independent
insight.



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EXECUTIVE SUMMARY

Darebin City Council has recently developed *Breathing Space: The Darebin Open Space Strategy 2019* to guide future open space planning in the municipality.

A key element of achieving this Strategy's objectives for open space is increasing the funding mechanism. Public open space contributions are a source of funding, and can be fixed by increasing the open space contribution rate, via an amendment to the Planning Scheme.

Darebin City Council sought independent advice from SGS on the feasibility and appropriateness of an open space contribution rate within the City of Darebin. Darebin currently has an Open Space Contribution rate of between 2 - 5 per cent based on a sliding scale under the Schedule to Clause 53.01 of the Darebin Planning Scheme.

This report provides an independent analysis of open space contribution requirements for the City of Darebin, based on expected rates of growth and demand for future open space. It allows for a critical evaluation of the feasibility of applying new open space contribution rates for subdivisions of three or more lots in the City of Darebin, and an assessment of the most appropriate rate to apply.

A contribution rate of 10 per cent of land value is recommended to deliver a reasonable standard of open space provision across the whole of Darebin.

Existing open space

The current conditions can be assessed by looking at the overall quantity of open space, and the distribution of open space, which impacts resident's access to open space. The measures used to assess this are: the amount of open space per capita, and the proportion of households within 500 metres of open space.

These measures provide useful guidance for open space planning and reveal priority areas for new open spaces. They show that there are areas with low levels of open space provision per capita, and that 7 per cent of households in the municipality do not have access to open space within 500 metres. This is below the target of 0 per cent (ie all households having access to open space within 500 metres). The assessment indicates a *current* need for greater provision of open space, which can be funded via an increased open space contribution rate.

Population trends

The City of Darebin is projected to experience significant population growth across the municipality. At 2028, the City of Darebin is expected to be home to 195,736 residents, an additional 34,487 residents from 2018. This will create greater pressure on existing open spaces. Without creation of new open spaces, there will be a reduction in the open space per capita rates and an increase in the number and proportion of residents who do not have access to open space within 500 metres.

The growth in population provides further justification for the implementation of an appropriate open space contribution rate to improve existing open spaces and acquire new ones.

Open Space Provision Standards

Open space standards have been incorporated into planning schemes and open space strategies to ensure appropriate supply and equitable access to open space. Currently, open space assessments are largely quantitative, focusing on overall provision rates and proximity measures.

A number of metropolitan Melbourne local governments apply a per capita provision rate to determine open space standards, typically between 24 and 30.3 square metres per capita. **30 square metres is a recommended open space provision rate standard**, based on national and international norms.

The Darebin Council Plan 2017 - 2021 identifies that open space is to be provided within **500 m of every residence** in the municipality, giving consideration to barriers that prevent access to open space.

Increasingly, assessments also include a qualitative basis to ensure that open space is not only accessible, but of a high quality.

Open Space Services

The concept of open space services combines the quantity and quality of open space to represent the level of 'service' provided by an open space. ***Higher quality open spaces deliver a greater level of open space services to the local community than low quality open spaces of the same size.*** Higher quality open spaces can include a wider range of infrastructure, improved maintenance and quality of furniture or higher levels of mature trees.

Conceptually then, increased investment in a public open space increases the intensity and diversity of uses that can occur there.

In an established area like Darebin, it is difficult for Council to fund significant amounts of additional open space due to land prices and land availability. Delivering Open Space Services, through land acquisition and improvements and upgrades to existing open space, is a more practical approach to open space planning.

To calculate the open space services that are required, the quantum of open space per capita is used as an *equivalent*.

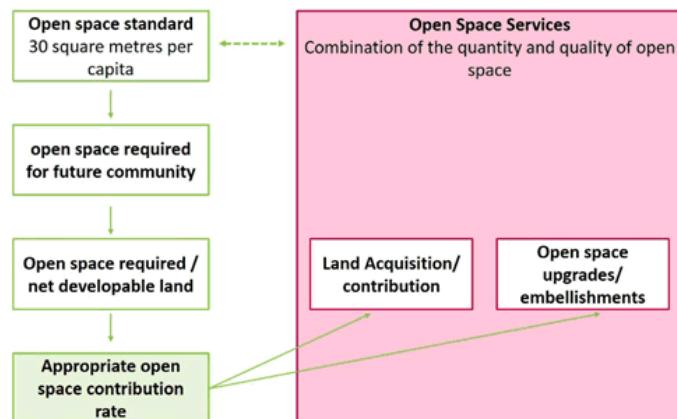
Calculating open space requirements

The calculation of open space contribution requirements is founded on three key principles

1. The City of Darebin is considered a single planning unit for open space planning purposes; the *Subdivision Act 1988* allows for open space contributions collected to be spent anywhere within the municipality.
2. All residents (existing and future) of the City of Darebin are entitled to enjoy access to a reasonable standard of open space at a given point of time in the future (eg. 2028), and planning for future open space acquisitions and upgrades should seek the most equitable distribution of open space services across the City.
3. An inclusionary requirements approach which means that all development should provide a sufficient contribution towards open space to meet needs as indicated by planning standards; this can be through land, cash or other in kind contributions.

Figure 1 illustrates the inputs required to determine open space contribution rates, and the relationship between the contribution rate and open space services to be provided.

FIGURE 1: OPEN SPACE CONTRIBUTION RATE ASSESSMENT



Source: SGS Economics and Planning, 2018

Open Space Standards

The first step in determining open space contribution rates is to identify the appropriate provision rate. As noted, this is 30 square metres per capita, consistent with other local planning standards.

Open Space required for future community

The second step identifies the open space requirements of the future population within the City of Darebin. The open space standard rate of provision of 30 square metres per capita is applied to the projected population at 2028 to determine the total quantum of open space that is required.

Open Space required / net developable land

These inputs are used to calculate an appropriate open space contribution rate.

The total net developable urban area (net developable land) in the City of Darebin is then estimated using mesh block¹ land use data from the ABS Census. It includes all land uses that are suited to redevelopment for commercial, industrial and residential land uses. It excludes existing schools, parklands, community facilities roads and other land used for transport². The amount of open space required by the future community is then divided by the total net developable urban land area (developable land).

These inputs are used to calculate an appropriate open space contribution rate. This is shown in Table 1.

¹ Meshblocks are the smallest geographical area used in reporting ABS Census data.

² Existing open spaces are excluded from this calculation as they are assumed to be unavailable for future development. This method is used to estimate the open space requirements generated by the whole community at 2028 including the existing community. It is a way to show how much open space each unit of development must contribute to provide sufficient open space to meet it's own needs, and this represented as a proportion of the developable area. The method therefore acknowledges that there are already existing open spaces that cater for the existing population that are provided outside of developable areas.

TABLE 1: OPEN SPACE CONTRIBUTION RATE CALCULATION

Step	Metric	Value
1	Planned population* (effective build out)	195,736 people
2	Total net developable urban area (total area of all developable lots in study area).	3,220 hectares
3	Open space required (open space standard (@30m ² /capita) multiplied by planned population)	587.2 hectares
4	Open space requirement from all developable land (value at step 3 divided by value at step 2)	18.2 per cent

Source: SGS Economics and Planning, 2018, *id. forecasts, 2016.

Using this method, there is clear justification for an 18.2 per cent open space contribution rate across land uses in Darebin, to deliver optimum standards of open space. However, a contribution rate of 18.2 per cent would also likely hamper development (by reducing the residual land value), especially on non-residential land. It is also significantly higher than open space contribution rates in neighbouring municipalities, and indeed any municipality in Melbourne.

Recommendation

A 10 per cent open space contribution rate in Darebin across all land uses will ensure that the future community will have access to an adequate supply of public open space.

This approach acknowledges importance of cost sharing, and Council's commitment to contributing to the costs of providing open space services to residents. It will require Council to find alternate funding sources to make up the 8.2 per cent gap.

A 10 per cent open space contribution rate uses is consistent with the open space standard recommended for Precinct Structure Plan Areas of 10 per cent of net developable land. It is also a slightly lower requirement than existing legislation in South Australia that requires a contribution up to 12.5 per cent for any residential development.

Council's existing open space contribution rates as specified in Clause 53.01 are considerably lower than this standards driven contribution rate. When existing contribution rates are translated to provision rate standards, existing open space provision becomes as low as 3 square metres per capita (equivalent in open space services).

Strategic sites at Northland Urban Renewal Precinct and Preston Market are unique in their scale, and a higher open space contribution rate - up to 18.2 per cent - is appropriate. This will need to be negotiated through Section 173 agreements.

Concluding remarks

The inclusionary requirements approach is founded on the principle that all development should meet an open space standard, and is intended to ensure equitable access to open space across the whole municipality in the long run.

It does not burden development in under-supplied areas with greater costs for improving open space, and conversely, it does not allow development in well-supplied areas a discount for the open space impacts. Instead it recognises that the entire municipality is a singular planning area for open space, across which an acceptable standard of open space services must be met.

A contribution rate of 10 per cent of land value is recommended to deliver a reasonable standard of open space provision across the whole of Darebin. This contribution rate reflects the need to ensure that all residents in the future (2028) have access to an appropriate level of open space services.

Although a higher contribution rate is justifiable, a 10 per cent contribution rate in an established area like Darebin is unprecedented, and reflects a proactive commitment to improving open space provision across the municipality.

1. INTRODUCTION

This report provides an overview and rationale for funding the delivery of the Open Space network in Darebin.

1.1 Project Background

Council has recently developed Breathing Space: The Darebin Open Space Strategy 2019 which will guide open space planning over the next 10 years. It reflects both the aims and directions of the current Council Plan as well as Darebin's projected growth and change, which will generate demand for additional and improved open spaces.

A key element of implementing Breathing Space: The Darebin Open Space Strategy 2019 is a funding mechanism, in this case an open space contribution rate, to be implemented via a Planning Scheme Amendment.

Darebin City Council sought independent advice from SGS on the feasibility and appropriateness of updating the open space contribution rate specified in the Schedule to Clause 53.01 in the Darebin Planning Scheme.

1.2 The role and value of open space

Public open spaces generate many benefits for local communities. These include

- contributing to liveable communities
- achieving environmental health and sustainability objectives, in particular temperature regulation and mitigation of the urban heat island effect, air quality, sequestering carbon, wind and noise reduction, flood mitigation, and biodiversity of a region
- physical and mental health for individuals within the community
- providing opportunities for physical activity, which has been shown to contribute towards a variety of health and social outcomes
- providing opportunities for play within the community, which is recognized for its benefits in health and wellbeing for people of all ages.

Pressure on open space

Open space in Darebin is under pressure and requires significant investment. Parklands need to meet the needs of a rapidly growing community and perform a broad range of roles. Many sports fields in Darebin are over committed and require upgrades to meet increased demand, including supporting the growth in women's participation in sport.

Expanding definitions of open space

In dense established areas a broader definition of what constitutes open space may also be required. This includes streetscapes/nature strips, quasi-public space, parklets, transport corridors and overlapping uses with schools and other institutions, which make an important contribution to shaping the 'lived experience' and aesthetics of an area. There are opportunities to recognise the cumulative contribution of these spaces in policy and planning.

While these spaces are outside of traditional definitions of open space, they are recognised as being crucial for the future of the city.

Importantly, the Subdivision Act only allows Council to spend Public Open Space Contributions (collected under Clause 53.01 and any Schedules to it) on acquiring or enhancing public open space as defined under the Subdivision Act.

1.3 Defining open space

Public Open Space is defined in Section 18A of the Subdivision Act of 1988. It states

Public open space means land set aside in a plan or land in a plan zoned or reserved under a planning scheme –

- a) *For public recreation or public resort, or*
- b) *As parklands*
- c) *For similar purposes*

This definition must be applied when determining how and where open space contributions are expended.

1.4 Open Space contributions

Clause 53.01 of the planning scheme allows for open space contributions of up to 5 per cent to be collected at the time of subdivision. Councils may also implement a Schedule to Clause 53.01 which allows for contribution rates to be specified. The appendix lists a series of contribution rates in comparable councils experiencing infill development. These vary from 2.5 per cent up to 8 per cent.

Contributions can be

- A percentage of the land intended to be used for residential purposes
- A percentage of the site value of the land
- A combination of both (at Council's discretion).

Two lot subdivisions are exempt from making a contribution under Clause 53.01.

Darebin currently collects an Open Space Contribution rate of between 2 and 5 per cent based on a sliding scale under the Schedule to Clause 53.01 of the Darebin Planning Scheme. These are described in Table 2.

TABLE 2: EXISTING OPEN SPACE CONTRIBUTION REQUIREMENTS

Type of subdivision	Associated open space contribution rate
2 additional lots	2%
3 additional lots	3%
4 additional lots	4%
5 or more additional lots	5%

The current low contribution rates in Darebin mean that there is insufficient revenue for investment in open space. This is impacting on the quality and levels of access to open space. The contribution rates in Darebin are also considerably lower than in other Local Government Areas who have recently amended their planning scheme; these changes have resulted in contribution rates of between 5 and 8 per cent.

This report provides the strategic justification for the amendment of Clause 53.01 in the Darebin Planning Scheme to include a 10 per cent contribution rate across all land uses. The report is structured as follows:

- Chapter 1: Introduction
- Chapter 2: A review of three standards that are used to assess open space provision: quantity-based standards, proximity-based standards and quality-based standards. It discusses the concept of open space services, which underpins the strategic justification for developing open space contribution rates.

- Chapter 3: A review of strategic policies including Breathing Space: The Darebin Open Space Strategy 2019, Plan Melbourne and local policies. The open space contribution will support the implementation of these.
- Chapter 4: A discussion on the local characteristics of the City of Darebin, including key open spaces, demographic profiling and forecasts to determine the scale and distribution of future growth, and subsequent future demand for open space.
- Chapter 5: A review of residents' access to open space within the municipality. It includes an assessment of the quantity of open space available to residents and how close residents are to open space.
- Chapter 6: An assessment of an appropriate open space contribution rate for the City of Darebin based on the principle of inclusionary requirements.
- Chapter 7: Summary of evidence for the implementation of an appropriate open space contribution rate.

2. OPEN SPACE PROVISION STANDARDS

This section describes the three types of open space provision standards that are used in planning for open space: Quantity, Proximity and Quality. It introduces the concept of open space services to link quantity and quality standards.

2.1 Background

Open space standards have been incorporated into planning schemes and open space strategies to ensure equitable access to open space across municipalities. Currently, open space assessments are largely quantitative in nature, with a focus on the overall rate of provision, and proximity measures. However, increasingly the importance of assessments that also include a qualitative basis is acknowledged, to ensure that open space is not only accessible, but of a reasonable quality and appropriate for users.

A more sophisticated approach to planning for open space is required, which takes into account quality and use of open space. This is particularly important in the context of challenges such as projected population growth, and changing household structures and demographics, to ensure open space successfully meets the community's needs.

Qualitative measures are also important to consider in cases where it's too expensive for Councils to acquire new land (particularly in the inner suburbs), or where there is a lack of available land for new open spaces. It provides an alternative measure for Council to improve the open space network by improving the quality of the open space assets they already have so they can perform at a higher function and better serve the growing community.

The concept of open space services is a way to consider both quality and quantity in open space provision.

2.2 Quantity Based Standards

Metrics for 'best practice' in open space provision rates vary considerably and are expressed as a percentage of net developable area, or an amount per capita. Some methods differentiate between standards for different types of open space, such as local versus district and active versus passive open spaces. Table 3 summarises a sample of quantity based open space provision rates.

All standards typically exclude open space that is not publicly accessible (such as golf courses) or where the primary purpose is not public recreation, such as nature conservation areas.

In the US, researchers have found that 4ha of open space per 1000 people is considered the norm, compared to 2.83ha open space per 1000 people in the UK. In Australia, the National Capital Commission (Canberra, 1981) proposes 4ha per 1000 people, Queensland proposes 4 to 5ha per 1000 people³ and New South Wales proposes 2.83ha per 1000 people, which is based on the aforementioned UK guidelines.

Melbourne based local governments included in Table 3 illustrate a range between 24 and 30.3 square metres per capita. In infill areas, the community has less access to private open

³ Local Government Research and Development Fund (2011) Best Practice Open Space in Higher Density Developments Project: Research Findings. Local Government Research Project into Best Practice Open Space Provision for Higher Density Infill Development Project.

space. This means that more public open space is required. For Councils with increasingly high density housing, a 30 square metre per capita provision standard is appropriate.

South Australian legislation recommends up to 12.5 per cent of net developable area, which is equivalent to approximately 40 square metres per person in low density areas, where housing density is 15 dwellings per hectare, but only 10 square metres in higher density urban developments (more than 70 dwellings per hectare).

A set of guidelines for open space in higher density developments was developed in response to this discrepancy by the City of Charles Sturt, in partnership with the South Australian State Government and other LGAs. These guidelines recommend 10 square metres per capita of primary open space located on site, an additional 10 square metres nearby and a further 10 square metres for state and local sports provision- a total of 30 square metres per capita.

TABLE 3: OPEN SPACE PROVISION STANDARDS

Source	Total open space provision rate (m ² per capita)	Total open space provision rate (Ha/1000 people)
British National Playing Fields Association (1938)	28.3	2.83
National Capital Commission (Canberra 1981)	40	4
US National Recreation and Parks Association	40	4
NSW Department of Planning (1992)	28.3	2.8
Vic Gov - Planning for Community Infrastructure for Growth Areas (2008)	26.4**	2.6
Vic –default contribution in Subdivision Act (5%) in low density areas	13.3*	1.3
City of Kingston Open Space Strategy 2012	24	2.4
City of Wyndham Open Space Strategy 2045	30	3
Frankston City Council Open Space Strategy 2016-2036	30.3	3.03
South Australian legislation	12.5% net developable area	4.0 in low density areas 1.0 in higher density areas
South Australian higher density guidelines	Up to 30 ***	3.0
Precinct Structure Plan Guidelines Vic	10% net developable area	n/a

* Excludes higher order passive open space and based on suburban developments of 15 dwellings per hectare

** Comprising 10m² for neighbourhood passive open space, 8.88m² for neighbourhood active open space and 7.5m² for higher order active open space

*** Comprising a mix of local and district open spaces and state/district sports fields.

Precinct Structure Planning Guidelines prepared by the Growth Areas Authority⁴ recommend that:

- major employment areas should have 2% net developable land as public open space, with a passive recreation function.
- Other areas (which are predominantly residential but include a mix of land uses) should have 10% of the net developable area as public open space, of which 6% is active open space.⁵

30 square metres is considered a reasonable benchmark to apply as an open space standard based on national and international norms, and the higher density development that is projected to occur in an established area such as Darebin.

⁴ <https://www.vpa.vic.gov.au/wp-content/Assets/Files/PSP%20Guidelines%20-%20PART%20TWO.pdf>

⁵ <https://www.parksleisure.com.au/documents/item/2091>

2.3 Proximity Based Standards

While quantity standards provide an indicative measure of open space, in isolation these standards do not take into consideration location, access or quality of these spaces. Relying on the quantity metric alone can lead to an inaccurate representation of household's access to open space. For example, considerable areas of open space may be located outside of a municipal boundary, or open space could be concentrated in a particular part of a municipality.

Proximity-based measures are designed to help understand the distribution and access to open space that households experience. It is generally expressed as the percentage of dwellings within walking distance of open space.

The Victoria Planning Provisions provide guidelines for proximity-based public open space provision. Clause 56.05-2 Public Open Space Provision seeks to provide a network of quality, well-distributed, multi-functional and cost effective public open space. Standard C13 identifies the following proximity standards:

- Local parks within 400m safe walking distance of at least 95% of all dwellings.
- Active open space of at least 8 hectares in area within 1km of 95% of all dwellings
- Linear parks and trails along waterways, vegetation corridors and road reserves within a 1km of 95% of all dwellings.

The current Darebin Council Plan identifies that open space is to be provided within **500m of every residence** in the municipality, giving consideration to barriers that prevent access to open space (eg. arterial roads and train lines). Darebin considers 500m a widely accepted 'walkable' distance for most residents, as indicated in various studies on walking distances and access to local destinations. While this is a greater distance than the Victoria Planning Provisions guidelines (400m), it is balanced by the Darebin Council Plan stipulating access to open space for *all* residences rather than 95 per cent of residences.

As with quantity metrics, proximity and access measures do not account for quality of open space.

2.4 Quality-Based Standards

In order to meet the needs of a diverse and growing community, measures that reflect the quality and use of space need to be taken into consideration in open space planning. From the 1970s, standards-based approaches to delivering parks and open space began to face significant criticism for producing bland and unused open spaces. In the UK, The Centre for Architecture and the Built Environment (CABE) (2005) advised that 'such quantitative national standards should be used with care' and advocate for standards that are set locally to address local needs, demographics and economic patterns. CABE argue that the relationship and integration of green space with the built environment should be reflected in policy, along with an understanding of the types of green space and their suitability for multiple uses.

Use of public open space is influenced by a variety of factors, not simply access, but also how people experience the space. Concerns of safety and security, poor facilities and environmental problems such as litter and vandalism are some reasons identified in a UK study investigating what deters use of open space. These are primarily amenity and maintenance issues that can be addressed through quality upgrades. Quality of green urban space can be understood and categorized into four dimensions (Malek et al). These are:

- natural factors such as tree coverage and biodiversity
- design considerations including accessibility, recreational facilities and amenities
- social factors such as inclusiveness and ability to meet a range of needs
- maintenance and services

An example of an assessment guide that takes into consideration the qualitative dimensions of open space can be seen in the 8 key qualities of successful green spaces developed by CABI in 2005. These criteria are identified as:

- **Sustainability:** Good sustainable practice can provide numerous environmental and cost benefits. For example, the potential cooling effect of urban forests.
- **Character and distinctiveness:** A successful green space will usually promote and reflect the identity and culture of a local community.
- **Definition and enclosure:** A well-defined park, square or garden will possess a clear distinction between public and private spaces reflecting the legal ownership and rights of use. It will additionally indicate how people should use a space.
- **Connectivity and accessibility:** Parks, woodlands, river corridors and gardens should form a hierarchy of different types, sizes and scales of public space. The network of spaces should be integrated with the surrounding street pattern, and access points placed at major junctions. Integrated, safe attractive routes should link with the network of green spaces and encourage people to travel to work and school or to access local services on foot or by bicycle.
- **Legibility:** Refers to ease of understanding and is particularly important where safety and ease of movement are paramount. Such spaces might incorporate pathways, landmarks and gateways to help people orient themselves.
- **Adaptability and robustness:** Like other forms of development, green spaces need to adapt in the face of unpredictable social, economic and environmental change. CABI identifies the need for planners and clients to develop flexible approaches to green space planning that include temporary uses for green space in areas of change and adapting areas outside of traditionally designated public open spaces to green space.
- **Inclusiveness:** Parks and public gardens should provide a resource for a wide range of people in terms of gender, ages and backgrounds. Public open space should be socially inclusive and accommodate a variety of uses.
- **Biodiversity:** Schemes of all scales should be designed to work with nature to encourage biodiversity in green spaces of all types.

2.5 Open Space Services

The concept of open space services combines the quantity and quality of open space to represent the level of 'service' provided by an open space. ***Higher quality open spaces deliver a greater level of open space services to the local community than low quality open spaces of the same size.*** Higher quality open spaces can include many of the attributes outlined above in Section 2.4.

The quality of open space is increasingly important, particularly in higher density areas where providing additional public open space is challenging. Investment to increase the level of service in open space, including elements such as lighting, water features, increased planting, seating, shade trees and accessible pathways allow for the open space to be used by a wider range of people, for a broader range of activities. It also means the open space is more desirable for use throughout the day and into the evening.

All Nations Park is a Darebin example of a high quality park which had a high capital cost and has high ongoing maintenance costs. It includes playgrounds, extensive tree plantings, lawn areas, lighting, toilets and a continuous path network. It is located in Northcote where significant residential redevelopment has occurred and is heavily used by the local community. It provides a high level of open space service.

Bracken Reserve in Thornbury caters to a much smaller range of uses. It has tree plantings, seating and a continuous path. It has a comparatively low level of open space service.

2.6 Implications for Open space contributions

All three measures (quantity, proximity and quality) need to be considered when developing a comprehensive plan for an open space network that meets the community's various needs. These measures were used to inform the prioritisation of acquisitions, improvements and upgrades that are needed across the municipality in Breathing Space: The Darebin Open Space Strategy 2019.

In establishing the strategic justification for an appropriate open space contribution rate, a quantity based provision rates will be used as a proxy to determine the overall open space *services* that are required.

3. STRATEGIC POLICY CONTEXT

This section describes the strategic policy context and justification for increased investment in open space.

3.1 Plan Melbourne

Plan Melbourne 2017-2050 is the metropolitan level, integrated land-use, infrastructure and strategic plan to guide the development of Melbourne over the next 35 years. It was released in March 2017 and articulates that *'Melbourne will continue to be a global city of opportunity and choice'*. The Plan includes 9 principles and 7 outcomes which will help achieve this vision. Plan Melbourne is now a 'background document' under clause 72.08 in the Victoria Planning Provisions, following Amendment VC148.

The Plan notes that Melbourne is projected to experience significant population growth and change, and that approximately 23 per cent of this is anticipated to be accommodated in the Northern region (where Darebin is located).

Plan Melbourne acknowledges that local demographics, amenity and connectivity are key dimensions of planning for open space. It highlights the importance of open space in meeting objectives of sustainability and resilience in the face of a changing climate. For example, the ability for well maintained and enhanced open space to potentially reduce the urban heat island effect and improve community's resilience to extreme weather events is noted. The protection and conservation of natural features such as open space is emphasized for ecological as well as community benefit including for recreation, cultural and spiritual reasons and health and wellbeing.

Plan Melbourne calls for open space provisions which ensure equitable access to open space and which meet the needs of all members of the community. The strategy advocates for better planning, design and use of public open space, both new and existing, with an emphasis on innovative approaches to access and flexibility of use. Plan Melbourne supports the development of a new metropolitan open space strategy to ensure the growing population of Melbourne will have access to high quality open space.

Outcome 6 is of most relevance to open space:

Outcome 6: Melbourne is a sustainable and resilient city.

- Direction 6.4: Making Melbourne cooler and greener.
 - Policy 6.4.1 Support Melbourne by greening urban areas, buildings, transport corridors and open spaces to create an urban forest.
 - Policy 6.4.2 Strengthen the integrated metropolitan open space network.
- Direction 6.5: Protect and restore natural habitats.
 - Policy 6.5.1 Create a network of green spaces that support biodiversity conservation and opportunities to connect with nature.

3.2 Local government policy

Breathing Space: The Darebin Open Space Strategy 2019 provides the overarching framework and strategic direction for public open space in the City of Darebin for the next 10 years and beyond, and builds on the previous Open Space Strategy: 2007-2017. It responds to an increasingly diverse and rapidly growing local community, who have varied expectations of open space.

The strategy acknowledges the rich diversity of public open space in Darebin, and the need to manage these spaces to ensure the city is greener, bolder and more connected, in line with the high value placed on public open space by the community.

It does this via three key action areas: managing biodiversity, adapting, increasing and improving open spaces to meet growing community needs, and providing green streets. Sitting above all three of these action areas is an overarching theme: responding to the climate emergency.

The strategy provides a framework to inform Council’s decision making regarding investments in open space. The prioritisation of areas which require additional or improved open space is a fundamental role of The Open Space Strategy.

The strategy interfaces with a number of other Council policies and objectives as well as *Plan Melbourne 2017-2050*. These are shown in Figure 2.

FIGURE 2: STRATEGIC CONTEXT FOR BREATHING SPACE: THE DAREBIN OPEN SPACE STRATEGY 2019



Darebin Council Plan 2017-2021

The Darebin Council Plan 2017-2021 outlines strategic direction for council, with a vision of ‘a greener, bolder and more connected city’.

Goals relevant to open space:

- Goal 1.2 We will increase sustainable transport through safer streets for walking and cycling, and advocacy for public transport.
- Goal 1.3 We will expand and improve our network of open spaces, parks and natural environments to provide the lungs for our city and reduce the impacts of climate change.
- Goal 2.1 We will ensure health and services meet our community’s needs across their life-course.
- Goal 2.2 We will expand opportunities for participation and social connection through sport, physical activity, arts, culture and other leisure activities.
- Goal 3.1 We will encourage and facilitate appropriate high-quality development in identified areas to create opportunities for living accessibly to public transport, infrastructure, open space and attractive, safe public areas.

3.3 Implications for open space contributions

Breathing Space: The Darebin Open Space Strategy 2019 is planning for the future where Darebin rapidly becomes denser and there is increased pressure on open spaces. As access to private open spaces reduces, access to public open space will become increasingly important. It reflects the goals of both the Council Plan and Plan Melbourne, which emphasise the complex and important role of open space in cities. Open space must not only meet diverse community recreation needs but must also mitigate the impact of climate change and protect biodiversity.

Open space contributions collected via Clause 53.01 are a vital mechanism to allow for ongoing investment in open space in the municipality. The definition for open space in the subdivision act as outlined in Section 1.3 means that funds collected must be specifically expended on open spaces used for public recreation, parklands or similar purposes. An increased open space contribution rate will finance the provision of an adequate, well located and high quality open space network, a crucial element of a sustainable community.

The definition of open space also means that a number of the objectives in Breathing Space: The Darebin Open Space Strategy 2019, Plan Melbourne and associated Council strategies can not be funded using funds collected under Clause 53.01. This includes projects in protected biodiversity reserves and streetscape improvements. Council will need to find alternative funding sources to finance these.

4. LOCAL CONTEXT

Darebin is undergoing significant change, including population and household growth driven by economic change and broader forces of gentrification and globalisation.

4.1 Location and urban structure

The City of Darebin is in the north of metropolitan Melbourne. The municipality's southern boundary is approximately 3.5 kilometres north east of the CBD with the northern boundary approximately 13 kilometres north east.

FIGURE 3: CITY OF DAREBIN



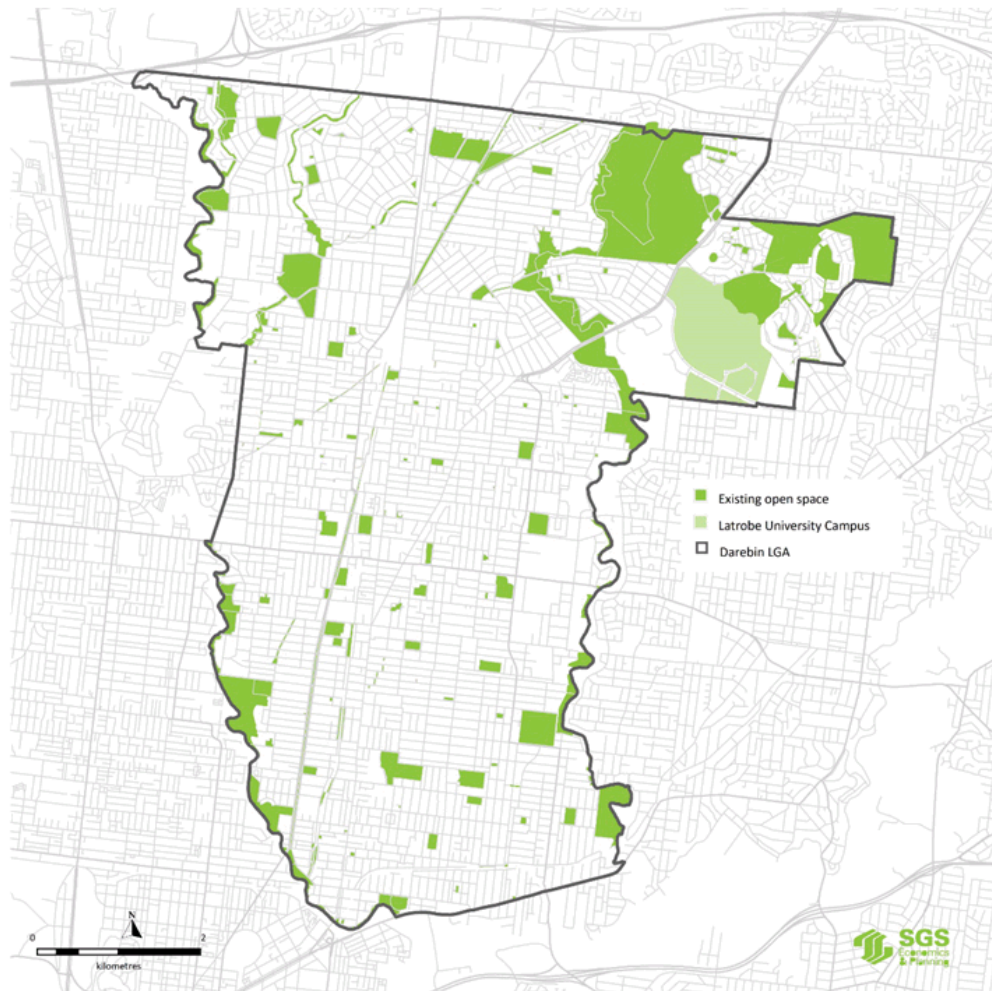
Source: SGS Economics and Planning 2018

The City of Darebin is home to a growing and culturally diverse community. It includes a mix of traditional low density suburban areas as well as higher density developments in activity centres and along transport corridors. Major centres include Northcote, Thornbury, Preston, Reservoir and Fairfield.

There is good north-south connectivity with the Mernda/Hurstbridge line running centrally through the municipality and the number 86 and 11 trams also running north-south along High Street/ Plenty Road and St Georges Road, respectively. East-west connections are provided by bus routes including the 903 Smart Bus that runs through Heidelberg and Preston.

There are significant regional open spaces located on the southern, eastern and western boundaries of the municipality, notably, the Yarra Parklands, Darebin Creek Corridor and the Merri Creek Corridor. These regional open spaces are part of metropolitan level open space corridors along critical waterways and are popular walking and cycling routes. Within the municipality, there are a range of public open spaces offering local residents a diversity of experiences. These include Edwardes Lake Park, Monte Park, Bundoora Park, John Caine Memorial Park as well as a number of golf courses and other active open spaces. There is also a network of neighbourhood and local open spaces across the municipality (see Figure 4 below).

FIGURE 4: PARKS AND OPEN SPACES IN THE CITY OF DAREBIN



Source: Darebin City Council

4.2 Growth and change

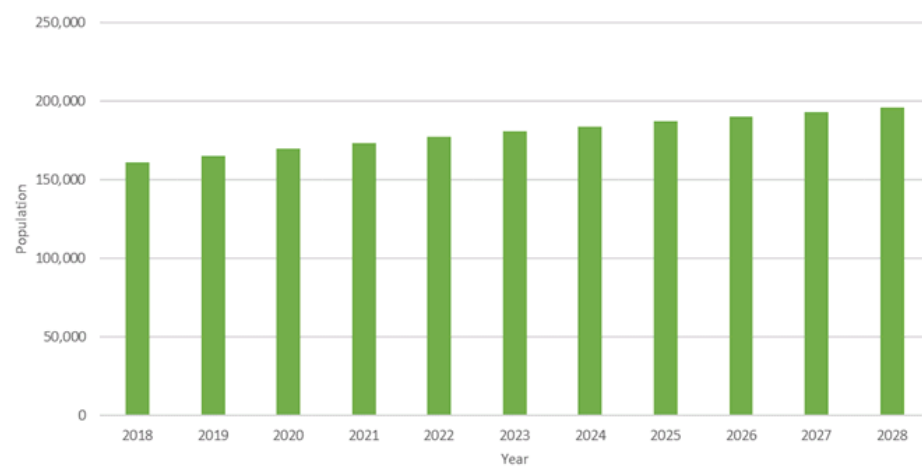
Melbourne's economic restructuring has resulted in significant changes for Darebin. There has been a decline in manufacturing, particularly in areas located in South. There has also been significant gentrification in the south of the LGA which has been expanding north, and a general trend towards residential development.

Population and household forecasts

The City of Darebin is forecast to be home to approximately 196,000 people in 2028. This is an increase of more than 35,000 people from the 2018 population of approximately 161,000. This represents population growth of approximately 21 percent, with an annual average growth rate of 2 percent (see Figure 5).

This will result in an additional 15,400 households and 14,000 dwellings between 2018 and 2028.

FIGURE 5: POPULATION FORECASTS, CITY OF DAREBIN, 2018-2028



Source: City of Darebin, 2018

To analyse how the population, household and dwelling growth is distributed across the municipality, the LGA has been split into 16 precincts. These correspond to Darebin's Development Contributions Plan (DCP) precincts and are shown in Figure 6.

FIGURE 6: OPEN SPACE PRECINCTS, DAREBIN [2018]



Source: City of Darebin, 2018

The following tables breakdown the demographic and dwelling projections by precinct.

Table 4 shows the population change by open space precinct, and Table 5 shows dwelling change by open space precinct. The precincts in the centre of the municipality are anticipated to see the highest levels of growth in percentage terms. Reservoir South Precinct and all Preston precincts are expected to experience the highest level of population growth: between 30 percent (in Preston Northland precinct) to almost 50 percent (Preston Central Precinct).

There are currently two major strategic redevelopment sites within Darebin that are undergoing structure planning. The Northland Urban Renewal Precinct (NURP) which will account for a significant proportion of the growth in the Preston Northland Precinct, and the Preston Market redevelopment which will account for growth within the Preston Central Precinct.

La Trobe and Surrounds Precinct in the very north east of the municipality is also anticipated to grow significantly in percentage terms, with the population growing 32 percent from 2018. This area covers LaTrobe University and Bundoora Park.

The north western and southern parts of the municipality are anticipated to have the smallest population growth. Reservoir North West and Northcote East are forecast to each have a population increase of only 7 per cent.

TABLE 4: POPULATION CHANGE: 2018-2028

Open Space Precinct	2018	2028	2018-2028 Change	2018-2028 % Change
Reservoir North West	10,565	11,322	757	7.2%
Reservoir North East	15,172	17,140	1,968	13.0%
La Trobe and surrounds	8,933	11,807	2,875	32.2%
Reservoir West	7,320	8,544	1,224	16.7%
Kingsbury	5,831	6,913	1,082	18.5%
Reservoir South West	7,936	8,765	830	10.5%
Reservoir South	6,938	9,140	2,202	31.7%
Preston Northland	10,229	13,275	3,047	29.8%
Preston West	9,736	13,560	3,825	39.3%
Preston Central	9,472	13,972	4,500	47.5%
Preston Industrial	7,394	9,926	2,531	34.2%
Thornbury West	10,755	13,011	2,256	21.0%
Thornbury East	11,949	13,716	1,767	14.8%
Northcote West	13,942	16,998	3,056	21.9%
Northcote East	16,116	17,328	1,212	7.5%
Alphington Fairfield	8,962	10,318	1,356	15.1%
City of Darebin	161,249	195,736	34,487	21.4%

Source: City of Darebin, 2018

TABLE 5: DWELLINGS BY OPEN SPACE PRECINCT, 2018-2028

Open Space Precinct	2018	2028	2018-2028 Change	2018-2028 % Change
Reservoir North West	3,984	4,124	140	3.5%
Reservoir North East	6,272	7,007	735	11.7%
La Trobe and surrounds	2,797	4,010	1,213	43.4%
Reservoir West	3,071	3,565	495	16.1%
Kingsbury	2,280	2,490	210	9.2%
Reservoir South West	3,219	3,552	333	10.3%
Reservoir South	2,867	3,269	402	14.0%
Preston Northland	4,047	5,575	1,528	37.7%
Preston West	4,020	4,759	739	18.4%
Preston Central	3,956	6,731	2,775	70.1%
Preston Industrial	2,901	3,617	716	24.7%
Thornbury West	4,733	6,024	1,291	27.3%
Thornbury East	5,413	6,047	634	11.7%
Northcote West	6,032	7,491	1,459	24.2%
Northcote East	6,866	7,513	647	9.4%
Alphington Fairfield	3,780	4,432	652	17.2%
City of Darebin	66,238	80,206	13,968	21.1%

Source: Source: City of Darebin, 2018

Table 6 illustrates the change in population by age for each of the open space precincts. All precincts within Preston as well as Northcote West, Thornbury West and Alphington Fairfield are expected to undergo proportionally higher growth in the number of young children, those aged between 0 and 4. This indicates that a high proportion of new residents will be young families.

There is expected to be significant growth across the municipality in 5 to 17 year olds, and this will be most prevalent in the Reservoir precincts and Thornbury East.

Table 7 illustrates the types of housing anticipated for each of the open space precincts. It shows that across Northcote West, Latrobe and Surrounds, Reservoir South and West, Alphington- Fairfield and most of the Preston precincts, growth in high density housing will be over 90 per cent, and in many instances, well in excess of 100 per cent. This suggests a fundamental, transformative change in the character of housing in most parts of the municipality towards higher density housing.

TABLE 6: POPULATION CHANGE BY AGE GROUP BY OPEN SPACE PRECINCT, 2018-2028

Open Space Precinct	2018				2028				2018-2028 Change			
	0-4	5-17	18-64	65+	0-4	5-17	18-64	65+	0-4	5-17	18-64	65+
Reservoir North West	625	1,340	5,892	2,710	729	1,683	6,354	2,556	17%	26%	8%	-6%
Reservoir North East	1,126	1,707	9,879	2,460	1,185	2,291	11,075	2,589	5%	34%	12%	5%
La Trobe and surrounds	386	1,274	6,449	824	539	1,587	8,227	1,454	40%	25%	28%	76%
Reservoir West	606	908	4,968	837	616	1,145	5,810	973	2%	26%	17%	16%
Kingsbury	334	626	3,972	899	473	877	4,628	935	42%	40%	17%	4%
Reservoir South West	624	1,101	5,377	833	643	1,216	5,877	1,030	3%	10%	9%	24%
Reservoir South	472	821	4,573	1,073	663	1,152	5,960	1,365	40%	40%	30%	27%
Preston Northland	666	1,240	6,798	1,525	930	1,744	8,680	1,922	40%	41%	28%	26%
Preston West	651	1,290	6,660	1,135	958	1,814	9,238	1,550	47%	41%	39%	37%
Preston Central	591	1,096	6,579	1,205	936	1,636	9,726	1,674	58%	49%	48%	39%
Preston Industrial	473	892	5,055	975	650	1,269	6,710	1,298	37%	42%	33%	33%
Thornbury West	684	1,360	7,564	1,146	846	1,621	9,000	1,543	24%	19%	19%	35%
Thornbury East	780	1,493	7,955	1,720	883	1,830	9,166	1,837	13%	23%	15%	7%
Northcote West	799	1,691	9,974	1,479	1,008	1,839	12,151	2,001	26%	9%	22%	35%
Northcote East	946	2,138	10,866	2,166	1,008	2,187	11,461	2,672	7%	2%	5%	23%
Alphington Fairfield	500	1,240	6,156	1,066	596	1,333	6,980	1,409	19%	8%	13%	32%
Total	10,263	20,217	108,717	22,053	12,663	25,224	131,043	26,808	23%	25%	21%	22%

TABLE 7: DWELLING TYPE BY OPEN SPACE PRECINCT, 2018-2028

Open Space Precinct	Dwelling type	2018	2028	2018-2028 Change	2018-2028 % Change
Reservoir North West	Separate House	3,412	3,519	107	3.1%
	Medium Density	572	605	33	5.8%
	High Density	0	0	0	0.0%
Reservoir North East	Separate House	3,723	4,084	361	9.7%
	Medium Density	2,447	2,752	305	12.5%
	High Density	102	171	69	67.6%
La Trobe and surrounds	Separate House	1,395	1,463	68	4.9%
	Medium Density	662	961	299	45.2%
	High Density	739	1,586	847	114.6%
Reservoir West	Separate House	1,636	1,735	99	6.1%
	Medium Density	1,362	1,570	208	15.3%
	High Density	73	260	187	256.2%
Kingsbury	Separate House	1,484	1,579	95	6.4%
	Medium Density	687	742	55	8.0%
	High Density	109	169	60	55.0%
Reservoir South West	Separate House	1,989	2,164	175	8.8%
	Medium Density	1,165	1,292	127	10.9%
	High Density	65	96	31	47.7%
Reservoir South	Separate House	1,824	1,903	79	4.3%
	Medium Density	974	1,093	119	12.2%
	High Density	69	273	204	295.7%
Preston Northland	Separate House	2,739	2,962	223	8.1%
	Medium Density	1,167	1,458	291	24.9%
	High Density	141	1,155	1,014	719.1%
Preston West	Separate House	2,110	2,212	102	4.8%
	Medium Density	1,248	1,485	237	19.0%
	High Density	662	1,062	400	60.4%
Preston Central	Separate House	2,229	2,370	141	6.3%
	Medium Density	1,033	1,340	307	29.7%
	High Density	694	3,020	2,326	335.2%
Preston Industrial	Separate House	1,781	1,959	178	10.0%
	Medium Density	843	1,131	288	34.2%
	High Density	277	528	251	90.6%
Thornbury West	Separate House	2,399	2,516	117	4.9%
	Medium Density	1,687	1,974	287	17.0%
	High Density	646	1,534	888	137.5%
Thornbury East	Separate House	2,730	2,870	140	5.1%
	Medium Density	2,460	2,737	277	11.3%
	High Density	223	440	217	97.3%

Northcote West	Separate House	2,334	2,386	52	2.2%
	Medium Density	2,611	2,971	360	13.8%
	High Density	1,088	2,134	1,046	96.1%
Northcote East	Separate House	3,895	4,020	125	3.2%
	Medium Density	2,438	2,670	232	9.5%
	High Density	534	824	290	54.3%
Alphington Fairfield	Separate House	1,907	1,970	63	3.3%
	Medium Density	1,752	1,876	124	7.1%
	High Density	120	586	466	388.3%

Source: City of Darebin, 2018

4.3 Implications for open space contributions

The increasing number of people moving into the culturally diverse City of Darebin corresponds to an increasing demand by residents for high quality public open spaces. With substantial growth in higher density development, and reduced private open space, the need to plan for high quality public open spaces that support a range of uses has never been greater. This includes a need for new public open spaces, as well as improvements to the quality and functionality of existing open spaces to meet a broader range of community needs. It will require taking a broader lens to open space offerings within the municipality.

The population in Darebin is forecast to grow by more than 20 per cent between 2018 and 2028. With so much growth, it is essential that new development makes a sufficient contribution to the cost of providing new open spaces and upgrades via Clause 53.01. This will ensure that as the community grows, access to open space does not deteriorate. It will also ensure that the existing community is not asked to pick up the tab for delivering the open space needs for the new community.

New communities will also be established within the major strategic redevelopment sites at Preston Market and Northland Urban Renewal Precinct (NURP). These sites are major opportunities for delivering new open spaces and will be subject to additional site specific open space planning via Section 173 agreements.

5. OPEN SPACE ACCESSIBILITY

The open space contribution mechanism requires consideration of the existing open space network. This section outlines the supply and access to open space in the context of projected population and housing growth.

5.1 Open space per capita

Table 8 provides an overview of the current open space provision rate, and what this rate is likely to be in future, assuming no additional open space is provided. The analysis uses open space precincts in Darebin to demonstrate the variation across the municipality in provision rates. The total amount of open space in Darebin is 790.37 hectares. However, when looking at open space per capita, a number of exclusions occur. Open space included in this analysis excludes conservation areas such as Gresswell Forest Wildlife Reserve, Golf courses, creek corridors and open spaces associated with schools. This is consistent with the benchmarks for quantity based standards described in 2.2.

TABLE 8: ACCESS TO OPEN SPACE PER CAPITA

Open Space Precinct	Open Space (ha)	2018 Per capita (sq.m)	2028 Per capita (sq.m)	Assessment of future rate
Reservoir North West	52.7	18.6	17.3	Undersupplied
Reservoir North East	61.1	24.2	21.4	Minor undersupply
La Trobe and surrounds	326.4	18.9	14.3	Undersupplied
Reservoir West	46.0	37.7	32.3	Well supplied
Kingsbury	37.6	63.7	53.7	Well supplied
Reservoir South West	10.2	10.2	9.3	Undersupplied
Reservoir South	1.3	1.9	1.4	Undersupplied
Preston Northland	43.3	31.0	23.9	Minor undersupply
Preston West	9.9	8.0	5.7	Undersupplied
Preston Central	6.4	6.7	4.6	Undersupplied
Preston Industrial	18.3	20.9	15.6	Undersupplied
Thornbury West	28.8	19.3	15.9	Undersupplied
Thornbury East	36.2	5.6	4.9	Undersupply
Northcote West	56.5	19.1	15.7	Undersupplied
Northcote East	30.4	17.7	16.5	Undersupplied
Alphington Fairfield	25.4	28.2	24.5	Minor undersupply
<i>Total</i>	<i>790.37</i>	<i>19.6</i>	<i>16.2</i>	<i>Undersupplied</i>

Source: Source: SGS Economics and Planning

Table 8 indicates that overall, if there is no additional open space provided, there will be approximately 16.2sq m of open space per capita in 2028, well below the benchmark of 30 sqm per capita.

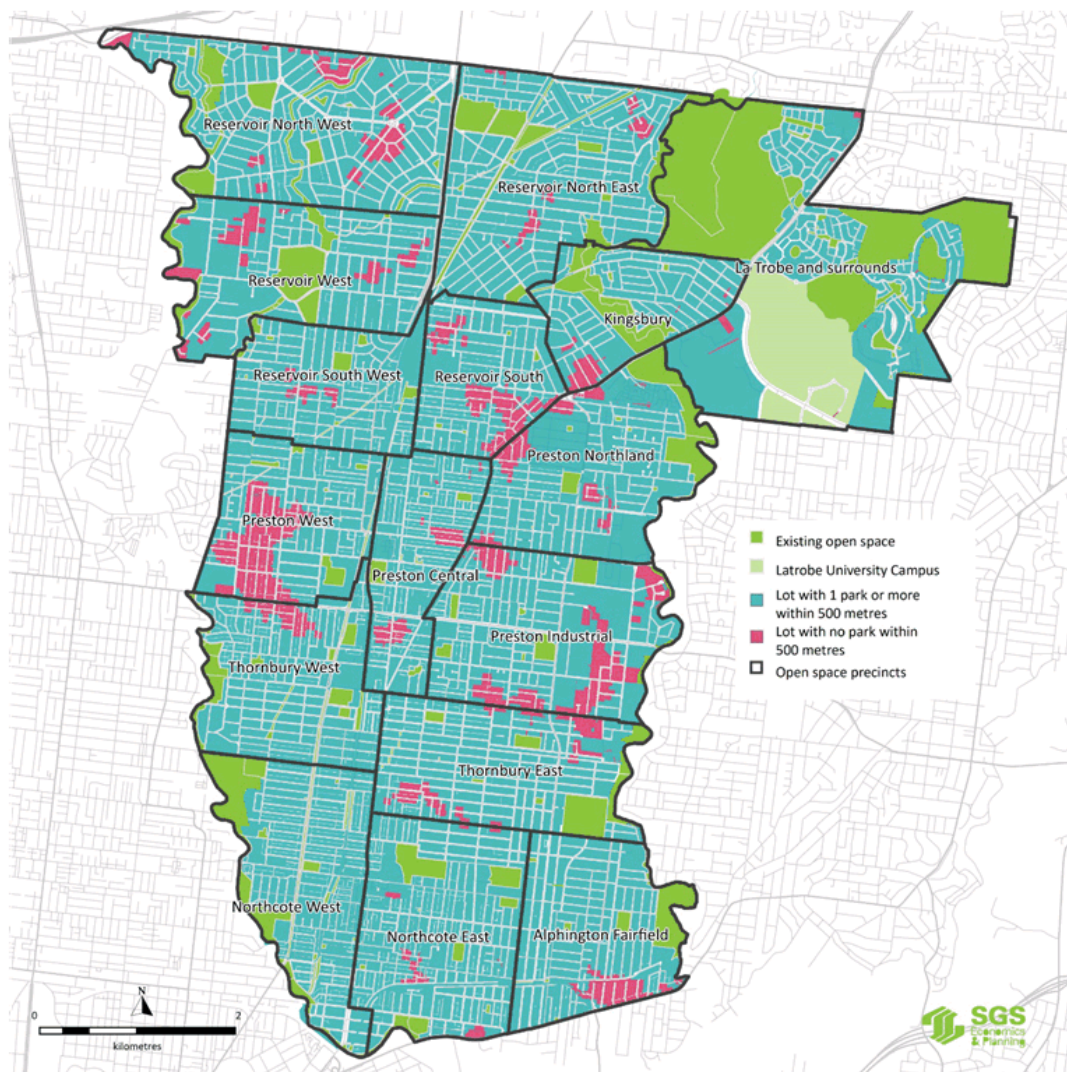
5.2 Access to open space

Pedestrian catchments for the open spaces in Darebin have been analysed, to identify the number and location of households which can access a public open space within 500m using the street network⁶.

This includes access to Council managed and publicly accessible open spaces within Darebin. Golf courses, schools and conservation reserves with limited public access are excluded from the analysis. Open spaces in neighbouring municipalities are also excluded⁷. Some properties appear close to open space, however the road network does not allow them to access open space with 500 metres walking distance.

Figure 7 illustrates the key findings of this analysis, showing concentrations of households with limited access to open space in Reservoir, Preston and parts of Alphington. There are also pockets which have limited access in Thornbury and Kingsbury.

FIGURE 7 CURRENT VARIATION IN OPEN SPACE ACCESS (2018)



Source: SGS Economics and Planning, 2018

The number of households that don't have access to open space within 500m is shown in Table 9.

⁶ Refer Council policy

⁷ Data limitations prevent inclusion of neighbouring open space

TABLE 9: GAPS IN OPEN SPACE NETWORK

Open Space Precinct	% of all households which don't have access within 500m
Reservoir North West	5.6%
Reservoir North East	2.1%
La Trobe and surrounds	8.4%
Reservoir West	8.7%
Kingsbury	15.3%
Reservoir South West	3.8%
Reservoir South	17.1%
Preston Northland	6.9%
Preston West	25.4%
Preston Central	7.1%
Preston Industrial	10.5%
Thornbury West	4.4%
Thornbury East	8.7%
Northcote West	0.0%
Northcote East	2.5%
Alphington Fairfield	9.5%
City of Darebin	7.4%

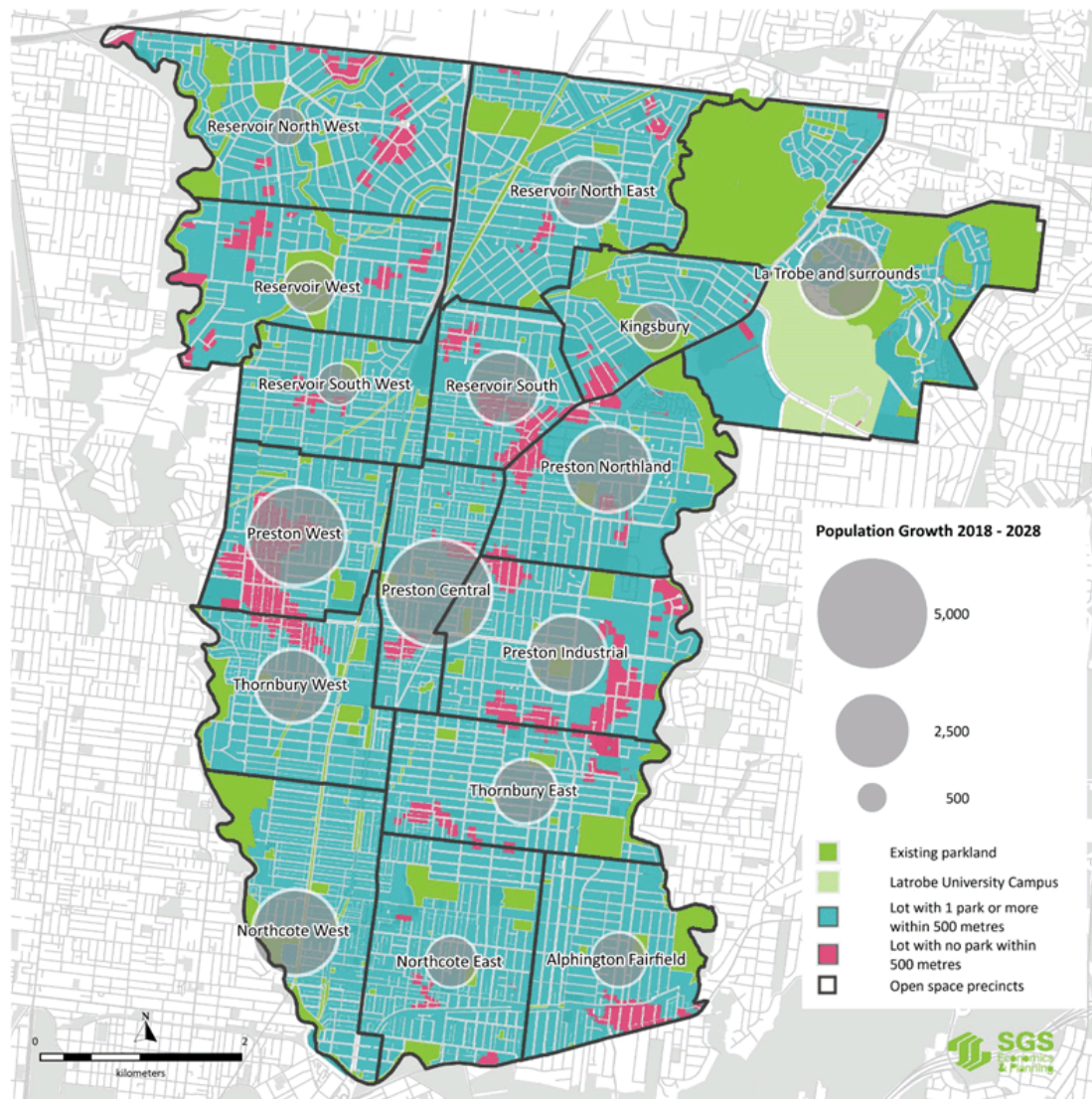
Source: SGS Economics and Planning, 2018

A number of areas have more than 10 per cent of households with no access to open space within 500 metres. This includes Kingsbury, Reservoir South, Preston West, and Preston Industrial. In Preston West, 25.4 per cent of households have no access to open space within 500 metres, and this is the largest proportion of houses in any of the open space precincts.

These gaps in access will be intensified by future population growth- Reservoir South, Preston West and Preston Industrial are all expected to grow by over 30 per cent by 2028 (refer to Table 4 and Table 5). Figure illustrates the relationship between population growth and gaps in open space access.

Overcoming the gaps in access can only be achieved through the acquisition of new land for open spaces. Given the challenges in acquiring significant land areas, local and small neighbourhood parks (less than 2.5 hectares) are the most likely type of new open spaces.

FIGURE 8 CURRENT VARIATION IN OPEN SPACE ACCESS (2018)

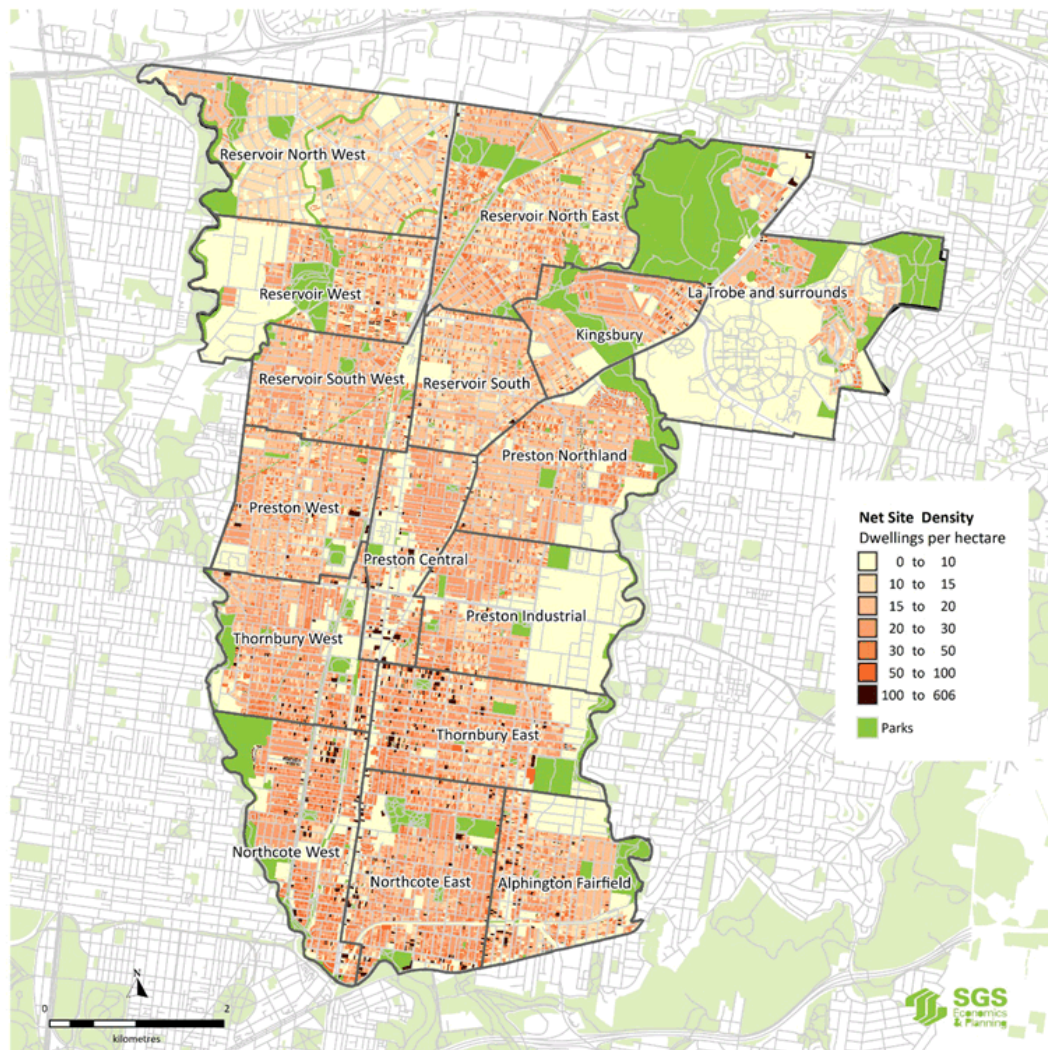


Source: SGS Economics and Planning, 2018

Higher Density Areas

Areas of higher population density have a higher need for quality open spaces due to the lack of private open space. Figure 8 shows the existing site density across Darebin. Much of the higher density housing is clustered along major roads, including Station St in Fairfield, Dundas St in Thornbury and St Georges Road and High St that both run North/South through Thornbury, Northcote and Preston. There is also significant clusters of higher density housing that exist off main streets, and these are concentrated in the Northcote and Thornbury precincts and increasingly Preston. These precincts are located closer to the centre of Melbourne, and are facing greater demand for new housing.

FIGURE 8 CURRENT NET SITE DENSITY



5.3 Implications for open space contributions

Residents in Darebin have variable access to open space when assessed using a per capita provision rate. Many areas are currently undersupplied and the degree of undersupply will be exacerbated by 2028 with projected population and household growth. If no new space is added to the network, only two areas will be well supplied with open space in 2028, Reservoir West and Kingsbury. All other areas are forecast to be undersupplied.

The distribution of open space means that there are a number (7%) of households across the municipality that don't have access to open space within 500m. This will likely increase in 2028 if no additional open space is provided⁸.

These two measures provide useful guidance for open space planning and reveal priority areas for new open spaces. Areas with low levels of open space provision per capita, and a municipal wide average of 7 per cent of the population without access to open space within 500 metres (below the target of 0 per cent) indicate a need for greater expenditure on open space, which can be supported through establishing an appropriate open space contribution rate.

⁸ The percentage increase in houses with no access to open space within 500 metres is not possible as it is unknown where future dwellings will be specifically located within each precinct

6. OPEN SPACE CONTRIBUTION FRAMEWORK

This section describes the conceptual framework and calculation method applied to arrive at open space contribution rates for the City of Darebin.

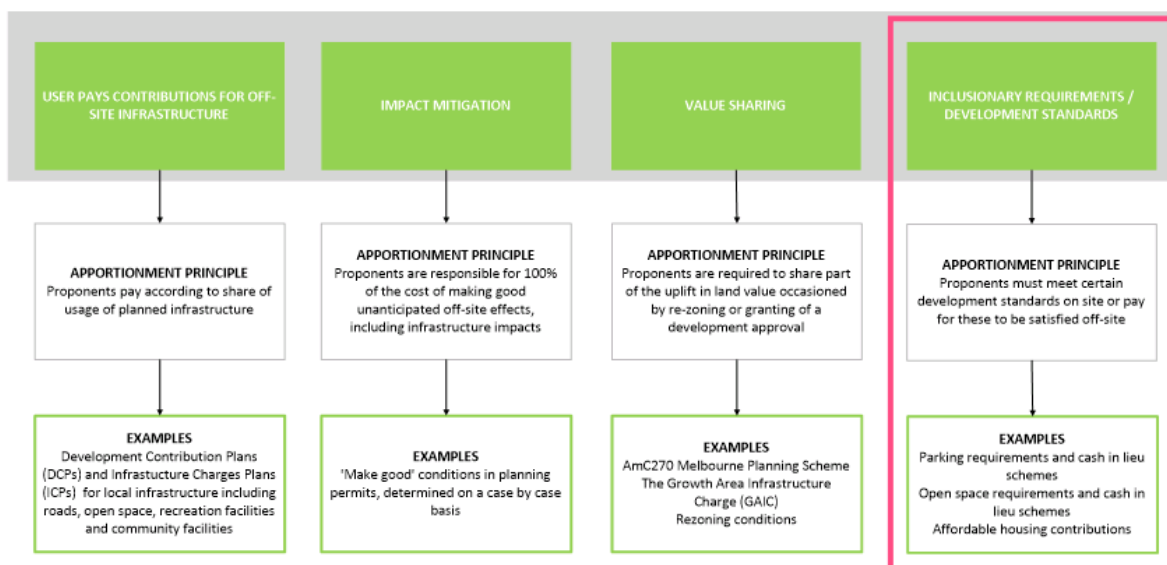
6.1 Public open space contributions in context

Public open space contributions exacted under the Subdivision Act or Clause 53.01 of the Planning Scheme need to be understood in the context of the broader spectrum of development contributions.

There are four development contribution type, as summarised in the following chart (Figure 9). Each development contribution type has a separate justification and carries its own principles for fair apportionment. The conflation of these rationales leads to confused policy making, inefficient administration and litigation.

The *inclusionary requirements* approach is identified the most suitable development contribution frame for collecting open space contributions in Darebin.

FIGURE 9: TYPES OF DEVELOPMENT CONTRIBUTION



Source: SGS Economics & Planning Pty Ltd

Development contribution type 1 - *User pays charges*

This category of development contributions is applied in Victoria via the 'DCP' and 'ICP' provisions of the Planning and Environment Act.

These contributions are premised on the *user pays principle*. This requires proponents to contribute cash or in-kind towards infrastructure benefitting their project, with the contributions linked to the proportion of usage of the infrastructure items in question. A nexus between the development and an infrastructure item is established when residents, workers or visitors of the development *make use of* the planned facility, and

fair cost apportionment is established by aligning share of cost with share of usage. Funds collected must be used for the delivery of the planned infrastructure or they must be returned to the current owners of the land which generated the user pays revenues. This is the accountability principle built into the DCP/ICP provisions of the Act.

This category of development contribution could be applied to open space contributions, and open space projects are frequently included in DCPs. However, in an established area like Darebin, the apportionment of cost according to share of projected usage is likely to mean that only a relatively small part of parkland acquisition and embellishment costs would be recovered under a DCP. Therefore, it is not the preferred type of development contribution mechanism for collecting open space contributions in Darebin.

Development contribution type 2 - *Impact mitigation payments*

Proponents of development in Darebin may be legitimately required to make compensatory payments or off-setting contributions to mitigate the unanticipated adverse effects of their projects on the natural, built or social environment. For example, if a development incorporates significantly more site coverage and would therefore result in stormwater runoff that exceeds the parameters which had been built into an area wide contribution scheme (Development Contribution Plan) for drainage, that particular proponent may reasonably be requested to meet 100 per cent of the cost of, say, an off-site retarding basin or tank to manage the additional flows.

This requirement is premised on the '*exacerbator pays*' principle where the party responsible for the damage must meet the full cost of making it good (even though others may subsequently benefit from the off-site retention facility). This is clearly distinct from the '*user pays*' principle where, as noted, costs are shared according to projected share of usage.

As impact mitigation payments are applied to deal with unanticipated adverse effects of development they cannot be pre-notified in Planning Schemes. Instead, they are applied on a case by case basis via conditions on development consents.

This category of development contribution is not especially relevant to the task of generating funds for open space provision in Darebin, though it may be applied from time to time to preserve the functionality and amenity of existing open space.

Development contributions type 3 - *Value sharing requirements*

Value sharing requirements are premised on another, separate and distinct, principle relating to the efficient regulation of community sanctioned development rights.

Regulation of land use and development through planning schemes in Victoria represents a form of restriction on market access necessitated by the objective of economic efficiency. The State deliberately and systematically rations access to 'development rights' via planning regulations. Governments apply this rationing because it is expected to generate a net community benefit (that is, an efficiency or welfare gain) compared to allowing urban development to proceed on a '*laissez faire*' basis.

The value of regulated development rights is capitalized into the price of land. For example, other things equal, a piece of land which is enabled for use as a major shopping centre will be more valuable than land without this privileged access to retail centre development rights. Similarly, land enabled for a multi-storey apartment building will be worth more than otherwise equivalent land designated for a single household dwelling, and so on. And land zoned for mixed use residential will be more valuable than land designated for industrial uses.

As occurs with other regulated markets, for example, commercial fisheries, mineral exploitation, broadcasting bandwidth and so on, it is appropriate to charge a licence fee for access to these regulated development rights⁹.

Potentially, Council could also apply a de-facto 'licence fee' for the granting of additional development rights in established parts of the municipality through some form of floor area uplift scheme such as that operated under the Melbourne Planning Scheme for the Central City (and now mooted for Fishermans Bend). Certainly, this approach could legitimately be applied when Council is contemplating re-zonings and other Planning Scheme amendments which confer additional development potential on particular pieces of land.

While value sharing is a justified form of development contribution in Darebin, it is not clear that it can be relied upon to deliver base load revenues for the acquisition and development of open space in the established parts of the City of Darebin.

Development contributions type 4 - *Inclusionary provisions*

Inclusionary provisions are based on minimum acceptable standards of development. The acceptable standard (whether it be open space or car parking) may be provided off site through a cash or in-kind contribution. Cash-in-lieu schemes have been operated for the fulfilment of car parking requirements for decades and are now formalised in the Victoria Planning Provisions (VPP).

Cash payments in lieu of provision of 5 per cent (or more) of land for public open space upon approval of subdivision is another example of the 'inclusionary standards' premise for requiring cash or in-kind contributions from a development proponent.

This premise is quite different to the other rationales for requiring cash or in-kind contributions (user pays, impact mitigation and value sharing) and could reasonably be applied in addition to all three of these other measures.

6.2 Appropriateness of the 'inclusionary provisions' frame

The inclusionary provisions type is the most appropriate for the task of open space provision and development in the City of Darebin.

The inclusionary requirements approach is founded on the principle that **all development must provide open space**. It is intended to ensure equitable access to open space across the whole municipality in the long run. It does not burden future development with the responsibility of overcoming pre-existing undersupplies in open space – it is not a means of catching up on inadequate open space provision that may have happened previously.

Instead, it focuses on ensuring all future development contributes to open space provision that meets a designated standard of open space services. This means that future cumulative development does not lead to a shortage of open space services in the long term. If development does not contribute to a designated provision rate standard, the municipality will be severely under serviced in the future.

The inclusionary requirements approach recognises that the entire municipality is a singular planning area for open space, across which an acceptable standard of open space services must be met. This frame is in keeping with basic town planning principles that require all development to incorporate certain features so that in aggregate the neighbourhood, suburb or city in question is functional and sustainable.

It recognises that land use can change over time, and so a fixed open space contribution rate across land use types in any given area is appropriate. It prioritises the provision of sufficient open space to meet the needs of the community, whether it be residents or workers. It also means that specific areas that are undersupplied with open space are not burdened with increased costs of open space.

⁹ See Spiller, M., Spencer, A. and Fensham, P. (2017) Value capture through development licence fees, Occasional Paper published by SGS Economics & Planning Pty Ltd, February 2017.

Cost apportionment under the inclusionary provisions frame is fundamentally different to the user pays frame. This is because each development project must equip itself with its required quantum of open space according to the adopted planning standard, rather than make a contribution based on share of usage.

Open Space Services

The setting of provision standards is clearly a crucial step in the inclusionary requirements approach.

Open space planning standards help identify the designated standard of Open Space Services required in an area. As discussed in section 2, Open Space Services are a combination of the quantity *and* quality of open space. To calculate how much open space services are required, the quantum of open space per capita is used as an *equivalent*.

In an established area like Darebin, it is difficult to provide significant amounts of additional land for open space. Delivering Open Space Services, through land acquisition and improvements and upgrades to existing open space, is a more practical approach to open space planning.

6.3 Calculation of open space contribution requirements

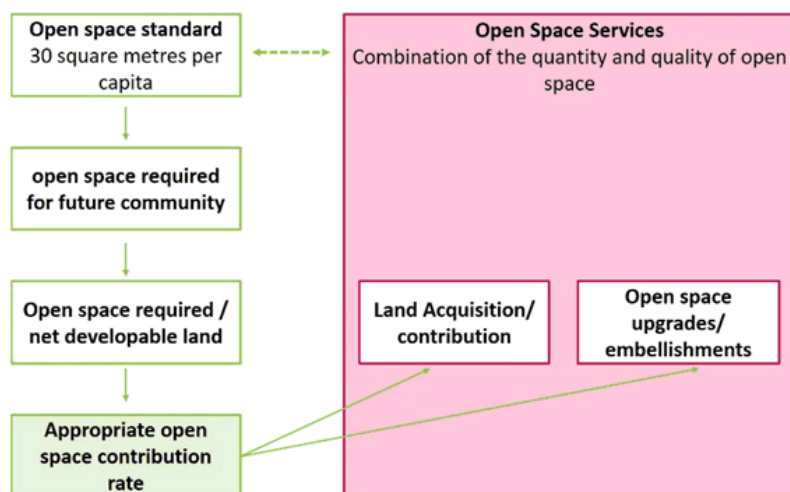
The calculation of open space contribution requirements is founded on three key principles

1. The City of Darebin is considered a single planning unit for open space planning purposes. The Subdivision Act 1988 allows for open space contributions collected to be spent anywhere within the municipality.
2. All residents (existing and future) of the City of Darebin are entitled to enjoy access to a reasonable standard of open space at a given fixed point of time in the future (eg. 2028), and planning for future open space acquisitions and upgrades should seek the most equitable distribution of open space services across the City.
3. An inclusionary requirements approach means that all development should provide sufficient open space to meet its needs as indicated by planning standards, and this can be through land or cash in kind contributions.

As noted, the inclusionary provisions frame is driven by a required standard of open space services, which is in turn determined by appropriate planning standards. The appropriate planning standard used is 30 square metres per capita (Refer to Section 2.2)

Based on this logic, the approach used to determine the contribution rate for each part of the study area is described below.

FIGURE 10: OPEN SPACE CONTRIBUTION RATE ASSESSMENT



Source: SGS Economics and Planning, 2018

Open space contribution rate assessment

Figure 10 illustrates the inputs required to determine open space contribution rates, and the relationship between the contribution rate and open space services to be provided.

Open Space Standard

The first step in determining open space contribution rates is to set an open space standard to determine an appropriate standard of open space provision. The appropriate provision standard for the City of Darebin is 30 square metres per capita, consistent with other local planning standards (discussed in section 4). This is used as an equivalent measure for open space services.

Open space required for future community

The second step identifies the open space requirements of the future population within the City of Darebin. The open space standard rate of provision of 30 square metres per capita is applied to the projected population at 2028 to determine the value of open space services required.

Open Space required / net developable land

The total net developable urban area (net developable land) is then estimated using meshblock land use data from the ABS Census. It includes all land uses that are suited to redevelopment for commercial, industrial and residential land uses. It excludes existing schools, parklands, community facilities roads and other land used for transport¹⁰. The amount of open space required by the future community is then divided by the total net developable urban land area (developable land).

These inputs are used to calculate an appropriate open space contribution rate. This is shown in Table 10.

TABLE 10: OPEN SPACE CONTRIBUTION RATE CALCULATION

Step	Metric	Value
1	Planned population (effective build out)	195,736 people
2	Total net developable urban area (total area of all developable lots in study area: Land used for education, health, open space and transport infrastructure is not considered developable)	3,220 hectares
3	Open space required (@30m ² /capita)	587.2 hectares
4	Open space requirement from all developable land (3/2)	18.2 per cent

Source: SGS Economics and Planning, 2018, *id. forecasts, 2016.

¹⁰ Existing open spaces are excluded from this calculation as they are assumed to be unavailable for future development. This method is used to estimate the open space requirements generated by the whole community at 2028 including the existing community. It is a way to show how much open space each unit of development must contribute to provide sufficient open space to meet it's own needs, and this represented as a proportion of the developable area. The method therefore acknowledges that there are already existing open spaces that cater for the existing population that are provided outside of developable areas.

Using this method, there is strong justification for a 18.2 per cent open space contribution rate across land uses in Darebin, which would deliver optimum standards of open space for the future population. I.e. Every commercial, industrial and residential subdivision must make an 18.2 per cent contribution to open space to ensure that it is providing the additional open space services that are generated by the development.

However, a contribution rate of 18.2 per cent would also be likely to hamper development, especially on non-residential land. It is also significantly higher than open space contribution rates in neighbouring municipalities, and indeed any municipality across Melbourne.

A contribution rate of 10 per cent of land value across all land uses is recommended to deliver a reasonable standard of open space provision across the whole of Darebin.

6.4 Discussion

A 10 per cent open space contribution rate across land uses will ensure that the future community will have access to an adequate supply of public open space across the whole of Darebin.

Funding the Gap

Darebin City Council recognises the importance of cost sharing for open space. In order to strategically justify the 10 per cent contribution rate for new development, there needs to be a clear commitment from Council to partially fund its open space program using rates to meet the gap of 8.2 per cent. This will ensure that an acceptable standard of open space is delivered across Darebin. Other funding sources include government grants, Council funds, land sales, philanthropy, joint access agreements, government land transfer and development contributions collected from development contribution plans and section 173 Agreements

Alternatively, if Council selects a lower contribution rate in the absence of a commitment to funding the gap to 18.2 per cent, this would reflect their acceptance of a lower standard of open space provision across the municipality in the long run. That is, well below local and international standards. Table 11, shows the provision standards that would be associated with different open space contribution rates in the absence of a Council commitment to partially fund open space.

Council will also need to fund improving or acquiring public open space to improve open space provision for the existing community. This includes improving the amount of open space per capita in undersupplied areas, and reducing the percentage of the existing population who do not have access to open space within 500 metres.

TABLE 11: OPEN SPACE CONTRIBUTION RATES WHEN DIFFERENT PROVISION STANDARDS ARE APPLIED¹¹

Provision standard (equivalent square metres per capita)	Associated open space contribution rate
30	18%
16	10%
13	8%
8	5%

Source: SGS Economics and Planning, 2018

Council's existing open space contribution rates as specified in Clause 53.01 are considerably lower than the recommended contribution rate of 10 per cent. When existing contribution rates are translated to provision rate standards, open space provision becomes as low as 3 square metres per capita (equivalent in open space services). This provides an insight into why it has been difficult for Council to deliver open space projects to meet the needs of the Darebin community to date. The implied provision standards associated with the existing open space contribution rates are shown in Table 12.

TABLE 12: EXISTING OPEN SPACE CONTRIBUTION RATES AND IMPLIED PROVISION STANDARD

Provision standard (equivalent square metres per capita)	Associated open space contribution rate
8	5%
7	4%
5	3%
3	2%

Source: SGS Economics and Planning, 2018

¹¹ These percentages are based on the projected population in Darebin at 2028 and the net developable area in Darebin.

Consistency with open space standards and benchmarks

The **10 per cent open space contribution rate recommended across land uses** is consistent with the open space standard recommended for Precinct Structure Plan Areas of 10 per cent of net developable land¹². It is also a slightly lower requirement than existing legislation in South Australia that requires a contribution up to 12.5 per cent for any residential development.

The application of 30 square metres as a planning standard is consistent with the recently developed guidelines in South Australia that recommend open space provision up to 30 square metres per capita in higher density developments (those over 70 dwellings per hectare), and with planning standards adopted in other Melbourne Council areas (See Table 3).

Although a higher contribution rate would be justifiable, a 10 per cent contribution rate in an established area like Darebin is unprecedented, and reflects a proactive commitment to improving open space provision across the municipality.

Northland Urban Renewal Precinct (NURP) and Preston Markets

It is recommended that the major strategic redevelopment sites at NURP and Preston Market make a higher contribution to open space, up to 18.2 per cent. These can be negotiated through Section 173 Agreements. NURP is a former industrial precinct, currently comprising unimproved land, and the large Preston Market site does not include any dwellings.

The large new communities that will be accommodated on each of these sites will place substantial pressure on existing open spaces. They warrant a higher contribution rate due to the substantial value generated for land owners through the structure planning and redevelopment process (refer Section 6.1 for value sharing overview). A higher contribution rate on these sites represents a sharing with the Darebin community of this substantial value generation. They also offer rare opportunities for acquiring land for new open space.

Impacts on development

It is unlikely that an increased open space contribution rate will affect the housing market and housing affordability. The introduction of a higher open space contribution rate (ie greater than 10 per cent) is likely to translate into a reduction in the residual land values that developers would be willing to pay to encourage incumbent land owners to sell their land.

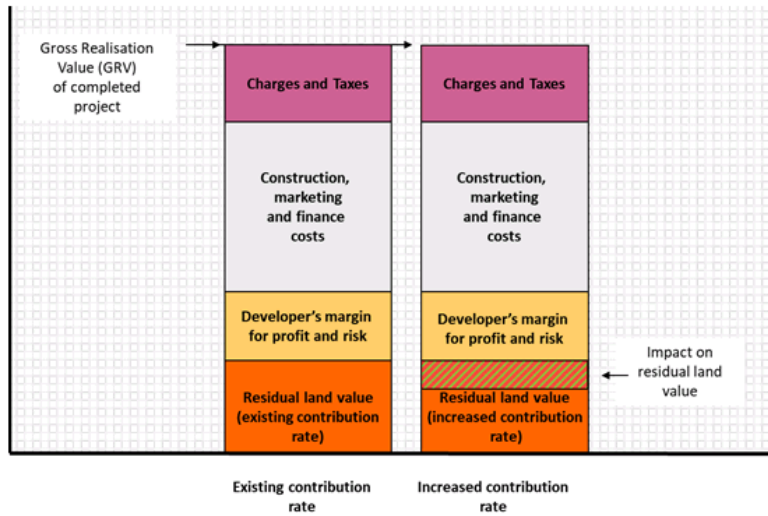
That is, land owners who are selling land for development will receive a reduced price for the land when a higher open space contribution rate is implemented. A higher contribution rate will not translate into higher sale prices for properties in the redevelopment. The impact of a higher contribution rate on residual land value is shown in Figure 11.

As long as the residual land value for the development project is greater than the existing capitalised value of the income from the site, the development is likely to proceed.

¹² A crucial distinction is that Net Developable Area is defined by the VPA as 'Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (i.e. NDHa)'.
The developable site area is a percentage of NDHa, as local streets and connector streets are excluded. For Darebin it is the developable site area that the provision rate is applied to. The VPA's guidelines for NDHa would therefore translate to a higher provision rate than 10 per cent for developable site area. For example, if developable site area is 80 per cent of the NDHa, then a 10 per cent provision rate for open space on NDHa translates to an open space contribution rate of 12.5 per cent.

Another relevant consideration in applying the PSP guidelines as a benchmark is that they have been prepared with a dwelling density of 15 dwellings per hectare in mind. In Darebin, far higher levels of housing density are experienced, and this would translate into a further increase in the provision rate

FIGURE 11:IMPACT ON RESIDUAL LAND VALUE



If there is an inadequate supply of viable redevelopment sites, an increased contribution rate could theoretically reduce the amount of new housing coming onto the market. This in turn could impact on housing prices however modelling of increased inclusionary requirements in other comparable local government areas has shown this is very unlikely to occur.

Although there may be delays in the redevelopment of marginal sites due to the impact on the residual land value, over time, the residual land value will increase and the site will become viable for development. I.e. for the projects where there is currently a small margin between the developer's residual land value and the capitalised income stream under existing use of the site, an increase in public open space contributions may temporarily forestall development. As the market continues to increase, so too will residual land values, and the impact of the contribution rate will no longer be a deterrent to incumbent landowners selling land for development.

7. SUMMARY

This section summarises the strategic justification for a 10 per cent contribution rate across all land uses in Darebin.

Darebin is a rapidly growing municipality, and there is expected to be 20 per cent more dwellings by 2028. Parts of Darebin are already undersupplied with open space and 7 per cent of households do not have access to open space within 500 metres, below the Council target of 0 per cent.

Open spaces in Darebin are already under pressure with sports fields unable to meet existing levels of demand. The diverse local community and pressure from population growth means that existing open spaces must cater for a greater range of uses than they currently do. There is also a need for new open spaces to be acquired. Without increased investment in open space, the quality and supply of open space in Darebin will deteriorate.

Open space contributions collected at the time of subdivision under Clause 53.01 are a way to finance investment in open space. Existing open space contribution rates in Clause 53.01 are lower than many comparable Melbourne LGAs and this has led to a shortfall in investment in open space in Darebin. An inclusionary requirements approach is the most suitable method for determining a more appropriate contribution rate.

The inclusionary requirements approach is founded on the principle that all development must provide an open space standard, and is intended to ensure equitable access to open space across the whole municipality in the long run. It does not burden development in under-supplied areas with greater costs for improving open space. Instead it recognises that the entire municipality is a singular planning area for open space, across which an acceptable standard of open space services must be met. An appropriate standard of open space services is based on the equivalent value of 30 square metres per capita.

By applying an inclusionary standards driven approach, an 18.2 per cent contribution rate can be justified across residential, commercial and industrial land uses. However, a contribution rate of 18.2 per cent would also be likely to hamper development, especially on non-residential land in the short to medium term.

A contribution rate of 10 per cent of land value across all subdivisions is therefore recommended. This will deliver a reasonable standard of open space provision across the whole of Darebin. This contribution rate reflects the need to ensure that all residents in the future (2028) have access to a sufficient level of open space services. It also reflects Councils commitment to cost sharing as it will require council to fund the gap of 8.2 per cent to ensure planning standards are met.

Although a higher contribution rate is justifiable, a 10 per cent contribution rate in an established area like Darebin is unprecedented, and reflects a proactive commitment to improving open space provision across the municipality to meet the needs of the future population.

Applying this contribution rate in Darebin would ensure open space services are funded at a standard which is consistent with local and international benchmarks. This includes other Melbourne LGAs, PSP guidelines and South Australian legislation.

Strategic redevelopment sites at NURP and Preston Markets are unique opportunities to negotiate higher than 10 per cent open space contribution rates, and provide a rare opportunity to deliver new open space. A higher contribution rate on these sites is also considered appropriate given the value sharing development contribution principle.

8. APPENDIX

TABLE 13: OPEN SPACE CONTRIBUTION RATES IN OTHER MELBOURNE MUNICIPALITIES

Council	Description in Schedule to Clause 53.01
Banyule	5%
Bayside	5% and 8% or greater on Strategic redevelopment site subject to negotiation of development plan
Boroondara	None specified in a schedule
Brimbank	5% for commercial and residential, 2.5% for industrial
Frankston	Proposed 2-5% and 8% in Frankston MAC
Glen Eira	5.7%
Hobsons Bay	5% in Strategic Site – Precinct 15
Kingston	5% and 8% in selected activity centres and strategic redevelopment sites
Knox	5% on lots larger than 725 square metres, 8.5% on lots smaller than 725 square metres
Manningham	5% and 8% in activity centres/DDO areas
Maribyrnong	5.7%
Maroondah	5% and 8% in strategic site in Bayswater North
Melbourne	5% and 7.06% depending on forecast growth, 8% in Fishermans Bend Urban Renewal Area
Monash	2% 5% (Proposed 10% across municipality)
Moonee Valley	5%
Moreland	2.5% to 6.8%
Port Phillip	5% and 8% in Fishermans Bend
Stonnington	5% in Glen Iris, Malvern, Malvern East, Toorak and Kooyong, 8% in Armadale, Prahran, Windsor and South Yarra, 8% in specified subdivisions
Whitehorse	4\$ and minimum 4\$ on strategic sites
Yarra	4.5%

Source: SGS Economics and Planning, 2018



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DAREBIN PLANNING SCHEME

21.0231/08/2017
GC42**ENVIRONMENT**

This Clause provides local content to support Clause 11.03 (Open Space), Clause 12 (Environmental and Landscape Values), Clause 13 (Environmental Risks), Clause 14 (Natural Resource Management) and Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

21.02-115/10/2015
C138**Strategic Environment Framework**

‘The environment’ encompasses all the circumstances, objects or conditions that surround us as we live, work and recreate – from the climate, soil, water and other living things to open spaces, buildings, and urban streetscapes. In land use planning, ‘natural’ and ‘built’ environments are generally distinguished separately as they are in the objectives. However, they are interconnected in how they interface and collectively contribute to the experience of life in Darebin. Council supports an approach to natural and built environments that:

- Protects and enhances natural environmental assets, in particular creek and habitat corridors, and manages visual and physical impacts from land use and development in a way that does not preclude accessibility and, where appropriate, the physical and visual integration between urban and natural environments.
- Promotes urban environments and open spaces designed for liveability and environmental sustainability, and making a positive contribution to the health and wellbeing of Darebin residents, workers and visitors.
- Recognises and protects areas and sites of natural, cultural and built heritage value.

Objectives and strategies for these are set out in the clauses below.

21.02-231/08/2017
GG42 Proposed C186dare**Natural Environment****Overview**

Areas of natural environmental significance in Darebin include native grasslands at Central Creek Reservoir and Cherry Street Macleod; two major creek systems (Merri and Darebin); significant remnant vegetation (River Red Gums at Mount Cooper and Bundoora Park); and native habitat forest (Gresswell Forest and Hill, and La Trobe Wildlife Sanctuary) which also support significant native animal species.

The Merri and Darebin Creeks, Gresswell Habitat Link and Hurstbridge Rail Reserve provide a cohesive network of natural spaces and corridors. Appropriate landscape and water management on land adjoining this network can contribute to the protection of these habitats. Additionally, areas around Darebin and Merri Creeks that are popular for recreation, cycling and walking require planning to ensure they are safe spaces to access.

Refer to the Strategic Framework Plan at Clause 21.01-6 showing areas of natural environment significance.

Key Issues

- Protection of remnant natural areas in Darebin from the impacts of development.
- Pressure for redevelopment of residential creek-side lots.
- Impact of industrial development on creek-side environs with regard to location of storage areas, car parking and design of the built form.
- Maintaining long term protection of remnant native vegetation in estates such as Springthorpe in Macleod and Mt. Cooper and Lancaster Gate in Bundoora.
- Impacts of land use activities on local and regional waterways through substances released into the stormwater system, run-off from roads, and litter.

DAREBIN PLANNING SCHEME

- Maintaining a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks.
- Balancing the need for preserving a natural landscape feel with the need for passive surveillance at interfaces between natural and built environments.

Objective 1 – Protect and Enhance

To protect, maintain and enhance Darebin's natural environment including the major creek systems.

Strategies

- Ensure that remnant vegetation is identified and conserved.
- Ensure that places and areas of natural heritage significance are conserved and enhanced.
- Encourage the use of indigenous vegetation and planting on private and public land to increase biodiversity.
- Manage landscapes in ways that contribute to the creation of a more ecologically sustainable natural environment.
- Ensure development of urban areas maintains or improves river and wetland health, waterway protection and flood plain health through appropriate stormwater and overland flow management and integrated water management planning of precincts.
- Provide for a consistent and coordinated planning approach to protect, maintain and enhance the natural, landscape, cultural and built character of the Darebin and Merri Creek environs.

Objective 2 – Interfaces

To achieve a balance between the protection of the natural environment and the safety and surveillance objectives of recreational users of public open space.

Strategies

- Ensure that land use and development is compatible and appropriately integrated with areas of natural heritage and environmental significance.
- Ensure that development adjacent to the Darebin and Merri Creeks retains and enhances each creek's unique contribution to the community and wider ecology.
- Balance the need to ensure the aesthetic impact of development adjacent to creeks is sensitive to existing creek environs, view lines and landscape works with the need to provide passive surveillance over creek-side environs, particularly around access points to public land and along pedestrian and cycling pathways.
- Consider fencing strategies for development adjacent to parks and reserves, which ensures fencing not only defines the transition from public to private realm but promotes good surveillance.
- Ensure development of private land adjoining the perimeter of Bundoora Park is designed and orientated to provide frontage to the park and avoid high fencing and expanses of wall at the park interface. Development should provide visual and physical connections to the park (via active frontages with appropriate land uses at ground level, pedestrian paths and links, and windows, terraces/balconies orientated to overlook the park) wherever possible.

Implementation

The strategies in relation to natural environment will be implemented through the planning scheme as follows:

DAREBIN PLANNING SCHEME

Policy Guidelines

Apply Clause 22.03 Darebin Creek – Adjacent Land Design and Development in considering applications for development or subdivision of land adjacent to Darebin Creek.

Application of Zones and Overlays

- Apply the Public Conservation and Resource Zone over the Gresswell Habitat Link, Gresswell Forest Nature Conservation Reserve and Central Creek Grasslands.
- Apply Vegetation Protection Overlays to provide for the long term preservation of significant vegetation on the Mount Cooper, Springthorpe and Lancaster Gate Estates and the former Kingsbury Centre.
- Apply Environmental Significance Overlays to protect remnant vegetation sites and other areas of identified environmental significance.
- Apply Design and Development Overlays over private and public land adjacent to the Darebin and Merri Creeks to manage the impact of development on and provide appropriate interfaces with creek-side areas.
- Apply the Urban Floodway Zone and Land Subject to Inundation Overlay provisions as appropriate around waterways to minimise flood-related soil erosion, sedimentation and silting and to protect water quality.

Further Strategic Work

- Review the application of the Urban Floodway Zone along parts of the Merri, Darebin and Edgars Creeks.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Review the Darebin Creek Design and Development Guidelines (2000) to inform preparation of a Design and Development Overlay for land adjacent to Darebin Creek.
- Review the Development Guidelines for Merri Creek (Merri Creek Management Committee, 2004) to inform preparation of a Design and Development Overlay for land adjacent to Merri Creek.
- Include an integrated water management plan and ecological improvement initiatives for Darebin Creek in the formulation of the Northland Structure Plan.

Reference Documents

Bundoora Park Master Plan 2012

Central Creek Grassland 5 Year Management Plan 2011-2016

Darebin Creek, Design and Development Guidelines, City of Darebin, 2000

Darebin Litter Plan 2011-2013

Breathing Space: The Darebin Open Space Strategy: ~~2007-2017 (2008)~~ (Darebin City Council, 2019)

Development Contributions Plan

Development Guidelines for Merri Creek, Merri Creek Management Committee, 2004

Lower Darebin Creek Concept Plan, Parks Victoria/Melbourne Water, 1996

Merri Creek and Environs Strategy 2009-2014, Merri Creek Management Committee, 2009

Springthorpe Conservation Plan, February 2001

Springthorpe Tree Conservation Plans

DAREBIN PLANNING SCHEME

Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025

Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025

21.02-3

31/08/2017
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Built Environment**Overview**

The design and quality of the built environment, including buildings, public spaces, infrastructure and streetscapes plays an important role in enhancing civic pride, liveability and social connectedness, and provides opportunities for creating a more sustainable city.

Good urban design acknowledges the collective impact of development both within and beyond the boundaries of individual sites and enables positive outcomes for the public realm that enhance people's wellbeing and experience of the built environment.

Darebin City Council is committed to environmental sustainability and actively encourages sustainably-designed buildings that reduce energy consumption and water use, encourage recycling and sustainable transport and that use recycled and sustainable materials.

Key Issues

- Achieving high-quality design in development across a variety of urban environments, including activity centres and industrial/employment precincts.
- Impacts of large-scale development on streetscape amenity and pedestrian experience, and increased reliance on the public realm in providing visual appeal and amenity.
- How design might improve the interface and interaction of new developments with the public realm (including parks and open spaces).
- Incorporating Environmentally Sustainable Design (ESD) principles in the design and development of built environments and strengthening requirements at planning permit stage.
- Striking a balance between the understandable need for businesses to advertise and community expectations for an environment devoid of unattractive visual clutter.

Objective 1 – Urban Design Excellence

To ensure development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.

Strategies

- Encourage high quality design and buildings that respond to characteristics of the locality.
- Develop and implement detailed design guidelines for areas where substantial housing change and growth is encouraged.
- Ensure that important public views and vistas, where identified in a strategy or guideline adopted by Council, are recognised, protected and enhanced.
- Apply urban design principles when developing structure plans, land use strategies, and urban design guidelines.
- Promote land use and development in activity centres, strategic corridors and strategic development precincts in accordance with adopted Structure Plans, precinct plans or strategies.
- Ensure development in activity centres, strategic corridors and strategic development precincts:
 - is responsive to its environment with a high quality appearance
 - promotes an urban scale and character that is appropriate to the role and function of the activity centre or strategic corridor precinct

DAREBIN PLANNING SCHEME

- encourages consolidation of commercial areas along strategic corridors to create strong, vibrant hubs to serve the local community
- manages negative off-site impacts and interface issues with surrounding sensitive land uses
- promotes visual and physical improvements to the public realm
- encourages a safe and accessible environment for pedestrians, cyclists, public transport users and motorists.
- Ensure that development in industrial and commercial areas:
 - achieves a high standard of building design and provides for suitable landscaping and treatments to improve the visual character, function and layout of such areas
 - minimises the impact of traffic, noise and emissions from industrial land uses on the amenity of surrounding residential areas
 - reduces and minimises conflict between industrial and non-industrial land uses.
- Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged.
- Collect development contributions from private development for streetscape upgrades.
- Undertake streetscape upgrades to Edwardes Street, Broadway and other streets in Reservoir Activity Centre.

Objective 2 – Safe Urban Environments

To promote safety through well-designed and well-maintained urban environments.

Strategies

- Encourage designs that incorporate elements that promote safety, such as clear sightlines, safe movement, passive surveillance, good connections, good access, mixed use and activities that promote public use.
- Ensure that public spaces, access routes and areas in the vicinity are attractive, safe, uncluttered and work effectively for all.
- Ensure new retail and/or mixed use development incorporates verandahs over footpaths where appropriate.
- Ensure that buildings at ground level provide active frontages and a high level of pedestrian amenity.
- Encourage day and evening activity in activity centres, other precincts and key development.
- Consider the above strategies in assessments and when developing strategies and urban design guidelines.

Objective 3 – Environmentally Sustainable Design

To promote and facilitate development that incorporates best practice environmentally sustainable design and promotes sustainable living and business practices.

Strategies

- Encourage the adaptive reuse of buildings to reduce the amount of waste going to landfill.
- Encourage the design of new and retrofitted buildings and public spaces to incorporate high standards of energy efficient design, water sensitive urban design, sustainable transportation, waste reduction and protection of biodiversity.
- Promote the integration of land use and sustainable transport (walking, cycling and public transport) in accordance with the strategies in Clause 21.05-1.

DAREBIN PLANNING SCHEME

- Encourage best practice industrial and commercial development to minimise amenity impacts and achieve long term environmental sustainability.
- Require the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential and non-residential development as part of the planning permit approval process.

Objective 4 - Signage

To ensure signage is integrated into development and streetscapes.

Strategies

- Minimise visual clutter and prevent the proliferation of signs, particularly along major gateways, road reservations, commercial/retail areas and industrial estates.
- Ensure that outdoor signage presents a coordinated and high quality image.
- Ensure outdoor signage is located on the land to which it relates.
- Encourage simple, clear, consistent and non-repetitive advertising that is displayed in appropriate locations and planned as an overall signage package for a site.
- Ensure outdoor advertising is appropriate with regard to the architectural design of buildings on which signs are displayed.
- Incorporate outdoor advertising into the design of new buildings and major renovations and ensure signage is planned for at the beginning rather than at the end of development.

Implementation

The strategies in relation to built environment will be implemented through the planning scheme as follows:

Policy Guidelines

- Apply Clause 22.01 Junction Framework Plan in considering applications for use and development in the Junction Strategic Development Precinct.
- Apply Clause 22.04 Industrial and Commercial Activity in considering applications for use and development in the Industrial 1, Industrial 3 and Commercial 2 Zones.
- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for use and development in the High Street corridor.
- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.
- Apply Clause 22.08 Northcote Activity Centre in considering applications for use and development in the Northcote Activity Centre.
- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays

- Apply the Activity Centre Zone to activity centres, incorporating urban design frameworks and guidelines.
- Apply the Design and Development Overlay to ensure that key public views and vistas are protected and enhanced.

DAREBIN PLANNING SCHEME

- Apply the Design and Development Overlay to sites and precincts to achieve specific desired built form outcomes, design principles and treatment of interfaces (as required by structure plans, strategies, or site studies).
- Apply Design and Development Overlays along strategic corridors to achieve high quality development in accordance with relevant urban design frameworks.
- Apply the Development Plan Overlay to strategic redevelopment sites and precincts.

Further Strategic Work

- Develop an Environmentally Sustainable Development Strategy that will:
 - establish a framework to coordinate the various environmental policies of Council and provide strategic directions for energy efficiency, waste management and integrated water management
 - set design guidelines for achieving sustainable development that minimises energy and water consumption and encourages reuse of water and waste; and
 - provide the basis for other planning measures such as overlays for achieving sustainable development at both site and precinct scale.
- Prepare and implement Urban Design Frameworks and guidelines for development in:
 - Northland Activity Centre
 - Reservoir Activity Centre
 - Fairfield Village and Miller-on-Gilbert Neighbourhood Centres
 - Heidelberg Road Corridor
 - The Junction – South Preston and Oakover Village Strategic Redevelopment Precincts.
- Review the *Preston Structure Plan 2006 (as amended)* and *Northcote Structure Plan (2007)* to ensure the strategic directions in these plans address contemporary issues and reflect the broader strategic vision for municipal growth and change.
- Review the *High Street Urban Design Framework (2005)* and implement Design and Development Overlay controls for intermodal areas of High Street.
- Review the *Bell Street Corridor Strategy(2006)* and implement Design and Development Overlay controls to encourage high quality development along the Bell Street Corridor.
- Identify important public views and vistas in the municipality.
- Explore opportunities to incorporate public art elements in high profile developments.
- Identify and support the delivery of streetscape upgrades in Substantial Housing Change areas.

Reference Documents

Bell Street Corridor Strategy, Hansen Partnership, 2006

Climate Change and Peak Oil Adaptation Plan, 2009

Community Climate Change Action Plan 2009-2020

Community Health and Wellbeing Plan 2009-2013

Darebin Community Safety Strategy 2012-2016

Darebin Housing Strategy 2013 (revised 2015)

Darebin Waste and Litter Strategy 2015-2025

Green Streets Strategy 2013

High Street Urban Design Framework and High Street Study Precinct Guidelines, 2005

DAREBIN PLANNING SCHEME

Northcote Activity Centre Structure Plan, 2007, and Medium and Low Change Residential Areas Precinct Guidelines, 2008

Northland Residential Neighbourhood Precinct Structure Plan, 2014

Plenty Road Integrated Land Use and Transport Study, 2013

Preston Central Structure Plan 2006 (as amended) and Urban Design Framework and Guidelines, 2006

Reservoir Structure Plan, 2012

Residential Built Form Guidelines, 2014

Safer Design Guidelines for Victoria, 2005

Urban Design Charter for Victoria, 2010

Urban Design Framework 2015 St Georges Road and Plenty Road Corridors

Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025

Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025

21.02-4

15/10/2015
C138

Heritage**Overview**

Darebin municipality's rich and diverse natural heritage and history of human settlement, from pre-contact inhabitation, through European colonisation to the modern era, has created a heritage fabric characterised by many layers and types of significance.

The extensive stock of older buildings can provide opportunities for redevelopment that demonstrate principles of cultural and ecological sustainability, possibly through adaptive reuse, urban design and architectural excellence. Some heritage places have the potential to increase and enhance local and regional tourism opportunities.

Key Issues

- Providing a balance between conservation needs and capacity for new infill development within heritage precincts to deliver a good design outcome.
- Balancing diversity of experience and conservation of biodiversity values around natural heritage assets.

Objective 1 – Heritage Places and Areas

To ensure that places and areas of cultural and natural heritage significance are conserved and enhanced.

Strategies

- Encourage the retention of any significant original fabric in development proposals.
- Discourage demolition or relocation of locally significant heritage buildings.
- Encourage appropriate use of heritage places in keeping with heritage significance.
- Identify and protect sites of identified Aboriginal cultural heritage significance.
- Identify and protect sites of natural heritage significance.

Objective 2 – Development and Heritage

To promote sympathetic infill and redevelopment of heritage places and areas.

DAREBIN PLANNING SCHEME

Strategies

- Ensure development within heritage areas is sympathetic with the heritage character of the area.
- Ensure that redevelopment of heritage buildings and areas is visually compatible with existing forms.
- Promote innovative responses that makes a positive contribution to the heritage places and areas.
- Facilitate designs that are sensitive to heritage and urban character.
- Require conservation management plans for key sites prior to approval and commencement of works.

Implementation

The strategies in relation to heritage will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Heritage Overlay to places of local, regional, State or national heritage significance.
- Apply the Environmental Significance Overlay to places of natural heritage significance and culturally significant landscapes, trees and/or vegetation.

Further Strategic Work

- Review the Darebin Heritage Strategy, which should include the development of design guidelines on demolition and redevelopment of heritage places, and provide the strategic basis for development of a local policy to guide decision making.
- Prepare a Natural Heritage Study to identify sites of natural heritage significance and form strategies for ongoing conservation and management.

Reference Documents:

City of Darebin Heritage Study: Volume 3, Key Findings & Recommendations, 2008

City of Darebin Heritage Study: Volume 4a, Preston Central Heritage Assessment, Key Findings and Recommendations, 2008

City of Darebin Heritage Study, Volume 4b, Preston Central Heritage Place Citations, 2008

Darebin Heritage Review Volumes 1, 2, & 3, 2002

Darebin Housing Strategy 2013 (revised 2015)

City of Darebin Citations for Individually Significant Buildings, 1996

21.02-5

04/06/2017
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Open Space**Overview**

Access to and enjoyment of open space is a key contributor to quality of life and local amenity. Council aims to improve the quantity and quality of open space and encourage the use and development of waterways and linkages. Priorities for managing open space are guided by the Breathing Space: The Darebin Open Space Strategy 2007-2017, which identifies and categorises open spaces by state down to local (Darebin City Council, 2019), which classifies open spaces according to their size and role, and the range of functions each space should fulfil.

Key Issues

- Darebin is a developed municipality with limited opportunities for creating additional open space. Existing open space is highly valued by the community.

DAREBIN PLANNING SCHEME

- There are areas in Darebin which currently have limited access to open space.
 - Provision of sufficient open space, as the City grows, particularly in higher density living precincts where there is higher reliance on ~~for~~-communal facilities for outdoor activities and recreation.
- Provision of open spaces that cater to different user groups and are inclusive of all members of the community.

Objective

To provide a safe, accessible and high quality open space network that is equitably distributed across the municipality.

Strategies

- Increase the quality and quantity of open space to address gaps in Darebin's open space network.
- Ensure that strategic redevelopment sites that seek high residential densities provide an appropriate level of open space to cater for the intended population.
 - Encourage opportunities for public and communal open spaces adjacent to the creek environs.
 - Protect and enhance existing open spaces where possible.
 - Encourage linear open space linkages along waterways including pedestrian and bicycle access.
 - Include provision for acquisition and improvement of open space in Development Contributions Plans.
 - Consider opportunities for 'greening' in areas of higher density development, including alternative to traditional ground level landscaping e.g. green roofs and walls.
- Ensure open spaces contribute to increasing biodiversity, including through strategic land acquisition.
- Design public open spaces that are welcoming, safe, multipurpose and easy to access for all members of the community.
- Encourage the design of public open spaces to recognise Aboriginal and Torres Strait Islander cultural heritage.
- Encourage opportunities for urban food production in open spaces.

Implementation

The strategies will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Application of Zones and Overlays
 - Apply the Public Park and Recreation Zone to all municipal reserves.
 - Apply the Public Conservation and Resource Zone to undeveloped municipal reserves which contain significant levels of indigenous vegetation or high biodiversity values.
 - Apply the Heritage Overlay to open space of recognised cultural and social heritage value.

Further Strategic Work

- Create a strategic land acquisition plan to guide decisions on the selection of open space.
 - Review and rezone public open space in accordance with relevant strategies.

DAREBIN PLANNING SCHEME

- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Undertake an assessment of the heritage significance of the City's older reserves as a basis for conservation planning and management, including Oldis Gardens, Johnson Park, LW Williams Reserve, JS Grey Reserve, Adam Reserve, Batman Park, Penders Park and AG Davis Reserve.

Reference Documents

Bundoora Park Precinct Master Plan, 2012

Breathing Space: The Darebin Open Space Strategy, ~~2007-2017~~ (2008) (Darebin City Council, 2019)

Open Space Contributions Review (SGS Economics and Planning, 2019)

Development Contributions Plan

Leisure Strategy 2010-2020

Playspace Strategy 2010-2020

21.02-6

31/08/2017
GC42

Environmental Risk**Overview**

Environmental risk in land use planning encompasses a broad range of issues, including the efficient management and protection of natural resources, dealing with contaminated land and developing resilience to impacts of climate change and peak oil.

Key Issues

- Consideration in planning strategies and permit assessments about potential environmental risks, such as land contamination, noise and air pollution, as well as the impacts of climate change including flooding, soil erosion, wildfire and heatwaves.
- Efficient management and protection of natural resources and ensuring risks of contamination, soil erosion, oil spill and industrial runoff into water bodies are considered in assessments.

Objective

To ensure appropriate development in areas prone to environmental risk.

Strategies

- Require assessment of environmental risk, and as appropriate require environmental audits be undertaken, where a sensitive use is proposed on potentially contaminated land.
- Assess risk prior to development in flood prone areas, in accordance with relevant flood management plans.

Implementation

The strategies in relation to environmental risk will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Environmental Audit Overlay to potentially contaminated land that may be used for sensitive uses in accordance with the requirements of *Ministerial Direction No.1 – Potentially Contaminated Land*.
- Apply the Special Building Overlay to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

DAREBIN PLANNING SCHEME**Further Strategic Work**

- Compile a register of non-conforming industrial sites for which a change to a sensitive land use is likely, with a view to applying the Environmental Audit Overlay.
- Develop a local planning policy for consideration of use or development of land which has potential for contamination to ensure proposed uses and developments are suitable, and require remediation of contaminated land to a level that is compatible with the desired future uses of the site.

Reference Documents

Climate Change and Peak Oil Adaptation Plan, 2009

Ministerial Direction No.1 – Potentially Contaminated Land

Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025

Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025

DAREBIN PLANNING SCHEME

NB – Edits shown in green are proposed in response to submissions.

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0 Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land that creates:	
<u>All land in the municipality (other than a subdivision specifically referred to in this schedule)</u>	<u>10%</u>
<u>Any subdivision of land bordered by Walker Street, High Street and Merri Creek Northcote (being all lots associated with Vol 11005 Folio 149, Volume 00677 Folio 340, Volume 01399 Folio 689, Volume 01619 Folio 716, Volume 02910 Folio 813, Volume 05698 Folio 411, Volume 06051 Folio 051)</u>	<u>5%</u>
<u>Any subdivision of land situated at 20-30 Oakover Road and 1-13 Railway Place West, Preston (being Lot 1 TP 747127V, Vol 03508, Folio 521)</u>	<u>5%</u>
<u>Any consolidation and subsequent subdivision of the Preston Housing Renewal Project land parcels at Stokes, Showers and Penola Streets (being Lots 3 to 21, 49 to 62 and 64 to 73 PS 433084B Vol 10513 Folio 434)</u>	<u>5%</u>
1 additional lot	None specified
2 additional lots	2%
3 additional lots	3%
4 additional lots	4%
5 or more additional lots	5%

DAREBIN PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

~~31/07/2018~~ - / - / -
VC148 Proposed C186 dare

Name of background document	Amendment number - clause reference
None specified Breathing Space: The Darebin Open Space Strategy (Darebin City Council, 2019)	C186
Open Space Contributions Review (SGS Economics and Planning, 2019)	C186

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

AMENDMENT C186dare

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Darebin City Council, who is the planning authority for this amendment.

The Amendment has been made at the request of Darebin City Council.

Land affected by the Amendment

The Amendment applies to all land in the municipality.

What the amendment does

The amendment proposes to increase the public open space contribution rate for all subdivisions, by amending the schedule to Clause 53.01 (Public Open Space Contribution and Subdivision) and amending the Municipal Strategic Statement (MSS).

The amendment:

- Amends the schedule to Clause 53.01 Public Open Space and Subdivision of the Darebin Planning Scheme to require a 10% open space levy for all land in the municipality.
- Amends Clause 21.02 of the Local Planning Policy Framework to:
 - o Update local policy to implement relevant strategies of *Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019)*
 - o Update reference documents to include *Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019)* and *Open Space Contributions Review Report (SGS Economics and Planning, 2019)*
- Amends the schedule to Clause 72.08 Background documents to include *Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019)* and *Open Space Contributions Review Report (SGS Economics and Planning, 2019)*

Strategic assessment of the Amendment

Why is the Amendment required?

Access to open space is essential to people's health and wellbeing. Darebin's population is expected to reach approximately 196,000 people by 2028. This will create greater pressure on existing public open spaces.

There are areas within Darebin that do not currently have access to open space within 500 metres and current access to open space per capita in Darebin is 19.6 square metres (as at 2018). Without creation of new open spaces, there will be a reduction in the open space per capita rates and an increase in the number and proportion of residents who do not have access to open space within 500 metres. Furthermore, residents living in higher density developments are anticipated to rely more heavily on open spaces for their needs.

30 square metres of open space per capita is recommended to deliver a reasonable standard of open space provision. In the absence of a state wide standard the determination of a benchmark of 30 square metres per person is based on an assessment of open space provision standards internationally, nationally and other examples from within Victoria. Open space strategies for the City of Kingston, City of Wyndham, City of Frankston and City of Monash for example have open space

provisions between 24 and 30.3 square metres (as demonstrated on p. 5 of the *Open Space Contributions Review Report, SGS Economics and Planning, 2019*).

It is not just access and proximity to open space that is important, but also the quality and useability of that open space. In a developed municipality, it is difficult to acquire enough land to ensure all occupants have access to an optimal per capita rate of public open space. It is therefore important to improve the quality of open spaces to deliver a greater level of open space services to the local community.

The current open space levy rates in the Darebin Planning scheme will not be sufficient to provide for the open space needs of the future population. The funds made available from the increased open space levy will be used to invest directly back into open spaces to improve the quality of existing spaces and to acquire more open space to grow the network.

Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019) was adopted by Council in September 2019. The strategy guides future open space planning in the municipality. A key action of the strategy is to undertake a planning scheme amendment to increase the open space contribution rate in the Darebin Planning Scheme.

The Open Space Contributions Review Report (SGS Economics and Planning, 2019) provides an independent analysis of public open space contribution requirements for Council based on expected growth rates and demand for future open spaces.

The report finds that there is need for an 18.2% open space contributions rate across land uses in Darebin to reach optimum quality of open space (30 square metres per capita). However, the report recommends an increase in the levy to a 10% open space contributions rate in Darebin across all land uses, to help ensure that the future community will have access to a reasonable standard of public open space provision. A 10% open space contributions rate equates to approximately 16 square metres (or equivalent) of open space provision per capita.

The calculation of open space contribution requirements is founded on three key principles:

1. The City of Darebin is considered a single planning unit for open space planning purposes. Clause 53.01 allows for open space contributions collected to be spent anywhere within the municipality.
2. All residents (existing and future) of the City of Darebin are entitled to enjoy access to a reasonable standard of open space and planning for future open space acquisitions and upgrades should seek the most equitable distribution of open space services across the city.
3. An inclusionary provisions approach means that all development should equip itself with sufficient open space to meet its needs as indicated by planning standards, and this can be through land or cash in kind contributions.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria contained in section 4(1) in the following ways:

- To provide for the fair, orderly, economic and sustainable use and development of land;
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- To balance the present and future interests of all Victorians.

The amendment helps to implement these objectives by:

- Providing a fair and equitable method of collecting contributions for open space.
- Providing public open space to meet the needs of the present and future population.

- Providing for the protection of natural and man-made resources and, protection and orderly provision and co-ordination public facilities by increasing the funding method to support improvements to public open spaces.

How does the Amendment address any environmental, social and economic effects?

Environmental Effects

The amendment will provide immense environmental improvements as it implements *Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019)* which reflects leading practice and actions regarding the climate emergency.

Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019) has three key directions:

- Meeting community open space needs
- Rewilding Darebin: Improving Biodiversity
- Creating a Green Streets Network

The amendment proposes an increase to the funding mechanism to contribute to improving existing and acquiring new open spaces which will be conserved to support a cooler City, increased biodiversity and nature habitat corridors.

Social Effects

The amendment will provide a strong benefit for the community as there is a clear link between health and wellbeing and access to quality open space. The open space contributions will contribute to funding improvements for open spaces that cater for all of Darebin's residents regardless of culture, gender, sexual orientation, age, socioeconomic condition and disability.

Economic Effects

The amendment will result in more financial resources to fund new open spaces and improve existing open space. The amendment will provide an equitable collection of contributions from subdivisions across the municipality. The flat rate levy will provide greater certainty to developers and a more equitable means of distributing costs.

Does the Amendment address relevant bushfire risk?

The changes proposed in the amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act).

In accordance with Section 12 (2) (a) of the Planning and Environment Act, The Minister's Directions relevant to the amendment are:

Ministerial Direction No. 9 – Metropolitan Planning Strategy

The amendment is consistent with and implements the following aspects of Ministerial Direction No. 9 Metropolitan Planning Strategy, *Plan Melbourne 2017-2050*:

- Direction 5.1 – Create a city of 20-minute neighbourhoods. A 20 minute neighbourhood must offer high-quality public realm and open space.
- Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.
 - o 5.4.1 – Develop a network of accessible, high-quality, local open spaces.

- Direction 6.4 – make Melbourne cooler and greener.
 - o 6.4.1 – support a cooler Melbourne by greening urban areas, buildings, transport corridors and open spaces to create an urban forest.
 - o 6.4.2 – Strengthen the integrated metropolitan open space network.
- Direction 6.5 – protect and restore natural habitats
 - o 6.5.1 – Create a network of green spaces that support biodiversity conservation and opportunities to connect with nature.

Ministerial Direction No. 11 – Strategic Assessment of Amendments

The requirements of Ministerial Direction No 11 are addressed through this Explanatory Report and accompanying strategic justification in support of this amendment.

Ministerial No. 15 – The planning scheme amendment process

The requirements of Ministerial Direction No 15 are addressed through complying with the specified planning scheme amendment process and associated timeframes.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment supports the following provisions of the Planning Policy Framework:

- Clause 11- *Settlement* 'Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure'.

The amendment supports this clause by requiring all new subdivisions to contribute to the future open space needs of the municipality.
- Clause 12 – *Environmental and Landscape Values*. The objective at clause 12.05-2S *Landscapes* is 'to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments'.

The amendment supports this clause by improving valued open spaces in the municipality.
- Clause 15- *Built Environment and Heritage*. The objective at clause 15.01-3S *subdivision design* is 'to ensure the designs of subdivision achieves attractive, safe accessible, diverse and sustainable neighbourhoods'.

The amendment supports this clause by providing the funding to create a network of open spaces and by protecting and enhancing native habitat.
- Clause 19- *Infrastructure*. The objective at clause 19.02-6S *Open space* is 'to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community'. The objective at clause 19.02-6R *Open space – Metropolitan Melbourne* is to strengthen the integrated metropolitan open space network'.

The amendment supports this clause by providing the funding to improve and acquire new open spaces that meet the needs of the community.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports and amends the following clauses of the Local Planning Policy:

Clause 21.02-2 Natural Environment – the amendment is consistent with objectives to protect, maintain and enhance Darebin's natural environment.

Clause 21.02-5 Open Space – amends this clause by updating the key issues, strategies and further strategic work in-line with the recommendations of *Breathing Space: The Darebin Open Space Strategy (City of Darebin, 2019)*.

How does the amendment support or implement the Municipal Planning Strategy?

The Darebin Planning Scheme is scheduled for translation into the new planning scheme format in 2020. As part of this translation, the above clauses in the Municipal Strategic Statement will be redrafted. It is considered that the proposed changes to the current format will not hinder the translation process and will be able to be translated into the new format, with the rest of the local content as scheduled.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment introduces and amended schedule to clause 53.01. This schedule is specifically provided in the Victorian Planning Provisions to allow councils to specify open space contribution rates appropriate for their local circumstances.

How does the Amendment address the views of any relevant agency?

The exhibition of the amendment will provide a formal opportunity for all relevant agencies to comment on the amendment. The amendment does not create any new referral agencies or referral requirements.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The requirements of the Transport Integration Act 2010 are not considered to be relevant to this amendment.

Resource and administrative costs

• **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment may have an impact on the legal and administrative costs of the responsible authority. Increasing the open space levy rate across the municipality for all subdivisions may result in Council receiving additional legal appeals for those 2 lot subdivisions where council considers it likely that the land can be further subdivided and therefore applying the open space levy.

Where you may inspect this Amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- City of Darebin (Planning Counter), Level 1, 274 Gower Street, Preston
- Northcote Customer Service Centre, 32-38 Separation Street, Northcote
- Reservoir Community and Learning Centre, 23 Edwardes Street, Reservoir
- Preston Library, 266 Gower Street, Preston
- Fairfield Library, 121 Station Street, Fairfield

The amendment can be viewed online at www.darebin.vic.gov/C186dare

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by 16 December 2019.

A submission must be sent to:

Coordinator Strategic Planning
Darebin City Council
PO Box 91
Preston Victoria 3072

or via email to: planningservices@darebin.vic.gov.au

or online www.darebin.vic.gov.au/c186dare

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: To commence in the week of Monday, 30 March 2020
- panel hearing: To commence in the weeks of Monday 27 April 2020 and Monday 4 May 2020

*Planning and Environment Act 1987***DAREBIN PLANNING SCHEME****AMENDMENT C186dare****INSTRUCTION SHEET**

The planning authority for this amendment is the Darebin City Council

The Darebin Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In **Local Planning Policy Framework** – replace Clause 21.02-2 with a new Clause 21.02-2 in the form of the attached document.
2. In **Local Planning Policy Framework** – replace Clause 21.02-5 with a new Clause 21.02-5 in the form of the attached document.
3. In **Particular Provisions** – Clause 53.01, replace the Schedule with a new Schedule in the form of the attached document.
4. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
1		<p>Objection.</p> <p>1. Inconsistency in relation to proposing a 10% Open space levy rate for all subdivisions submitted to DELWP and information on the Darebin website where two lot subdivisions are exempt from paying the levy.</p> <p>2. Opposing the blanket rate of 10% being applied to all subdivisions regardless of size as it will make the smaller developments (less than 5 lots) unfeasible.</p> <p>Proposes a gradual increase of open space contribution to make the project viable, as follows: 1 additional lot - 0% 2 additional lots - 2% 3 additional lots - 4% 4 additional lots - 6% 5 additional lots - 8% 6 or more additional lots - 10%</p> <p>The Open Space Levy will have a significant impact on smaller scale developments compared to larger developments as the taxes are a higher proportion of the profit margin for smaller projects. Banks will not provide funding for projects with less than 15% profit so this may stop development of smaller projects. Larger projects will be able to absorb the additional cost.</p> <p>3. There will be an increase in house prices that will be passed down to home buyers.</p>	<p>Yes.</p> <p>Proposes a gradual increase of open space contribution to make the project viable, as follows: 1 additional lot - 0% 2 additional lots - 2% 3 additional lots - 4% 4 additional lots - 6% 5 additional lots - 8% 6 or more additional lots - 10%</p>	<p>R1. The head clause of 53.01 is not changing as part of this planning scheme amendment. 2 lot subdivisions remain exempt from paying the open space levy (unless it is deemed that they are likely to be further subdivided). Only the schedule to Clause 53.01 is proposed to be amended. The submitted was advised of this.</p> <p>R2. A blanket rate for all subdivisions is an equitable approach as all developments are required to provide a sufficient contribution towards open space to meet the needs as indicated by planning standards through cash, land or in kind contributions.</p> <p>R3. Modelling shows that the increased contribution cost will be factored into the residual land value and therefore costs will not be passed on to the housing market or by reducing the quality of the build.</p> <p>However, there may be some delays in the redevelopment of marginal sites due to the impact on the residual land value. Modelling has shown that the residual land value will increase and the site will become viable for development.</p> <p>It is considered that the benefits for the community from additional open space funded by the contributions outweigh concerns about housing affordability and development potential (as established by related Planning Panel Reports – see Stonnington C186 and Moreland C122)</p>	No change proposed. Refer to Panel
2		<p>Objection</p> <p>1. Proposal will impact on housing quality and affordability in Darebin.</p> <p>2. Proposes charging a lower contribution rate for town house development than apartment development</p>	<p>Yes.</p> <p>Consider charging a lower contribution rate for town house development than apartment development</p>	<p>R1. See submission 1, R3.</p> <p>R2. See submission 1, R2.</p>	No change proposed. Refer to Panel
3		<p>Support</p> <p>1. Supports the proposal as open space is vital for a healthy community.</p> <p>2. Concerned about the potential for developers to build 2 dwellings instead of 3 so they avoid paying the open space levy.</p> <p>3. The levy may impact housing supply and affordability.</p>	No	<p>R1. Noted.</p> <p>R2. Research has shown that there will not be a long term effect on the housing market (See submission 1, R3). Further, quality dual occupancy development is supported in appropriate locations.</p> <p>R3. See submission 1, R3.</p>	No change proposed. Refer to Panel
4		<p>Objection</p> <p>1. The increased levy will make development unfeasible and deter developers developing in Darebin.</p> <p>2. The open space levy rate should not be changed.</p> <p>3. There are other ways to raise additional funds that will not impact on the development sector in Darebin.</p>	<p>Yes.</p> <p>Keep the current open space levy rate.</p>	<p>R1. See submission 1, R3.</p> <p>R2. Council's current open space contribution rate is too low and has resulted in inequitable provision and distribution of open spaces in Darebin. The increased rate will address this inequitable and insufficient provision. The proposed rate is based on the open space requirements for future residents.</p> <p>R3. The open space levy is an established mechanism to raise funds for public open space improvements and acquisitions.</p>	No change proposed. Refer to Panel
5		<p>Objection.</p> <p>1. Increase in open space levy will detract from the overall quality of development (quality of fitting, finishes and consideration of environmentally sustainable design) due to the increase in cost to developers.</p> <p>2. Increasing the levy will force developers to develop in the outer urban sites where there are less services and amenities.</p> <p>3. Advised that she developed and subdivided her land in Darebin into 2 lots and was charged the open space levy. Believes that she should not</p>	No.	<p>R1. See submission 1, R3.</p> <p>R2. See submission 1, R3.</p> <p>R3. The land in question was subdivided into 2 lots. An assessment was undertaken and the decision made that the land could potentially be further subdivided in the future and as such, the open space levy was applicable and charged.</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
		have been charged the open space levy as it was extremely unlikely that the land would be subdivided in the future.			
6		Objection. 1. Developers are being targeted with increased land valuations and the cost of developing housing is too high.	No.	R1. See submission 1, R3.	No change proposed. Refer to Panel
7		Objection. 1. Rate is unjustified and unfair. 2. Increased development expenses will impact on being able to purchase an affordable town house.	No.	R1. See submission 1, R2. R2. See submission 1, R3.	No change proposed. Refer to Panel
8		Objection. 1. Increased rate is not justified	No.	R1. The methodology used supports the change in contribution rate to 10% and is considered justified from a need and equity perspective. The report shows that a 10% open space levy rate is required to provide a reasonable provision of open space services for the future population.	No change proposed. Refer to Panel
9		Objection. 1. Only 44% of subdivisions have paid the 5% levy rate. Suggests to increase the rate to a flat 4-5%. 2. A 10% flat rate is too high and would de-centivise development in Darebin.	Yes. Increase the open space levy rate to a blanket 4-5%	R1. Council's data from July 2018 to June 2019 shows that from 85 subdivisions, 11 paid the 5% open space levy rate. The majority of subdivisions have paid between 2 and 3% open space levy rate. Increasing the rate to a flat 4-5% will not ensure enough adequate public open space provision for the municipality. R2. See submission 1, R3.	No change proposed. Refer to Panel
10		Objection. 1. The current 5% open space levy rate is too high. 10% is too high. 2. The 5% open space levy rate should be reduced to encourage developers to develop in Darebin.	Yes. The 5% open space levy rate should be reduced.	R1 and R2. See submission 4, R2.	No change proposed. Refer to Panel
11		Objection. 1. The amendment will impact on the number of developments in Darebin and will slow down the economy. Construction costs are rising and global instability will make housing more unaffordable because it will impact on supply. 2. The levy makes a development of 3-4 dwellings unfeasible. 3. The rate should only be applied to developments of 13 or more.	Yes. Keep levy at current rate. The rate should only be applied to developments of 13 or more.	R1 and R2. See submission 1, R3. R3. See submission 1, R2.	No change proposed. Refer to Panel
12		Objection 1. A drastic increase to the open space levy on top of extra rates charged.	No.	R1. See submission 4, R2.	No change proposed. Refer to Panel
13		Objection 1. The open space levy will penalise developers wanting to develop 3 units. Low density housing is needed in the municipality. The current system is fairer. 2. The change in levy should be introduced over a few years.	Yes. Proposes transitional provisions.	R1. See submission 1, R3. R2. Transitional provisions are not considered appropriate or necessary. The planning scheme amendment process including exhibition, the panel process and final approval by the planning minister will take in excess of a year – which is in effect a transitional period (as established by related Planning Panel Report C122 City Of Moreland).	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
14		<p>Objection</p> <p>1. The increased rate should not be applied to developers who have already purchased land and plan to develop.</p> <p>2. Lending criteria has changed which has meant that holding costs have increased.</p>	No.	<p>R1. See submission 13, R2.</p> <p>R2. See submission 1, R3.</p>	No change proposed. Refer to Panel
15		<p>Objection.</p> <p>1. The open space levy is an unfair, additional cost on development on top of stamp duty, gst, authority contributions, planning permit fees, metro planning levy, building levy.</p> <p>2. The increased levy will impact on housing affordability and less housing will be built in Darebin which will mean that Council will not be able to collect as much revenue from rates.</p> <p>3. It will discourage quality development in favour of low quality, inferior housing.</p> <p>4. Higher density development should be charged a higher levy rate as they place more pressure of the existing open spaces and do not provide enough private open space on site.</p>	<p>Yes.</p> <p>High density developments should be charged a higher rate.</p>	<p>R1. See submission 4, R3.</p> <p>R2 and R3 See submission 1, R3.</p> <p>R4. See submission 1, R2.</p>	No change proposed. Refer to Panel
16		<p>Objection</p> <p>Nightingale are a housing provider dedicated to the provision of housing developments that are environmentally, financially and socially responsible.</p> <p>They apply a voluntary inclusionary zoning of 20% affordable housing in their projects.</p> <p>Nightingale buildings are delivered at cost without profit to developer or real estate agent.</p> <p>Darebin currently has one nightingale housing development in Darebin – Nightingale 2 in Railway Place, Fairfield.</p> <p>1. Support the provision of more open space and the impacts this has on reducing the urban heat island effect and people's health and wellbeing.</p> <p>2. The proposed increase will make it difficult for the Nightingale model to operate in Darebin. The increased levy may discourage social housing providers from establishing themselves in Darebin.</p> <p>3. Seeking a waiver of the open space levy where developments include 20% affordable housing that is to be owned and operated by a registered housing provider.</p>	<p>Yes.</p> <p>Seeking a waiver of the open space levy where developments include 20% affordable housing that is to be owned and operated by a registered housing provider.</p>	<p>R1. Noted.</p> <p>R2. Previous Panels have established that the need for the provision of open space must be balanced with the need for the provision of housing. (as established by related Planning Panel Reports – see Stonnington C186 and Moreland C122).</p> <p>R3. A blanket exemption for developments that include affordable housing is not recommended for the following reasons:</p> <ul style="list-style-type: none"> - Other levers should be explored to encourage affordable housing in Darebin and could be included as part of an affordable housing policy position e.g. allowing greater height, fast track planning permits, reduced car parking requirements. - Modelling indicates that the open space levy rate will be factored into the residual land value for any new development proposals and will not impact on the quality of the development or the market price. - Council will continue to advocate for significant residential developments to include affordable housing as part of their proposal. Developers will be encouraged to enter into voluntary section 173 agreements with Council where incentives are negotiated as part of this process. This is currently the process supported by DELWP. - The Minister for Planning is currently considering mandatory controls for affordable housing. It is unclear how an exemption from the open space levy would relate to mandatory affordable housing controls. - It is unknown what impact exempting affordable housing will have on the amount of funds collected through the open space levy, and therefore Council's ability to deliver <i>Breathing Space: Darebin Open Space Strategy</i>. - A general exemption for affordable housing may not be supported by DELWP. 	No change proposed. Refer to Panel
17		<p>Objection</p> <p>1. The increase cost of the levy in addition to stamp duty, GST, Capital Gains, building levy, Permit fees are substantial.</p> <p>Gives an example of a recent subdivision in Regent where \$15000 was paid in open space levy. This amount will increase to \$75,000 under the new rate.</p> <p>2. The increased rate will reduce the value of the family home.</p> <p>3. Developers will pass on the increased cost to the home buyer, which will average \$20,000 per town house in a 5 lot development.</p>	No.	<p>R1. See Submission 4, R2.</p> <p>R2, R3 and R4 – See Submission 1, R3.</p> <p>R5. Waiver of car parking spaces is not a consideration of this planning scheme amendment which proposes only to increase the open space contribution rate. Further, the provision of car parking has no clear links to the need for public open space. Private open space is required by the Planning Scheme in addition to public open space. One does not rely on the other.</p> <p>R6. Other sources of funding for Council is not a consideration of this planning scheme amendment. The increase to the open space contribution rate is based on a clear need to ensure a reasonable provision of open space</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
		<p>4. The increase levy will impact the quality of building in order to save costs.</p> <p>5. Development proposing a waiver of car parking or balconies for private open space should be charged \$10,000 as this will place more pressure on open spaces.</p> <p>6. Council should consider charging a fee for a fast-track planning permit system to collect extra revenue.</p> <p>7. The planning scheme amendment has not been publicised enough so people wishing to develop land in the future will not know about the increased levy.</p> <p>8. The purchasing of Ruthven will not have much impact for open space as there is not a lot of development in that area due to single dwelling covenants.</p>		<p>services for the future population and all funds collected must be spent on public open space improvements and acquisitions as legislated by Section 18 of the Subdivision Act.</p> <p>R7. Sufficient notification was given in accordance with section 19 of the Planning and Environment Act. Additional notification was given by way of: two advertisements in the Leader newspaper, social media updates, emails to all stakeholders, posters in libraries as well as two drop in information sessions.</p> <p>R8. Council purchased the former Ruthven Primary school site to fill a gap in Darebin's Public Open Space Network and to move towards Council's goals of ensuring that all residents live within 500m walking distance of public open space.</p>	
18		No formal submission. The proposal is not within the EPA's remit of responsibilities.	No	R1. Noted.	
19		<p>Objection</p> <p>1. A lot of developers will not be able to afford a 10% open space levy rate. Contributions need to be paid before the title is settled and there may not be funds left from the construction to pay the levy.</p> <p>2. Suggests a 5% open space levy rate which will balance the need to raise funds and still retain developer interest in Darebin.</p>	<p>Yes.</p> <p>Proposes a flat 5% open space levy rate.</p>	<p>R1. See submission 1, R2.</p> <p>R2. See Submission 4, R2.</p>	No change proposed. Refer to Panel
20		<p>Support</p> <p>1. Supports the amendment but wants the levy to be used in the area where it is collected, the funds should be used to improve facilities close to the development.</p>	No.	R1. Open Space Contributions are legislated by the Subdivision Act which states that funds collected through the open space levy are able to be used anywhere in the municipality. Priority will be given to areas where improvements to open space is most needed as directed by Breathing Space: The Darebin Open Space Strategy.	No change proposed. Refer to Panel
21		<p>Support</p> <p>1. Supports the increase in the open space levy to 10%. The levy will provide support to green spaces and playgrounds that will experience increase use due to the increase in dwellings and the reduction of private open space in residential dwellings.</p>	No.	R1. Noted.	No change proposed. Refer to Panel
22		<p>Support</p> <p>1. Supports the proposal. The submitter hopes that the increase to the levy will promote the inclusion of open space in residential developments. States that open space is a valuable asset to our community, providing environmental benefits and a positive contribution to wellbeing.</p>	No.	R1. Noted	No change proposed. Refer to Panel
23		<p>Support</p> <p>1. Supports the open space levy. Open space is important for community mental health.</p>	No.	R1. Noted	No change proposed. Refer to Panel
24		<p>Objection</p> <p>1 Support the open space levy but think that the rate is too high.</p> <p>2. The rate will discourage developers from developing in Darebin and impact on Darebin's goals for housing.</p>	No.	<p>R1. See Submission 4, R2.</p> <p>R2. See Submission 1, R3.</p>	No change proposed. Refer to Panel
25		<p>Support</p> <p>1. Supports the need for more open space generally in the Cazaly ward where there is much greater intensification on major roads and infill sites.</p>	No.	<p>R1. Noted.</p> <p>R2. The open space levy is different to the Development Contributions Levy or an Infrastructure Contributions Levy. The open space levy can only be spent on improvements to, or acquisitions of land for the purpose of public open space. The funds collected can be used anywhere in the municipality.</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
		<p>2.Supports a levy more like the DCP or Infrastructure levy where the levy is tied to the specific proposal or precinct.</p> <p>3. The levy should be spent where it is needed the most in the northern end of the municipality.</p> <p>4. There should be no disparity between the quality of open spaces in the northern end of the municipality in comparison with the southern end. The annual budget favours the southern part of the municipality.</p> <p>5. The levy will not encourage developers to develop only 2 dwellings on a block of land to avoid paying the levy. The levy will just be built in as another cost.</p> <p>6. Developments of 2 or 3 units should be encouraged in Darebin to increase the diversity of housing options that are on offer.</p>		<p>R3, and R4. The open space levy will be spent in areas that need it the most as directed by <i>Breathing Space: The Darebin Open Space Strategy</i>.</p> <p>R5. Noted. This is not considered a purpose of the proposed open space levy increase.</p> <p>R7. Agree. This is generally done through the application of residential zones in appropriate locations.</p>	
26	Public Housing Renewal Program (PHRP) sites in Stokes/Penola, Preston and Walker Street, Northcote	<p>Developers in partnership with DHHS in the redevelopment of Walker Street, Northcote and Stokes/Penola, Preston as part of the State Government's Public Housing Renewal Program (PHRP)</p> <p>1.Went through a fixed tender process and development feasibility was based on a 5% open space levy being charged on the site. They submit that the increase to the levy will impact on their ability to deliver the agreed outcomes.</p> <p>2.Submit that the PHRP sites be exempt from the increased open space levy. A 5% open space levy should be charged.</p>	<p>Yes.</p> <p>Seeks to be exempted from 10% open space levy. Requests a 5% open space levy be charged.</p>	<p>R1. More information was sought from the submitter in relation to the impact the increased levy would have on the development and it was stated that the increase to the levy will impact on DHH's ability to deliver additional public housing at the Stokes/Penola development site in Preston.</p> <p>Due to the drawn-out nature of the planning process for these developments it is anticipated that they will not be subdivided prior to the proposed amendment being introduced in the Darebin Planning Scheme.</p> <p>R2. Exempting these development sites from the proposed increase to the open space levy rate is recommended for the following reasons:</p> <ul style="list-style-type: none"> - The submitter has stated that the increased levy will have a direct impact on the number of public housing dwellings provided at Oakover Village. - The submitter has stated that development feasibility and development outcomes (number of dwellings, built form etc) were based on a five per cent open space levy rate. There is not enough time for the planning permit process to be completed and the land to be subdivided before the planning scheme amendment is finalised. - The submitter has stated that the proposed increase to the open space levy represents a policy change that could impact upon the agreed contract between DHHS and MAB. - There will be some communal open space provided at the sites that can be used by residents. While this is not public open space, it does contribute to providing space for gathering and informal recreation for residents of the development. 	<p>No change proposed.</p> <p>Refer to Panel with Council's position to change the amendment by amending the schedule to Clause 53.01-1 to specify that the PHRP sites be charged a five per cent open space contribution rate.</p>
27		<p>Objection</p> <p>1.Imposing a 10% open space levy to all land is unfeasible.</p> <p>2.Small subdivisions do not create the same demand on existing open space areas and therefore should not be subject to the same levy rate as large multi-level subdivisions.</p> <p>3. A flat rate may encourage land owners and developers to try and squeeze additional lots into their developments which will lead to overcrowded designs and poor outcomes.</p> <p>4.A lower percentage should be applied to smaller subdivisions and incremental increases then applied to developments with a greater number of lots.</p>	<p>Yes.</p> <p>Apply a lower open space levy rate to smaller subdivisions with incremental increases applied to developments subdividing into a greater number of lots.</p>	<p>R1. See submission 1, R3.</p> <p>R2. See submission 1, R2.</p> <p>R3. Development applications are required to comply with the relevant planning provisions, including zones and rescode with height and setback requirements which prevent overdevelopment of land.</p> <p>4. See submission 1, R2.</p>	<p>No change proposed. Refer to Panel</p>

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
28		<p>Objection</p> <p>1. 10% rate is too high.</p> <p>2. Objects to a flat rate for all development. The open space levy should consider the nexus and need principles for public open space contributions.</p> <p>3. The open space levy may have implications for achieving urban consolidation and reducing the housing affordability problem in inner Melbourne. The open space levy increase will increase land development costs. The increase to the open space levy is inconsistent with state policy for urban consolidation and the provision of housing that is affordable.</p> <p>4. Will set a precedent for other Councils to pursue a higher open space levy rate.</p>	No.	<p>R1. See Submission 4, R2.</p> <p>R2. See submission 1, R2.</p> <p>R3. See submission 1, R3.</p> <p>R4. This planning scheme amendment applies to land in Darebin only. What other municipalities propose to implement regarding their open space contribution rates will be justified based on their own specific open space needs and circumstances.</p>	No change proposed. Refer to Panel
29	243-249 St Georges Rd Northcote	<p>Objection</p> <p>1. The previous amendments C136, C127 and C138 aimed at higher density and affordability as the driver to create open space and amenities which has lead to higher built form.</p> <p>2. Consolidation of lots was encouraged and developers were encouraged to create excellent urban design including large terraces for open spaces. Apartments were required to have car storage units and bike racks.</p> <p>3. Submits that the existing requirements for improved design means that adding the increased open space levy as an additional cost will make the development unfeasible.</p> <p>4. Development may need to be allowed at a greater height to accommodate the cost increase.</p>	No.	<p>R1. Disagree, While the previous amendments C136, C137 and C138 did allow a higher built form, the amendments did not propose changes to the open space contributions.</p> <p>R2. Private open space continues to be required in all residential developments. The open space levy funds the acquisition and improvement of public open space.</p> <p>R3 and R4. See submission 1, R3.</p>	No change proposed. Refer to Panel
30		<p>Objection.</p> <p>1. The open space contribution rate calculation contained in the open space contributions review report is the almost exclusive basis for justification of the proposed 10% open space contribution rate rather than any assessment of an equitable contribution from new development on the basis of the need created by that development.</p> <p>2. The calculation is too simplistic. It does not take into account the development that occurred well before specific open space requirements were established under the local government act.</p> <p>3. The calculation does not take into consideration the open space already provided within the municipality. The calculation excludes approximately 60% of open space in the municipality.</p> <p>4. The open space contribution rate is based on a land calculation but the levy will predominantly be paid in the form of monetary contributions. There is no analysis of expected income from the contributions levy.</p> <p>5. open space contributions is listed as one of eight potential funding sources In Breathing Space other potential sources for open space are listed. However open space contributions are expected to make up 10% of the 18.2% need which is considered too simplistic.</p> <p>6. The increased open space contribution rate will impose a development tax on new development to make up for a current shortfall of open space in the municipality.</p>	<p>Yes.</p> <p>Exemptions should be provided for subdivisions that do not create more than one additional separately disposable parcel of land and for a subdivision that creates an additional separately disposable parcel of land, where a permit is not required for the subdivision.</p>	<p>R1. The methodology used supports the change in contribution rate to 10% and is considered justified from a need and equity perspective because it requires all developments, regardless of size and location to pay the same proportional amount towards public open space. The report shows that a 10% open space levy rate is required to provide a reasonable provision of open space services for the future population.</p> <p>R2. The calculation in the Open Space Contributions Review Report (SGS Economics and Planning, 2019) is based on potential new development and future population projections and does not take into account development that has already occurred. It is not a means of catching up on a previous deficit of public open space.</p> <p>R3 The Open Space Contributions Review Report (SGS Economics and Planning, 2019) provides an Open Space Contribution calculation that is based on the planned population, total net developable land and open space required per person. Existing open spaces are not included in this calculation as these spaces cater for the existing population rather than the future population.</p> <p>R4. In an established area like Darebin it is acknowledged that it is difficult to provide significant amounts of open space. Delivering Open Space Services through the combination of land acquisitions and open space upgrades and improvements is a more practical approach to open space planning than land contributions. This however can be assessed on a case by case basis.</p> <p>R5. The open space levy will provide the majority of funds for open space improvements and acquisitions in the municipality as legislated by the Subdivision Act 1988. Additional sources of funding include government grants, Council funds, land sales, philanthropy, joint access agreements, government land transfer and development contributions collected from development contribution plans and section 173 Agreements.</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
		<p>7. Clause 53.01 should allow for some flexibility for Councils to exempt some subdivisions from paying the open space levy. Such as a boundary realignment.</p> <p>8. There is no provision for exempting subdivisions where a resubdivision of lots creates less or an equal number of lots. The Banyule planning scheme includes provisions that Darebin should include.</p> <p>9. The FAQs are misleading and states that the levy only applies when two or more lots are subdivided but the changes proposed to clause 53.01 constitute a blanket provision.</p>		<p>R6. The inclusionary requirements approach is intended to ensure equitable access to open spaces across the municipality in the long run. It does not burden future development with the responsibility of overcoming pre-existing undersupplies in open space.</p> <p>R7 The planning scheme provides exemptions from planning permits for classes of subdivisions such as boundary re-alignments. There are no changes proposed to the head clause of 53.01 which provides standard exemptions for the open space levy.</p> <p>R8. The open space levy can only be charged once and can only be charged for a subdivision that creates 2 or more additional lots. It is not considered necessary to provide further exemptions.</p> <p>R9. Disagree. See submission 1, R1.</p>	
31		<p>Objection</p> <p>1. The increased open space levy will increase housing prices.</p> <p>2. The increase is unjustified.</p> <p>3. The increase will not be able to be absorbed by developers.</p> <p>4. The increase in the levy will impact on the employment of construction workers in Darebin</p>		<p>R1, R3 and R4. See Submission 1, R3.</p> <p>R2. See Submission 8, R1.</p>	No change proposed. Refer to Panel
32	83 and 83a St Georges Rd, Northcote	<p>Objection.</p> <p>1. Compared to other similar municipalities, the 10% open space levy rate is exorbitant.</p>	No.	R1. See Submission 4, R2.	No change proposed. Refer to Panel
33	Preston Market	<p>Objection</p> <p>1. The increase to the open space levy is inappropriately broad in its application</p> <p>2. The increase is excessive</p> <p>3. The suggested 18.2% open space levy rate proposed for the Preston Market site is excessive and impractical.</p> <p>4. The increase will result in increased development costs which will impact on affordable housing for end users.</p>	No.	<p>R1. See submission 1, R2.</p> <p>R2. See Submission 4, R2.</p> <p>R3. The open space levy rate for strategic sites such as the Preston market will be negotiated on a case by case basis. The report indicates a rate of 18.2% should be applied on strategic redevelopment sites due to their significant development potential and the large increase in residential dwellings whose occupants will place a significant amount of pressure on existing public open spaces.</p> <p>R4. See submission 1, R3.</p>	No change proposed. Refer to Panel
34.		<p>Support</p> <p>1. Strongly supports the intent of the amendment to increase the open space contribution rate.</p> <p>2. Unless the open space contribution is increased, important open space and biodiversity improvements in Darebin will languish.</p>	No.	R1 and R2. Noted.	No change proposed. Refer to Panel
35.	Northcote Plaza	<p>Objection.</p> <p>1. The increase in open space levy rate is excessive.</p> <p>2. It is inappropriate in its application.</p> <p>3. As a blanket control it is contrary to other municipalities in Victoria.</p> <p>4. The Northcote plaza is located close to All Nations Park, Mc Donnell Reserve and Northcote Aquatic centre which offers public open space.</p> <p>5. Strategic redevelopment sites should be treated differently and not be affected by the blanket open space levy rate.</p>	No.	<p>R1. See Submission 4, R2.</p> <p>R2. See Submission 8, R1.</p> <p>R3. See submission 1, R2. Please note, other Councils that require a blanket rate across their municipality include: Banyule, Glen Eira, Maribymong, Moonee Valley and Yarra. Monash City Council is also currently in the process of considering a 10% flat rate.</p> <p>R4. The open space levy is used to fund improvements to, or acquisitions of land for the purpose of public open space. The funds collected can be used anywhere in the municipality. A blanket rate means that all developments are required to pay the same percentage of land value towards open space. This means that development that are well serviced by public open space are not</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
				<p>charged a lower rate, and conversely a development that is not in proximity to open space is not penalised by being charged a higher rate.</p> <p>The open space levy will be spent in areas that need it the most as directed by <i>Breathing Space: The Darebin Open Space Strategy</i>.</p> <p>R5. The open space levy rate for strategic sites will be negotiated on a case by case basis. The report indicates a rate of 18.2% should be applied on strategic redevelopment sites due to their significant development potential and the large increase in residential dwellings whose occupants will place a significant amount of pressure on existing public open spaces.</p>	
36	1.957-961 High St, Reservoir. 2. 949-951 High Street Reservoir 3. 61 Edwardes St, Reservoir	<p>Objection</p> <p>1. A 10% open space levy is exorbitant.</p>	No.	R1. See Submission 4, R2.	No change proposed. Refer to Panel
37		<p>Support</p> <p>1. Supports the proposed amendment and commends Council on the strategic work undertaken.</p> <p>2. Wishes to be kept informed during the planning scheme amendment process.</p>	No.	<p>R1. Noted.</p> <p>R2. Will send updates on progress of amendment</p>	No change proposed. Refer to Panel
38	Bunnings, Northland - 120 Chifley Drive Preston	<p>Objection</p> <p>1. Support the intent of Council's proposed increase to the amount of public open space in the municipality.</p> <p>2. The proposed blanket rate should be revised to ensure a more strategic and equitable method for providing this important public infrastructure.</p> <p>3. 10 per cent open space levy rate is exorbitant in comparison to with other Councils with similar contextual characteristics.</p> <p>4. The amendment does not consider location and geography of existing open space outside the Darebin municipal boundaries. There are several exiting open spaces in proximity to Bunnings Site within the neighbouring municipality of Banyule.</p> <p>5. The amendment doesn't take into consideration specific site contexts for Northland Urban Renewal Precinct (example WSUD requirements – are these considered part of the open space contribution?)</p> <p>6. There is no discussion in the report about how Council will work with Land owners through rezoning process in regards to public open space contributions. Would like this clarified.</p> <p>7. Provides a comparison of other municipalities open space levy rates</p> <p>8. Other methods of delivering this community infrastructure should be explored. The development industry cant be expected to deliver this significant increase and fix a shortfall.</p>	No.	<p>R1. Noted.</p> <p>R2. See submission 1, R2.</p> <p>R3. See Submission 4, R2.</p> <p>R4. It is standard practice that open spaces in neighbouring municipalities are excluded from the calculations of open space access and need due to the availability of data.</p> <p>The municipality is treated as a single planning unit and funds collected from the open space levy can be spent anywhere in the municipality based on need.</p> <p>R5. WSUD requirements are not part of the considerations of this planning scheme amendment. Different sites may have additional design requirements however modelling has shown that development costs are factored into the residual land value and will not impact on development outcomes.</p> <p>R6. Council will continue to work with landowners as part of any rezoning process.</p> <p>R7. Noted.</p> <p>R8. See Submission 30, R6.</p>	No change proposed. Refer to Panel

Planning Scheme Amendment C186dare Submissions – Summary and Response

No.	Property concerned	Summary of submission	Seeking Change to Amendment?	Response	Recommendation
39.	Various government owned land sites in Darebin	<p>Objection.</p> <p>Submission relates to various properties within Darebin used for public housing (3000 properties) and temporary or specialist disability housing and community facilities (1000 properties).</p> <p>1. An increased levy will impact on the department's ability to deliver their housing program.</p> <p>2. Requesting an exemption from the increased levy for government owned land.</p>	<p>Yes.</p> <p>Proposes changing the schedule to clause 53.01 exempt government owned land from the increased open space levy.</p>	<p>R1. The open space levy is charged at time of subdivision. It is understood that DHHS does not typically subdivide land unless it is being developed and sold for private housing (clarification was sought from DHHS in relation to this point but has not been received).</p> <p>R2. An exemption is not considered appropriate for the reasons stated above. However, if DHHS can provide further information about the impact the increase to the open space levy will have on their housing program, Council could reconsider their position as part of the Planning Panel process.</p>	No change proposed. Refer to Panel
40.		<p>Support</p> <p>1. The increase to the open space levy will improve the quality of public open spaces in Darebin and will have multiple benefits for people's health and wellbeing and connection to nature.</p> <p>2. The increase in the open space levy is overdue and urgent. It is needed to lift the investment in open spaces in Darebin and to help mitigate the effects of climate change.</p> <p>3. The increase to the open space levy will provide a funding source to enable Darebin Council to purchase land for public open space in areas where there is a lack of quality open spaces accessible to residents.</p>		Noted	No change proposed. Refer to Panel.
41.		<p>Objection</p> <p>1. The open space levy rate proposed is astronomically high.</p> <p>2. It will discourage housing developments in Darebin.</p>		<p>R1. See submission 4, R2.</p> <p>R2. See submission 1, R3.</p>	No change proposed. Refer to Panel.
42.	235-239 Separation Street, Northcote	<p>Objection</p> <p>1. Planning Scheme Amendment C157 was lodged in March 2016 to rezone the site from Industrial to Residential. The planning scheme amendment process has undergone extensive discussions and negotiations with Council and DELWP regarding community benefits including affordable housing, public open space and pedestrian links and contribution to local community infrastructure.</p> <p>2. The increase to the open space levy will impact on being able to deliver the desired amount of social benefit on site.</p>	Yes. Proposing that a 5% open space contribution be applied.	<p>R1. It is acknowledged that this site has been in negotiations with Council and DELWP in regards to the proposed rezoning for some time and that significant community benefits are still being negotiated. The planning scheme amendment has undergone several iterations and is currently still in the preparation or first stage of the official planning scheme amendment process. Therefore, there is still time for negotiations regarding development outcomes and community benefit.</p> <p>R2. It is not considered appropriate to waive the open space levy for significant redevelopment sites. Council will continue to advocate for significant residential developments to include both affordable housing and public open space as part of their proposal. Developers will be encouraged to enter into voluntary section 173 agreements with Council where incentives are negotiated as part of this process. This is currently the process supported by DELWP.</p>	No change proposed. Refer to Panel.
43.	217-223 Separation Street, Northcote	<p>Objection</p> <p>1. As with submission 42 (above), Planning Scheme Amendment C157 was lodged in March 2016 to rezone the site from Industrial to Residential. The planning scheme amendment process has undergone extensive discussions and negotiations with Council and DELWP regarding community benefits including affordable housing, public open space and pedestrian links and contribution to local community infrastructure.</p> <p>2. The increase to the open space levy will impact on being able to deliver the desired amount of social benefit on site.</p> <p>3. Any proposed open space contributions should be waived on a key strategic site that already proposes significant community and public benefit.</p>	Yes. Proposing that a 5% open space contribution be applied.	<p>R1. See Submission 42, R1.</p> <p>R2. See submission 42, R2.</p>	No change proposed. Refer to Panel.

9. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS

Nil

10. NOTICES OF MOTION**10.1 JOINT CONTRACT FOR REDEVELOPMENT OF
NORTHCOTE AND RESERVOIR LEISURE CENTRE****Councillor:** Tim LAURENCE**NoM No.:** 453

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council officers prepare a report for Council detailing any possible cost savings from creating a joint contract for both the redevelopment of Northcote and Reservoir Leisure Centres by seeking an extended capital contract to be executed to as joint design and construction projects.”

Notice Received: 11 February 2020**Notice Given to Councillors** 17 February 2020**Date of Meeting:** 24 February 2020**Attachments**

Nil

10.2 SPORTS GAMING TRANSITION FUND**Councillor: Tim LAURENCE****NoM No.: 454**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That:

- 1) *A meeting of all sports clubs impacted by the proposed gaming ban be organised within the next two weeks to gather from the clubs the current and future financial impacts of the clubs to assist in planning of a consideration of a sports gaming transition fund further facilitate the transition away from funds sourced from the gambling industry which was adopted in Council’s June 2017 motion.*
- 2) *All Councillors be invited to attend the meeting.”*

Notice Received: 11 February 2020**Notice Given to Councillors 17 February 2020****Date of Meeting: 24 February 2020****Attachments**

Nil

10.3 GAMING VENUES**Councillor: Tim LAURENCE****NoM No.: 455**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council:

- 1) *Reaffirms its commitment to lessen the impact and number of pokies machines in our city.*
- 2) *Acknowledges that current rate collections on private gaming land and land owned by Woolworths makes the Darebin Council a financial beneficiary of local gaming harmful impacts.*
- 3) *Officers provide a report to Council on 16 March 2020 detailing:*
 - *the total quantity of rates collected from gaming venues and Woolworth business premises in Darebin since June 2017*
 - *the expected gaming and Woolworths land holdings rate revenue in 2020-2021*
 - *options available for Councils consideration for disinvestment from gaming related revenue and options available for Councils consideration for diverting revenue from all those gaming revenues to a robust gaming addiction recovery program that includes counselling, food aid and temporary shelter for families made homeless from gaming impacts.*
 - *community or government partners to deliver support to local families impacted by gaming harms.”*

Notice Received: 11 February 2020

Notice Given to Councillors 17 February 2020

Date of Meeting: 24 February 2020

Attachments

Nil

10.4 DAREBIN COUNCIL 2020 ELECTIONS**Councillor: Trent MCCARTHY****NoM No.: 456**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council resolves to conduct the 2020 Darebin Council elections by attendance voting, as per Section 41A(2A) of the Local Government Act 1989.”

Notice Received: 11 February 2020**Notice Given to Councillors 17 February 2020****Date of Meeting: 24 February 2020****Attachments**

Nil

10.5 ETHICAL PAPER PLEDGE**Councillor:** Trent MCCARTHY**NoM No.:** 457

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council:

- 1) *Notes its adoption of the Social and Sustainable Procurement Policy in 2019 and recent calls for an immediate end to logging in water supply catchments and a moratorium on all other native forest logging following the recent catastrophic bushfires.*
- 2) *Agrees to sign the Ethical Paper Pledge (ethicalpaper.com.au).”*

Notice Received: 11 February 2020**Notice Given to Councillors** 17 February 2020**Date of Meeting:** 24 February 2020**Attachments**

Nil

10.6 SUPPORT REFUGEES DETAINED AT MANTRA HOTEL**Councillor: Gaetano GRECO****NoM No.: 458**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council:

1. *Welcomes the 59 refugees currently being detained at the Mantra Bell Hotel in Preston as residents to our City*
2. *Applauds the advocacy work being carried out by Darebin Advocates for Refugees and Asylum Seekers (DARAS), DECC and other groups in supporting and regularly visiting the refugees.*
3. *Notes that Cr. Rennie, in her role as Mayor, and Cr. Greco, chair of Council’s Welcoming Cities Committee visited Mantra recently to meet with a number of refugees and asylum seekers being held there and that this visit was warmly received and greatly appreciated.*
4. *Commits to work in partnership with the above mentioned groups to constructively support the detainees and to provide administrative and coordination assistance in advocating for the needs of the refugees and that Council receive regular updates on this work.”*

Notice Received: 11 February 2020

Notice Given to Councillors 17 February 2020

Date of Meeting: 24 February 2020

Attachments

Nil

10.7 FULL REDEVELOPMENT OF RESERVOIR LEISURE CENTRE**Councillor: Gaetano GRECO****NoM No.: 459**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council requests an Urgent Briefing requesting the full redevelopment of the Reservoir Leisure Centre as set out in option 4 in the previous Options Analysis.”

Notice Received: 11 February 2020**Notice Given to Councillors 17 February 2020****Date of Meeting: 24 February 2020****Attachments**

Nil

10.8 **\$100,000 COUNCIL DONATION TO BUSHFIRE APPEAL****Councillor:** **Gaetano GRECO****NoM No.:** 460

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council:

1. *Notes the in-kind support provided by Council to Victorian Councils affected by the bush fires.*
2. *Agrees in principle to make a cash donation of \$100,000 towards the bushfire appeal and seeks advice from appropriate bodies on the most suitable recipients.”*

Notice Received: **11 February 2020****Notice Given to Councillors** **17 February 2020****Date of Meeting:** **24 February 2020****Attachments**

Nil

10.9 COMMUNITY CONCERNS**Councillor: Gaetano GRECO****NoM No.: 461**

Take notice that at the Council Meeting to be held on 24 February 2020, it is my intention to move:

“That Council:

- (1) Receives a Council report in April 2020 that details what actions/activities Council is undertaking to ensure that any risk of embedded institutional racism or unconscious bias is addressed and does not occur.*
- (2) In preparation of the report Council consults with relevant local community stakeholders on their perceptions or any experiences of institutional racism or unconscious bias with Darebin Council.”*

Notice Received: 11 February 2020

Notice Given to Councillors 17 February 2020

Date of Meeting: 24 February 2020

Attachments

Nil

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- 2020 – 21 Annual Budget Planning Day – 8 February 2020
- Councillor Briefing – 10 February 2020
- Councillor Briefing – 17 February 2020

Recommendation

That the record of the Assembly of Councillors held on 8 and 10 February 2020 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

RELATED DOCUMENTS

Nil

Attachments

- Assemblies of Councillors - 24 February 2020 (**Appendix A**) [↓](#)



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	2020–21 Annual Budget Planning Day
	Date:	Saturday 8 February 2020
	Location:	Council Chambers, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor), Cr. Trent McCarthy, Cr. Tim Laurence, Cr. Gaetano Greco, Cr. Kim Le Cerf, Cr. Susanne Newton, Cr. Steph Amir, Cr. Julie Williams (to 3.46 pm)
	Council Staff:	Sue Wilkinson, Rachel Ollivier, Vicky Guglielmo, Sam Hewett, Ingrid Bishop, Kerry McGrath, Damian Hogan, Melinda Viksne From 12.50 pm: Che Sutherland, Sally Moxham, Felicity Leahy, Claudio Cavallo, Sally Moxham, Sunny Haynes
APOLOGIES:	Other:	Nil Cr. Lina Messina

The Assembly commenced at 9.15 am

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Discussion about the development of the draft 2020–21 Budget, including capital and non-capital strategic Initiatives	Cr. Susan Rennie declared a conflict of interest relating to the Libraries After Dark program and left the room from 3.42 to 3.45 pm while this item was being discussed

The Assembly concluded at 3.57 pm

RECORD COMPLETED BY:	Officer Name:	Melinda Viksne
	Officer Title:	Manager Governance and Performance



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing
	Date:	Monday, 10 February 2020
	Location:	Council Chambers, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor), Cr. Susanne Newton (Deputy Mayor), Cr. Steph Amir, Cr. Trent McCarthy, Cr. Gaetano Greco, Cr. Kim Le Cerf, Cr. Tim Laurence (5.41 pm) Cr. Julie Williams (5.41 pm).
	Council Staff:	Sue Wilkinson, Kerry McGrath, Sam Hewitt, Ingrid Bishop, Rachel Ollivier, Stevie Meyer, Sunny Haynes, Stephen Mahon, Amy O'Keefe, Karl Charikar, Steve Tierney
APOLOGIES:		Cr. Lina Messina

The Assembly commenced at 5.30 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning Scheme Amendment C186 Open Space Levy – Consideration of Submissions	No disclosures were made.
2	Media and Social Media Policy for Mayor and Councillors	No disclosures were made
3	Briefing on Trees	No disclosures were made
4	Promoting Women and Girls in Sport Partnership Agreement Outcomes and Achievements - Information Only	No disclosures were made

The Assembly concluded at 7.30 pm

RECORD COMPLETED BY:	Officer Name:	Stephen Mahon
	Officer Title:	Coordinator Governance, Council Business and Civic Services



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing
	Date:	Monday, 17 February 2020
	Location:	Council Chambers, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor), Cr. Susanne Newton (Deputy Mayor), Cr. Gaetano Greco, Cr. Kim Le Cerf, Cr. Julie Williams (5.45 pm), Cr. Trent McCarthy (5.46 pm), Steph Amir (5.46 pm), Cr. Lina Messina (6.00 pm), Cr. Tim Laurence (6.45 pm)
	Council Staff:	Sue Wilkinson, Kerry McGrath, Sam Hewitt, Ingrid Bishop, Rachel Ollivier, Hugh Butcher, Michelle Van Gerrevink, Sally Moxham, Stephen Mahon, Felicity Leahy, Andrew George, Shadi Hanna, Robyn Mitchell
APOLOGIES:		

The Assembly commenced at 5.42 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Supply of Energy Contracts for Council Operations	No disclosures were made.
2	Solar Saver Budget Cost Recovery	No disclosures were made
3	Outdoor Sports Infrastructure Framework and Priority Plan	No disclosures were made
4	Towards an Age Friendly Darebin Progress Report	No disclosures were made

The Assembly concluded at 9.10 pm

RECORD COMPLETED BY:	Officer Name:	Stephen Mahon
	Officer Title:	Coordinator Governance, Council Business and Civic Services

13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


15. CLOSE OF MEETING

**CITY OF
DAREBIN**

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